

NOTHING CAN MAKE UP FOR THE LOSS OF MY SON, I JUST WANT JUSTICE



The journey of families
facing the suspicious
death of a loved one





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**DO THEY
THINK
THIS WILL
MAKE US
GIVE UP**



*I thought of bringing
together all the families
whose children died
in prison, unjustly and
slandered, so we can
mobilize together and go
to the Carthage Palace...*

*To carry our children's
photos and stay there,
even if we are arrested,
intimidated, or expelled.*

*We must not remain silent,
even as time passes;
justice for our children will
eventually be served.*

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Intro duc tion.

Tunisia ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) in 1988.¹ It has committed to preventing torture and ensuring that individuals whose rights have been violated have access to effective remedies and reparations, especially when the violation was committed by a public official. This international commitment² is also enshrined in domestic law, notably in Articles 101 through 101.4 of the Penal Code.

SANAD is a program providing legal, social, psychological, and medical assistance to victims of torture and cruel, inhuman, or degrading treatment, implemented by the World Organization Against Torture in Tunisia. The individuals supported by SANAD are most often young men³ from disadvantaged social backgrounds, accused of common law offenses or acts of terrorism, or involved in social or political activism. The violence they report, committed by state agents, has serious—and sometimes fatal—physical, psychological, and social consequences.

In recent years, SANAD has observed a resurgence of suspicious deaths—that is, deaths occurring under unexplained circumstances involving public officials. Between 2013 and the present, the program has documented 36 cases of deceased individuals who were the subject of allegations of torture or ill-treatment, including through negligence. Eighty percent of these deaths occurred in places of detention.

The bereaved families demand truth, justice, and dignity for their deceased loved ones. Yet the legitimacy⁴ of these expectations is all too often denied. The suspicious death of their loved one marks the beginning of a chain of administrative, judicial, and symbolic abuses that have a lasting impact on them. The similarity of the difficulties encountered and the consistency of institutional responses in these cases reveal the existence of a structural phenomenon.

In practice, while the right to appeal is guaranteed, its effectiveness faces numerous obstacles. The legal classification of the facts, procedural delays, limited access to information, shortcomings in forensic documentation, and, in some cases, the lack of a judicial response undermine any prospect of obtaining redress. Institutional opacity and legal obstacles keep families in prolonged uncertainty. Months, sometimes years, can pass in the silence of the justice system. Families become the invisible victims of a system.

1. Act No. 88-79 of July 11, 1988, ratifying the Convention. JORT No. 48 of July 12, 1988, p. 1035

Decree No. 88-1800 of October 20, 1988, publishing the Convention. Official Gazette No. 72 of October 25, 1988, p. 1470

2. *Constitution of the Republic of Tunisia of July 25, 2022*, Art. 74: "Treaties ratified by the President of the Republic and approved by the Assembly of the Representatives of the People have authority superior to that of the law and inferior to that of the Constitution."

3. OMCT, *SANAD Report 2024–2025*, 2025, pp. 11–12: "The majority of individuals admitted to SANAD centers who have suffered acts of torture and ill-treatment are men, representing 62% of beneficiaries," "Furthermore, 44% of SANAD program beneficiaries are in the 26–35 age group (...), a generation in the midst of building their lives," "23% [...] are between 36 and 45 years old, an age group that represents a vital part of the country's economic, social, and family dynamics."

4. *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, United Nations, General Assembly Resolution 60/147, December 16, 2005, § 8

**IT HAS BEEN
SEVEN YEARS
SINCE MY SON
DIED, AND
I AM STILL
DETERMINED
TO FIND OUT
THE TRUTH.**

RAFA, FATHER OF KAMEL, 34.

This report is intended to be both sensitive and analytical, grounded in the accounts of families of victims of suspicious deaths, which it uses as a methodological foundation and presents in accordance with ethical standards.

Its purpose is to show the reader that the hardships endured by the families make it impossible for them to find closure. The report does not claim to offer an exhaustive analysis of the causes behind the increase in these deaths, but seeks to document their consequences.



INTRODUCTION

This approach is set against a backdrop marked by recurring reports of suspicious deaths and the public concern they generate.

Deaths in custody account for the majority of cases documented since 2014. This trend continues in 2026: during the first quarter, six new suspected cases of death in prison were reported to SANAD. This development calls for particular vigilance and underscores the urgency of protecting those deprived of their liberty.

Prison is one of the spaces where the state's coercive power is exercised most directly. When a death occurs there, it raises not only questions about the immediate circumstances of the death. It also calls into question the institutional environment in which it occurred and the circumstances under which a person could have lost their life while in the State's custody.

These deaths are part of a criminal justice policy largely based on the use of deprivation of liberty.

The majority of the victims whose cases SANAD analyzed were in prison at the time of their death (72%). Of these, 33% reported experiencing physical violence before their incarceration, during their arrest, or while in police custody, which raises questions about the continuity of the violations suffered between arrest and detention. The data concerning their health are equally alarming. Among those who died of illnesses without adequate access to care, 66% had no known medical history before their detention.

Their average age was 34, underscoring the premature and avoidable nature of many of the recorded deaths.

Finally, among people suffering from chronic physical illnesses, half died following an interruption of treatment during detention, in prison, or at a police station. These elements are not isolated situations, but rather point to a recurring pattern in which deprivation of liberty is accompanied by a weakening of fundamental guarantees concerning physical integrity, access to care, and protection of life.

5. 53.8% of the prison population in 2022, according to the Ministry of Justice as cited by Prison Insider, www.prison-insider.com
6. For recent analyses of the Tunisian context, see in particular: Lawyers Without Borders, *Combating Prison Overcrowding in Tunisia*, 2019; International Crisis Group, "Tunisia: Avoiding Default and Preserving Peace," December 22, 2023; UN, Human Rights Council, Working Group on Arbitrary Detention (WGAD) *Opinion 2024 on Tunisia - A/HRC/WGAD/2024*; Human Rights Watch, "All Conspirators: How Tunisia Uses Arbitrary Detention to Crush Dissent," April 16, 2025.
7. OMCT, *10 Obstacles to Justice and How to Overcome Them*, 2024.
8. According to the report by the National Authority for the Prevention of Torture (INPT), as presented by its president Féthi Jarray in *Business News*, "Tunisian Prisons: INPT Warns of Alarming Overcrowding," February 5, 2025, and Inkyfada, "Tunisia: Faced with Prison Overcrowding, the Justice System Continues to Imprison Recklessly," July 26, 2025.
9. Several studies (Lawyers Without Borders, Tunisian Justice Monitoring Network) highlight the overrepresentation of individuals from disadvantaged social backgrounds within the Tunisian prison population, raising questions about the role of the criminal justice system in perpetuating social inequalities.
10. *Lawyers Without Borders, Detention in Tunisia: Punishments Beyond Deprivation of Liberty*, 2015.
11. See in particular: National Authority for the Prevention of Torture (INPT), data and findings cited in Inkyfada "Tunisia: Faced with Prison Overcrowding, the Justice System Continues to Imprison Indiscriminately," July 26, 2025; Intersection Association for Rights and Freedoms, *Behind the Walls: Report on Torture, Mistreatment, and Medical Neglect in the Tunisian Prison System*, October 2025; *La Presse* "Prison Overcrowding: New Prisons Will Soon Be Built," November 15, 2025; *Business News* "Prisons: LTDH Once Again Barred from Accessing Mornaguia," April 16, 2026.
12. *Business News* "Prison Reform: Lawmakers Want to Turn the Page on a System That's on Its Last Legs," March 27, 2026
13. On this subject, all of the investigations conducted by Nawaat describe a prison system marked by extreme overcrowding, high social tension, and institutional opacity that makes any form of external oversight difficult. Similarly, the report *Behind the Walls: Report on Torture, Mistreatment and Medical Neglect in the Tunisian Prison System* by the Intersection Association for Rights and Freedoms, 2025.

A significant proportion of the prison population is in pretrial detention,⁵ a measure that is, however, intended by law to be exceptional. This practice has intensified in recent years and increasingly appears to be used as an instrument of control or repression.⁶ Prosecutions for contempt of a public official, for offenses related to Law 52 on the use of narcotics, or to Decree-Law 54 on cybercrime contribute to the expansion of the scope of incarceration, including against individuals who denounce institutional abuses or violence.

Judicial practices contribute to reinforcing this trend. Slow proceedings, the lack of strict time limits for investigations and trials, and frequent hearing postponements all contribute to the backlog in the courts.⁷ Under these conditions, pretrial detention tends to become a standard response to the judicial system's shortcomings.

These dynamics fuel the continuous growth of the prison population. The number of inmates has risen from approximately 22,000 in 2021 to nearly 32,000 in 2025,⁸ representing a 45% increase, against an estimated capacity of 18,000 beds.

This pressure is longstanding: as early as the 2010s, available analyses reported high prison density within a socially unbalanced⁹ and strained system,¹⁰ incapable of guaranteeing detention conditions that meet international standards.¹¹ Recent reform proposals before the ARP reflect an institutional acknowledgment of these failures¹² — failures that existing oversight mechanisms are unable to either prevent or address.¹³

INTRODUCTION

14. CRLTDH “Tunisia – Deaths in Prison and Deaths in Custody: State Responsibility,” March 2, 2026

15. Intersection Association for Rights and Freedoms, Behind the Walls: Report on Torture, Mistreatment, and Medical Neglect in the Tunisian Prison System, October 2025. The report highlights serious failures in access to healthcare in detention that have led to several suspicious deaths, in violation of international standards regarding the right to health, notably Article 12 of the ICESCR and Rule 24 of the Mandela Rules.

16. OMCT, Global Torture Index 2025: Fact Sheet – Tunisia, 2025.

Several dozen deaths in prison have been recorded in recent years, some of which occurred under circumstances deemed suspicious. Certain cases have sparked strong mobilization by families and civil society, particularly when individuals with known medical conditions died without access to their treatment.¹⁴ Others raise questions regarding a denial or delay in access to care.¹⁵ Still others are likely the result of violent assaults by state agents or fellow inmates, according to the testimonies and evidence gathered.

In nearly half of the deaths documented by SANAD, the victims had suffered violence attributed to officials even before being taken into police custody or incarcerated: some during their arrest or on public streets, others while in police custody before their transfer to prison.

These deaths cannot be separated from repressive criminal justice policies and detention conditions,¹⁶ which expose detainees to multiple forms of danger.

When death occurs under these conditions, it sets in motion a process in which the initial loss is prolonged by institutional silence, manifested by a lack of answers, opaque procedures, and the lasting alienation of families by administrative and judicial institutions.

This silence prevents the grieving process and permanently reshapes the lives of the bereaved.

OBJECTIVES

For the families involved in the project, this report aims to provide a powerful voice to defend the memory of their loved ones and turn their personal tragedy into a catalyst for social and political change. A death occurring after an interaction with state agents or under the state's responsibility involves both personal and political dimensions: redress is everyone's responsibility.

For change-makers, it offers a reflection on the changes needed to restore justice and dignity and prevent the recurrence of such violations.

The World Organisation Against Torture and the SANAD program thank the mothers, fathers, wives, children, brothers, and sisters who, despite their pain, agreed to share their stories. Their courage and determination in the quest for truth and justice give this work its significance and form its living substance.

METHODOLOGY

This report is based on:

- In-depth direct documentation of thirty-six individual cases of suspicious death, that is, deaths occurring under unexplained circumstances in detention or following an interaction with public officials;
- An analysis of the legal, social, medical, and psychological support provided to the relatives of victims of suspicious deaths by SANAD's legal and social coordinators;
- The conclusions of a workshop bringing together legal experts from SANAD Elhaq and lawyers from its network to map the obstacles encountered in the judicial handling of cases of suspicious death and formulate recommendations;
- Observations from six semi-structured focus group meetings that brought together relatives of victims of suspicious deaths in Kef, Tunis, and Sfax;
- The analysis of eight semi-structured interviews conducted with professionals providing legal, social, medical, and psychological support to relatives of victims of suspicious deaths.



I can still see him in the kitchen; he often cooked for us.



He was kind, accomplished, and respectful toward his parents.



He used to tell me, "I'm still young; I love life."



He was a young man full of life, determined to build a future for himself and support himself by taking any job he could find.



He was a brother, a father, and a friend all at once; he was a source of hope in our home.



My son was just beginning his life. Just before his death, he had received a significant job offer and had asked me, as soon as he started working, to organize a meal and invite our loved ones to celebrate. I did indeed prepare that meal. Not to celebrate, but to pray for his soul.



We were a simple, close-knit family, sharing a daily life filled with shared meals, conversations, laughter, and moments of togetherness.

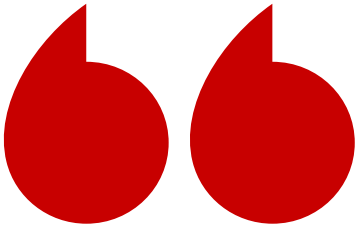


HE WAS
OUR
DREAM.

TRUTH
JUSTICE
DIGNITY

WHAT ARE YOU
GOING TO DO? HE'S ALREADY DEAD...

He was our everything.



Sabri, Moncef's son, was twenty-three years old.

A young day laborer, he lost his life after a traffic stop, while the vehicle he was in was being pursued by the police.

*My daughter called me on the phone;
I was out in the fields. She told me her
brother had broken ribs and was in the
hospital. I was plowing the land; I thought
I'd finish my last two rows before going to
see him at the hospital. Then, from
a distance, I saw my brother-in-law coming
quickly on his moped, with my sister;
I wondered why they were both running
toward me like that.*

***Then they told me,
"Your son is dead."***

***I suddenly found myself
in another world.***





**IMMEDIATE
VIOLENCE**

01. IMMEDIATE VIOLENCE

17. 94% of the cases of suspicious death analyzed by SANAD involved men.

18. 61% of the cases analyzed by SANAD indicate that the victim had no significant medical history.

The average age of victims of suspicious deaths whose families are supported by SANAD is thirty-four. The majority of these victims, men,¹⁷ had no significant medical history¹⁸ that might have foreshadowed a sudden death.

▶ ***Bilel's eighteen-year-old son,***

who was in pretrial detention on drug possession charges, died inexplicably fourteen days after his arrest.

The father recounts that his son appeared to be in good health when he saw him on the way to the prosecutor's office;

he was smiling and reassuring his father, saying, "It's okay, it's okay." After the interrogation, as he was being led to the court cells, the son continued to smile and blew kisses to his aunt.

19. Fleury C., Tourette-Turgis C., Merand-Goldmirc M. et al., What Survives Loss: The Grief of Families and Loved Ones of Young Road Traffic Victims, Exploratory Study, Chair of Philosophy at the GHU Paris Psychiatry & Neurosciences Hospital, 2025, p. 24.

20. Romano H., Supporting Grief in Traumatic Situations, Les Ateliers du praticien, Dunod, 2025, p. 28.

They shared close family ties —they were sons, husbands, fathers, and brothers— and their sudden, violent deaths have left their loved ones in deep distress. While the loss of a loved one is always devastating, under these circumstances it takes on a traumatic nature.¹⁹ The intensity of the suffering is exacerbated by the circumstances under which families learn of their loved one's death.²⁰ Those supported by SANAD have experienced this firsthand.

THE INITIAL TRAUMA ■

For many families, a long time passes between the death of their loved one and the moment they are informed of it.

Several relatives report that they were left waiting for hours without any news.

They spend the day outside the prison or police station. They linger in the hospital hallways, unsure whether to leave or to stay. They try to make their voices heard. The hours tick by. They sense that something is happening without knowing what. This time is neither that of daily life nor yet that of mourning: it is a suspended time, without reference points, over which they have no control.



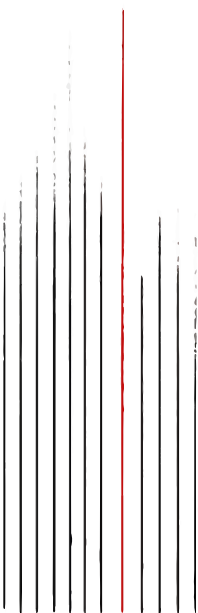
Samia's son, Aziz, 24,

who was held in pretrial detention and denied medical treatment despite her repeated pleas, died three weeks after his arrest.

On Tuesday, the mother returned to the prison, insisting on seeing her son.

An officer asked her to stop making noise and escorted her out,

telling her she would be called back when the social worker was available. She stayed from 8:30 a.m. until noon, until the social worker arrived. The social worker informed her that her son had been transferred to the hospital during the night between Monday and Tuesday.



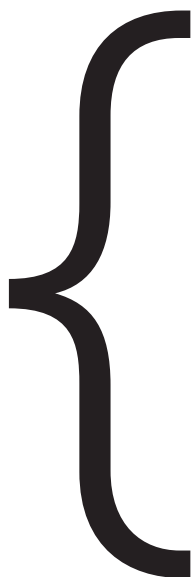
Kamel had been in prison for just over a month when he died.

His father, Rafa, visited him every week with the "couffin" [food basket] when, one Wednesday, he was made to wait for several hours.



When he went to the prison for his weekly visit, he was made to wait from 9 a.m. to 4 p.m. without being able to see his son. He grew concerned and protested. Prison guards finally came to fetch him and escorted him to the warden's office, where the warden questioned him about any health issues his son might have had. He then informed him that his son had been transferred to the emergency room after feeling unwell. When he arrived at the hospital, the father was unable to obtain any information from the medical staff.

- ▶ Some parents are given inaccurate information or are turned away when they contact the prison; others receive information by chance before making any contact with the institution; still others are suddenly asked to go to the hospital without further explanation.



Valid, twenty-seven years old, had been incarcerated for six years, far from his family's home, despite his request for a transfer.

His father regularly sent him money orders, until one day the money order was rejected.

On Thursday, the father tried to send a money order to his son in prison. The transfer was rejected.

He tried to reach the prison that same day, then the next day, without getting a response.

When he returned to the post office on Saturday, the money order was again rejected.

He then made numerous calls until he got through to prison administration, who told him that no inmate bore his son's name.



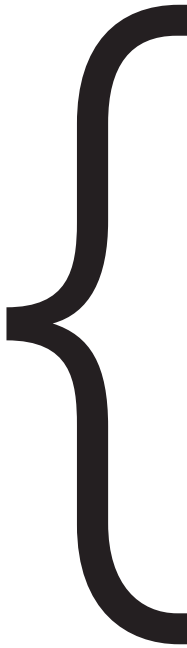
Hassen was forty years old.

Despite his diabetes diagnosis, he reportedly did not have access to the necessary treatments while in pre-trial detention.

His family was unaware that the prison had transferred him to the emergency room.

His brother learned the news late Monday morning, and only by chance while talking to someone leaving the prison. The someone was told about a rumor...





Seif was twenty-eight years old.

Since he had been transferred to a prison far from her home, Fatma, his mother, was no longer able to visit him every week. The last time she saw him alive, he was crying and asking her to intervene to secure his transfer.

She went to the prison with her sister on Thursday. After completing the usual formalities and dropping off the “couffin” for her son, she was made to wait a while. Then an officer informed her that her son was in the hospital and that she had to go there, without providing any further explanation. She went there immediately.

At first, she was denied access, despite presenting the authorization issued by the prison.

She was made to wait.

“They left me hanging between fear and anticipation... They didn’t explain anything to me, as if my son didn’t deserve an answer.”

A lack of communication, contradictory information, and prolonged waiting reflect a breakdown in the system that borders on criminal negligence. Even when uncertainty about the fate of a loved one lasts only a few hours, families find themselves in an emotional gray zone marked by doubt and anxiety. Deprived of information, they can neither understand what is happening nor prepare for the loss. Dependent on the prison system, they are kept in a profoundly asymmetrical relationship that places them in a position of powerlessness, fuels acute stress, and hinders the onset of the grieving process.²¹

21. A parallel can be drawn with the concept of “ambiguous loss,” which refers to situations where the lack of reliable information about the circumstances of a disappearance or death prevents the symbolic acknowledgment of the loss and blocks the grieving process. See Boss P., “The trauma and complicated grief of ambiguous loss,” *Pastoral Psychology*, 59/2 (2010), pp. 137-145.

THE MOMENT OF THE ANNOUNCEMENT ■

The words spoken leave a lasting impression on the memory, and a sudden or insensitive announcement can inflict additional trauma.²² The language, tone, and context of the announcement are integral elements of the trauma.

22. Romano H., Supporting Grief in Traumatic Situations, Les Ateliers du praticien, Dunod, 2025, p.28.

While the majority of victims whose cases SANAD reviewed died in a place of detention,

40% of families report that the death was announced to them not by a government official, but by an acquaintance.



Mostafa, father of Walid, twenty-seven years old.

Acquaintances called him to offer their condolences. Thinking it was a mistake, he immediately tried to contact the prison. The deputy director told him he had no information.

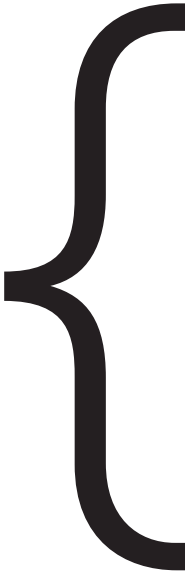
It was only through a contact working at the prison that he finally learned of his son's death.



A month before his death, Wassim had confided in his mother, Leïla, that he had been the victim of abuse in the prison where he was being held. She never would have imagined that he would die as a result.

She was informed of her son's death by neighbors.

The local police reportedly notified them on the pretext that they did not know her address, an excuse the mother considers baseless and unacceptable.



Fifteen days after her son's arrest,

Yosra discovered that Ramzi had been transferred from prison to the hospital, without knowing the exact reasons. While the family was able to visit him, he was already unconscious.

On Monday at 9 a.m., she received a call from an acquaintance telling her that she had learned her son had died in the hospital.

The deceased's brother went there immediately.

The news of the death was initially denied by the officers, before finally being confirmed.

- ▶ Other families describe being informed by a representative of the institution, but met with indifference or confusion.



Chaima had been worried ever since her son,

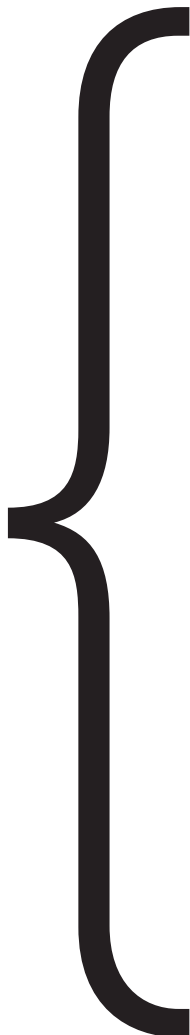
who had an intellectual disability, had been taken into police custody following a violent outburst and transfer to prison. He died four days after his arrest.

I felt a strange anxiety, a deep fear.

*I called the hospital; they told me he wasn't there. A young man from the neighborhood called the prison for me. I took the phone and said, **"I'm his mother and I'd like to hear from him."***

On the other end of the line, the officer was eating, chewing his food, and with complete nonchalance, he told me that my son had died. It was a Monday, even though my son had died on Saturday, without our family being informed.

My husband collapsed to the floor; he lost consciousness. My son is dead. How and why? We don't know.



*Fatma,
mother of Seif,
twenty-eight
years old.*



After a long wait, she was taken to a doctor who told her that her son's condition was critical.

When the mother insisted, crying, to see him, the doctor finally told her he had died, saying,

***"Where were you?
Why did you only
come now?
He's been hospitalized
here for 10 days."***



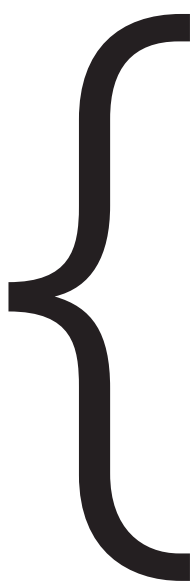
*Samia,
who had
tirelessly alerted
the authorities
to the need to
continue her son
Aziz's medical
treatment
during his
detention,
was not even
informed of his
death when it
occurred.*

On Wednesday evening, I went to the hospital to see him but couldn't find him in his bed.

I asked everyone for news of him but got no answer.

A patient in a neighboring room told me that he had been in very poor condition and had died in his bed, while his feet were still shackled.

- ▶ The institution treats the death as a mere administrative matter, whereas for the families, it is an existential rupture; they feel a profound lack of consideration.



Riheb, wife of Mohamed, thirty-eight years old.

While in pretrial detention, he died twelve days after his incarceration. During Riheb's previous visit, Mohamed had denounced the appalling conditions of detention he was subjected to.

*When his wife went to the prison with their daughter to bring him his "couffin", **an officer made her wait two or three hours before informing her that he had been hospitalized. He had no prior medical history.***

Surprised, she immediately went to the hospital where relatives had already gathered. She expected to go to his bedside.

She didn't understand until she realized they were waiting outside the morgue.

By the time she was told of her husband's death, the autopsy had already been performed.



Seif had been hospitalized for ten days when his mother, Fatma, learned of his death;

she had not been informed of his health issues.

When I arrived at the hospital,

I was told of my son's death and asked to bring a vehicle to transport his body, which I categorically refused.

They asked me to carry my son as if he were an object...

That's when I broke down; I felt as though the world was closing in on me.

- ▶ In some cases, the news arrives even several days later. In others, the parents have never been officially contacted.



Walid had been imprisoned far from his parents for several years.

And his body had been in the morgue for four days without Mostafa and Fatima knowing anything about it.



His parents claim they were never officially informed of their son's death, even though he was nearing the end of his sentence and his release.

His father says sadly,
"Our son is dead, and we don't know how or why."

His mother adds,
"They took him away alive and brought him back dead... That's something I'll never forget."

- ▶ The lack of a protocol for informing families is a structural problem. When the notification is delayed, delegated to others, or delivered without explanation or empathy, it turns what should be a simple act of informing into an additional ordeal.

"Art. 43 – In the event of the death of an inmate within the prison, the prison director is required to immediately inform the competent judicial authorities, the administration responsible for prisons and rehabilitation, as well as the family of the inmate concerned and the registrar."

Law No. 2001-52 of May 14, 2001, on the organization of prisons.

Violence is not limited to death itself, but also about the way it is communicated.

In the case of deaths in prison, the treatment of families could be understood as linked to how the incarcerated person is viewed within the criminal justice and administrative systems. The prisoner's status, often reduced to the offense of which they are accused, may contribute to diminishing the respect accorded to their loved ones. In this context, the suffering of families tends to be marginalized, or even rendered invisible.

They then attempt to fill the void by formulating theories about what might have happened.



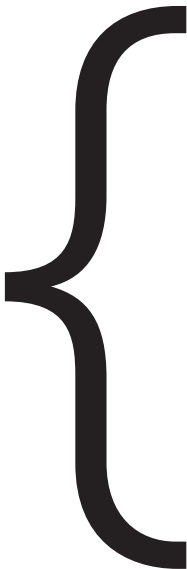
THE MOMENT OF BREAKDOWN ■

23. 63% of families supported by SANAD report having observed signs of violence on their loved one's body when it was returned to them.

When families see the body of their loved one at the hospital or during funeral rites at home, their initial interactions with the institution are already marked by mistrust. They have encountered indifference, and sometimes even contempt. No one has answered their questions, and they already fear that violence or negligence may have occurred.

The encounter with the body takes place against a backdrop of anxiety and speculation.

Nearly two-thirds of the families supported by SANAD report that bodies were presented unprepared, marked, or damaged.²³



Rayen had been dead for twenty-four hours when Chaima, his mother, was informed.

The prison said he had hit his head, but she saw signs of beatings all over his body.

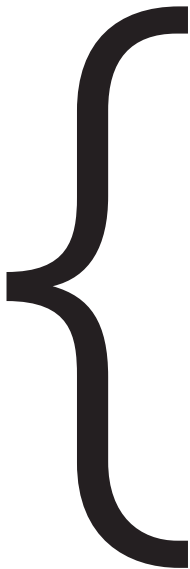


When my son died, I couldn't even kiss him, hold him in my arms, or say goodbye.

His little body was covered in bruises; bandages covered him almost entirely, and traces of blood gave him a reddish color.

Do you think I can forget the last image of my son?

It has remained etched in my mind; I see it again every day in my dreams... God is enough for me; what an excellent protector He is.



Khaled had been arrested seven days earlier in a drug case.

It was a police officer from the neighborhood who informed his wife, Hana, thirty-two, of his death. She immediately went to the morgue with her youngest daughter, who is six years old.

His wife and daughter saw the body after his death; it was in bad shape.

The whole family is traumatized. His wife said, "I didn't recognize him; I only identified him by the tattoos on his arm." She's afraid now.

She doesn't even dare go to the bathroom alone at night anymore. The little girl has nightmares; she says she sees her father.

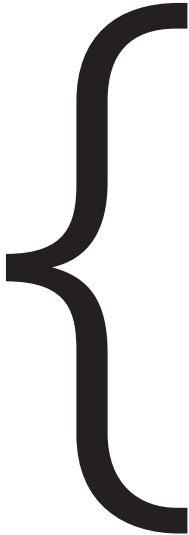
- ▶ Under these circumstances, the families' suspicions about the suspicious nature of the death turn into certainty when they discover marks on the body. It is yet another blow: the institution that was supposed to protect them has failed. It did not treat their loved one with dignity; it abused them.



Police officers went to Insaf's home to inform her that her brother Hatem was seriously ill and wished to see his family. Upon arriving at the hospital, she was told that her brother had already died by the time he was admitted. It was a morgue employee who told her this; no member of the medical staff provided her with any explanation.

While the family was performing the ritual washing of the body, they discovered bluish marks on his back.

They decided not to bury him and contacted a lawyer to find out what to do.



The last time Fatma had visited her son in prison,

she had clearly seen that something was wrong: in tears, he asked her to help him get transferred. After his death, when his aunt saw the marks on his head, the theory of violence became clear to the entire family.

The next day, the family retrieved the body.

According to the death certificate, the cause of death was a lung infection that led to respiratory failure.

However, the family disputes this official account.

The deceased's aunt stated that she had noticed bruises on the right side of his head.



Slim was twenty-six years old.

He had been in custody for ten days. Three days before his death, Feten, his mother, had visited him in prison, and he had confided in her that he had been beaten by officers. He was accompanied because he could not walk without assistance.

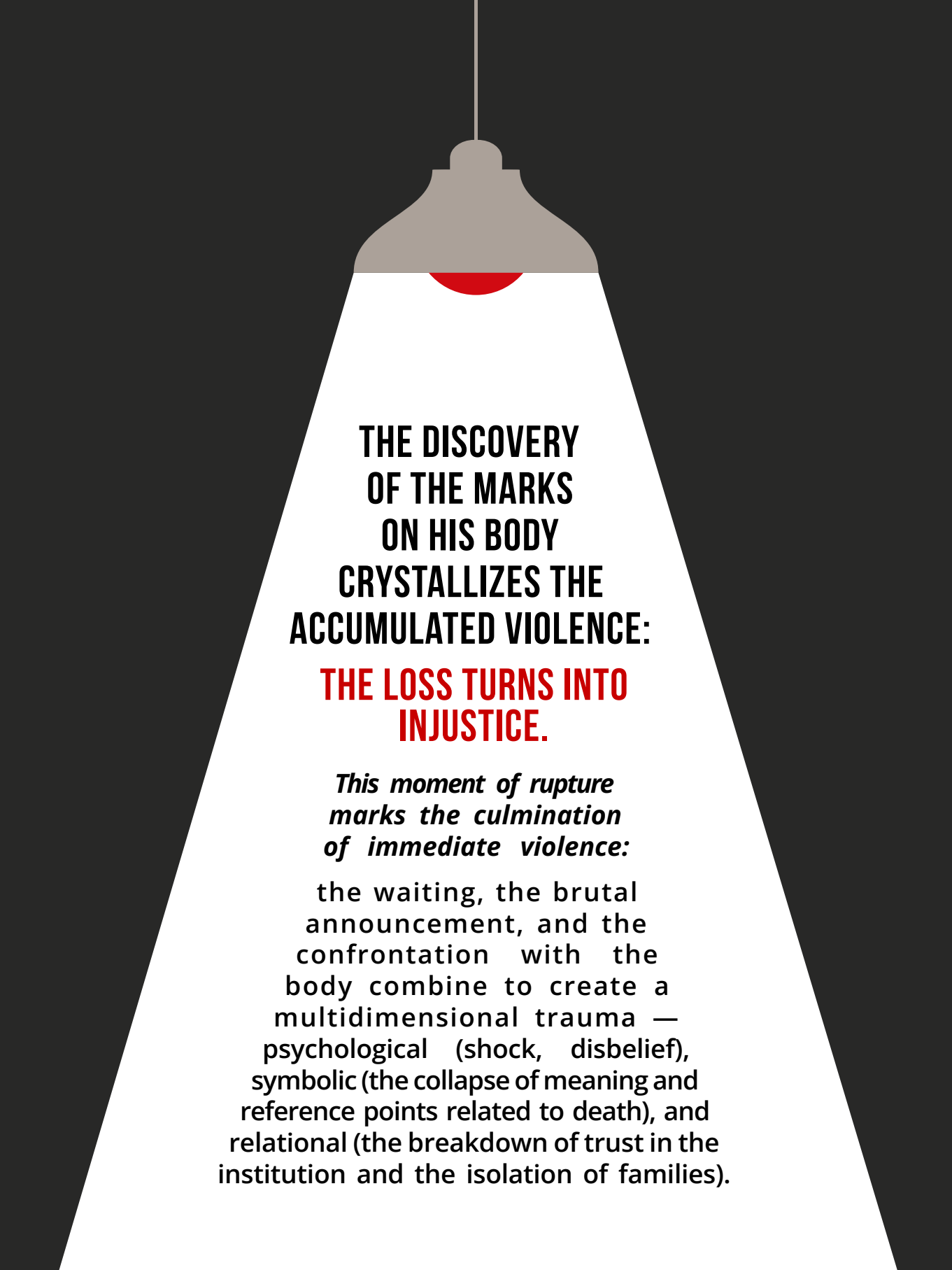
Her son had told her he had been tortured by prison guards.

She believes this violence was the direct cause of his death.

"He told me, Mom, I'm in pain'... and I couldn't save him,"

she confides.





**THE DISCOVERY
OF THE MARKS
ON HIS BODY
CRYSTALLIZES THE
ACCUMULATED VIOLENCE:
THE LOSS TURNS INTO
INJUSTICE.**

*This moment of rupture
marks the culmination
of immediate violence:*

the waiting, the brutal
announcement, and the
confrontation with the
body combine to create a
multidimensional trauma —
psychological (shock, disbelief),
symbolic (the collapse of meaning and
reference points related to death), and
relational (the breakdown of trust in the
institution and the isolation of families).

***Gather the earth,
bring him back to life, and
I will be silent forever.***

***But as long as you are
unable to do so,
I will not be silent.***

*Samia, fifty-two
years old.*

*She repeatedly in-
formed prison authori-
ties of the need for her
son, Aziz, to take his
medication.*

*She was not listened
to. He died three weeks
after his arrest.*



PROLONGED VIOLENCE



The families no longer doubt the suspicious nature of their loved one's death, but they remain in the dark about what really happened. The initial violence does not fade away: it transforms.

The pressure, the delays, and the incomplete responses from the authorities give rise to a new form of uncertainty—no longer about the death itself, but about its true causes. Unable to reconstruct the sequence of events, the relatives remain stuck in a frozen state of time that prevents the grieving process from taking shape. The initial trauma remains active, with no possibility of making sense of or understanding the event.

This violence does not manifest as a rupture but through a process of accumulation: the more families seek to understand, the more they encounter obstacles; the more obstacles arise, the deeper the suffering takes root.

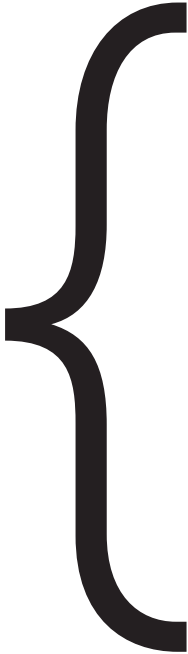
THE CREATION OF UNCERTAINTY ■

Any suspicious death should theoretically lead to the opening of an investigation by the prosecutor, regardless of whether the deceased's family files a complaint.

Such an investigation aims first and foremost to determine whether the death was criminal in nature or not. In the former case, it evolves into a judicial inquiry aimed at establishing the facts and identifying the perpetrators. The reality is less systematic. It sometimes happens that the deceased's body is buried without an autopsy, or that despite an autopsy being performed, no investigation is opened, leading to the assumption that no one is responsible for the death. In such cases, the family is forced to take the initiative themselves and file a complaint. However, this requires financial, social, and relational resources that not all families possess. They must contact a lawyer or an organization such as the OMCT.

The launch of an investigation then raises hopes that an official account will emerge to clarify the facts.

Some families, however, face a new ordeal. They are subjected to intimidation by public officials intended to dissuade them from pursuing their case. This pressure reinforces their conviction that the death of their loved one was due to fault or negligence.



Youssef, twenty-three years old,

was shot and killed on a public street during a police operation. Sana, his mother, disputes the officers' account of events and denounces irregularities in the investigation, while several witnesses accuse a brigade chief of shooting Youssef during a chase.

At first, officials visited her pretending to offer support, then quickly offered her a sum of money in exchange for withdrawing her complaint, which she proudly refused.

Since then, she says she has faced systematic pressure: she has been prevented from meeting with any officials and claims she has been deprived of her social rights.

She has also encountered significant difficulties in finding a lawyer, with several withdrawing under pressure, and even bailiffs reportedly refused to carry out basic legal procedures, forcing her to travel to the capital despite her fragile health.



Mostafa, father of Walid, twenty-seven years old.

The officers tried to force him to sign a report stating an earlier date of death, which he bitterly refused to do,

leaving the station without signing—a refusal that speaks to his dignity and his loyalty to his son's memory.



The judicial timeline does not contradict their suspicions. Delays in the transmission of forensic reports and the opening of investigations drag on without explanation; meanwhile, access to the case file for lawyers is often restricted without being justified by legally satisfactory grounds.

Families sometimes wait for several years without any news. The system provides neither confirmation, nor clarification, nor contradiction.





Hedi, twenty-four years old, died one summer evening.

He had been arrested at the beach following a misunderstanding. His father believes he was tortured while in police custody. When he visited him in prison two days after his arrest, Hedi could not even speak; he had lost teeth, was suffering from abdominal pain and a broken nose, and was experiencing memory loss.

Despite the many years that have passed, there has been no significant progress in the case.

His father is experiencing profound psychological distress due to a sense of abandonment and the absence of justice.

- ▶ In the absence of an official account, the families are conducting their own investigation to try to fill an unbearable void. This shift is central: the institution seems to be protecting itself more than it protects others; it forces families to make sense of things on their own, without resources or recognition.



It has now been two years since Slim died, and his parents, Hassen and Feten, want to know what happened.

The father expresses his bewilderment at the slowness of the legal proceedings, wondering about the reasons for these delays. He confirms that the initial reports identify a person responsible for his son's death, but he believes there are other parties involved who have not been held accountable:

his son suffered severe violence in prison, and he fears that attempts are being made to hide the truth.

- ▶ The need to constantly evaluate the evidence gathered and defend their own interpretation of the facts gradually isolates them: they alone bear the responsibility of understanding what happened.

The violence does not subside. It persists and becomes a structural element of their journey.

24. Pelento M.-L., Braun de Dunayevich J., "Disappearance: Its Impact on the Individual and Society," *Revista de Psicoanálisis*, 85–86, (1985).



GRIEF IN LIMBO ■

25. Clinical literature refers to situations in which a violent, sudden, or uncertain death prevents the psychological integration of the loss and prolongs distressing reactions as “traumatic grief” or “complicated grief.” See notably Shear K., “Complicated Grief,” *New England Journal of Medicine* (2015)

Time seems frozen. For loved ones, death does not fit into a “before” or an “after.” This suspension prevents them from gradually distancing themselves from the event. Grief struggles to unfold.²⁵



Fatma, mother of Seif, twenty-eight years old.

My wound has never healed... I walk, but I am broken inside.



Riheb, wife of Mohamed, thirty-eight years old.

Everywhere I go, I see his shadow. Every place, every memory we shared hurts me. Every café we used to visit, every restaurant where we ate, every road we traveled together stirs up a deep pain within me.



While grief is a process and the pain tends to subside over time, the shock of a sudden death can hinder this process. In cases of suspicious deaths, this disruption is long-lasting. The inability to understand the circumstances of the death and the lack of recognition of the experience prevent the psychological processing of the loss. The event remains raw, with no possibility of being integrated into a narrative that makes sense to the families.

The deceased loved one remains psychologically present, not as a memory but as a presence that continues to inhabit daily life.



*Feten, mother of Slim,
twenty-six years old.*

The mother explains that her mental state completely collapsed after her son's death: she no longer sleeps and finds herself talking to him every day as if he were still alive. "Sometimes I forget that he's dead... I talk to him as if he could hear me."



*Fatma, mother of Seif,
twenty-eight years old.*

I go to the cemetery every day to talk to my son, and knowing how much he loved dogs, I feed the ones there every time.

I feel like I'm still doing something he loved...



*Honeida, mother of Sofiene,
thirty years old.*

At home, I still have a basket of clothes that belonged to my son. I had washed them the day before he died. To this day, I can't bring myself to put them away; I can't touch them or even go near them. It's been four years.



*Hafedh, father of Skander,
twenty-seven years old.*

*His father sees him in his dreams; he catches a glimpse of his shadow in the house, and in the early morning, **he imagines him by his side on the side of the road, on his way to work and chatting with him.***



- ▶ While every journey through grief is unique, the prolonged absence of answers gives these situations a broader significance: it leads loved ones to a state of exhaustion that is at once emotional²⁶ and physical. The trauma remains active, with no possibility of relief, and families find themselves in a state of profound disconnection from the world: both living and merely observing their own lives, unable to return to a normal rhythm or look toward the future.²⁷

- 26. Boss M. (1999); Boss M., Yeats J., *Studies on Ambiguous Losses and Their Psychological Effects: Prolonged Uncertainty, Emotional Exhaustion, and Affective Fluctuations*, 2014. Although families know that their loved one has died, prolonged uncertainty about the circumstances and the lack of institutional recognition create a psychological effect similar to that observed in ambiguous losses.
- 27. Stolorow R. D., "Trauma and Temporality," *Psychoanalytic Psychology*, 20/1, (2003), p. 158.



**Honeida,
mother of
Sofiene, thirty
years old.**



We've become like animals. We eat, we drink, we sleep—we no longer live.

What matters to me is that they bring justice to my son, no matter how they do it. I'm tired.

My tears never stop. Sometimes the thought crosses my mind that death might be a solution for the three of us, to escape this suffering and this heartbreak.

- 28. C. Buur, R. Zachariae, K.B. Komischke-Konnerup et al., "Risk factors for prolonged grief symptoms: A systematic review and meta-analysis," *Clinical Psychology Review*, 107 (2024), p. 7: "Experiencing violent/unnatural death is typically associated with a higher risk of post-traumatic stress (PTSD), and these bereaved individuals may be experiencing severe functional impairments, in addition to those associated with PGS."



**Moncef,
father of Sabri,
twenty-three
years old.**

Since his death, I can't sleep at night. Every time I lay my head on the pillow, I see my son.

I go to his grave at night to call out to him, hoping he'll answer me. I miss him. With his death, everything has changed.



- ▶ The initial shock has become chronic. The persistent silence of the institutions maintains a constant psychological tension, which can contribute to the onset of post-traumatic symptoms.



REPEATED SHOCKS ■

29. Pelento M.-L., Braun de Dunayevich J., The vicissitudes of the drive to know in certain special cases of mourning, State Violence and Psychoanalysis, Inconscious and Culture Collection, Dunod, 1989.
30. Trauma psychology emphasizes that repeated exposure to reminders of the initial event can trigger traumatic reactivation and sustain distress over time. See in particular Bessel van der Kolk, The Body Keeps the Score: Brain, Mind, and Body in the Healing of Trauma, 2014.

Because the grieving process does not move forward, families find themselves exposed to a third form of violence: repeated shocks caused by administrative routines. Every interaction with the authorities reopens the initial wound – not through an exceptional event, but through the repetition of procedures that serve as reminders of the loss.

Yet, due to a lack of transparency and communication, they are forced to launch more and more initiatives. They knock on every door, retell their story, follow up, and grope their way forward, without ever knowing if they are actually making progress.

This quest for answers becomes a psychological necessity.²⁹ It is not a matter of stubbornness but of a system that forces them to continue down a dead-end path. This dynamic produces a form of secondary victimization.³⁰



Rafa, father of Kamel, 34,

detained in a criminal case. He died after falling ill. His father, who visited him regularly, claims to have seen bruises on his face and reports that his son had been suffering for several days from severe abdominal pain that remained unexplained and untreated.

He then spoke about his long journey through the Ministry of Justice, the Ministry of the Interior, the Tunis Court of First Instance, and the judicial police. For seven years, he has continuously filed complaints and requests for access to information regarding his son's case.

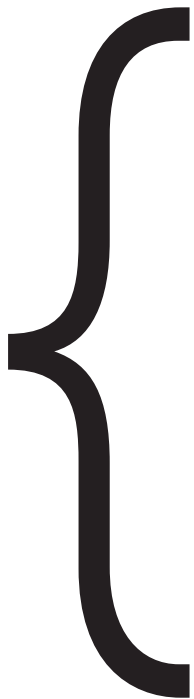
In his words, “they passed the buck back and forth like a ball,” not to mention the false information and their refusal to take responsibility.

“My close family sees me running every day between agencies, ministries, the lawyer, and the court. I have never stopped searching and questioning. One day, my wife looked at me and asked me to stop. She said to me, ‘Let him rest in peace; before God, the adversaries will meet.’ I thought long and hard about her words and tried to convince myself of them, but the next day, I found myself with the phone in my hand, trying to contact the lawyer to find out how the case was progressing.”



The judicial system discourages families without ever explicitly refusing their requests. After being shuffled from one department to another, families realize they are a nuisance.

Some interactions are experienced as humiliating or dismissive. When repeated, they contribute to a questioning of their legitimacy to demand accountability.



Sana, mother of Youssef, twenty-three years old.

She tried to make her voice heard by the Office of the President, but her efforts were met with refusal and threats.

She was deported and threatened with arrest simply because she tried to document the facts.

She was released only after an official intervened, out of consideration for her situation and her advanced age.



Rafa, father of Kamel, thirty-four years old.

He recalls that after the decision to dismiss the case, a court clerk told him:

“You can file a personal liability suit, but why insist on accusing people? Your son is dead; it’s over.”



Some families eventually no longer dare to seek justice,³¹ not out of acceptance, but out of exhaustion.

31. Labanyi, J., “The Languages of Silence: Historical Memory, Generational Transmission, and Witnessing in Contemporary Spain,” *Journal of Romance Studies* 9/3 (2009), p. 24. Ultimately falling silent is part of a dynamic that leads to what Labanyi calls “habits of silence”—an internalized difficulty in naming and sharing the traumatic experience, which reinforces the impossibility of speaking about and understanding what actually happened.



Rafa, Kamel's father.

*I sent three letters to the president's office; I went to the ministry several times to demand justice until an official told me, "**We don't work for you; stop coming here.**"*



Hafedh, father of Skander, twenty-seven years old.

A former cellmate reports that Skander had problems with two other inmates in his cell. He reportedly asked to be moved to a different cell, but the guards allegedly beat him as punishment until he lost consciousness. Transferred to the hospital, he died after thirteen days.

What do you want us to do? There's nothing we can do. Do you want us to take justice into our own hands? We're waiting.

- ▶ The institutional silence is then interpreted by the families as a form of impunity.³² It fuels the conviction that the case is being deliberately shelved and gives rise to lasting resentment.



Honeida, mother of Sofiene, thirty years old.

I used to respect the police, but now when I see them, I spit and turn my head away. I hope for their sake that none of them will ever arrest me, not even for a routine ID check.

- ▶ Little by little, the accumulation of fruitless efforts spills over into every aspect of these families' lives, affecting their social relationships and their financial stability.

32. Martín-Ortega O., Ana Alija Fernández R., "Silence and the right to justice: Confronting impunity in Spain," *The International Journal of Human Rights*, vol. 21, no. 5, (2017), pp. 531–549. Institutional silence and the lack of investigation can contribute to impunity and undermine the effective exercise of the right to access justice, leading victims to effectively forfeit their rights.

My son died
*in an institution that was
supposed to protect him;*

he died under their watch...
That's what burns in my heart
every day.

Fatma, mother of Seif, twenty-eight years old,



*who likely died as a result of physical violence suffered
in prison, after ten days in the hospital.*

SOCIAL AND ECONOMIC VIOLENCE



The suspicious death of a loved one deeply disrupts family and social ties. It creates material hardships and an overload of responsibilities, which compound the work of grieving.

These upheavals are reflected in living conditions, family relationships, and the body. They do not occur in isolation but are part of the same dynamic of prolonged vulnerability in living conditions.

SOCIAL ISOLATION ■

33. Delage M., Family Resilience, Odile Jacob, 2008, pp. 43-44. When the entire family is exposed to a tragedy, it may face empathic distress and a weakening of its emotional and structural bonds, which profoundly disrupts family functioning.

After the suspicious death of a loved one, the family finds itself vulnerable in its daily life.

Some have lost a son, others a father or a brother: every family member is simultaneously confronted with the absence, the unclear circumstances of the death, and the grief of others. When suffering is shared at such an intense level, the capacity for emotional reciprocity is impaired.³³ Conflicts may arise, separations may occur, permanently altering the family structure.



Honeida, mother of Sofiene, thirty years old.

Our lives have been destroyed by my son's death; our family has fallen apart. We no longer get together as we used to, and I am no longer even capable of performing the simplest daily tasks. I can no longer stay at home; I can no longer sleep at home.

Children and adolescents are particularly affected by the aftermath of the tragedy. The loss of a parent can disrupt emotional and educational foundations, while school does not always provide a source of stability: difficulties concentrating, withdrawal, or dropping out can jeopardize their educational path.³⁴ The way others look at them and the silence surrounding the circumstances of the death reinforce their insecurity.

34. OMCT, SANAD Report 2025-26, 2026, "Houda, 13, had been suffering from behavioral issues since her father's death in 2024 in prison under suspicious circumstances. Expelled from her middle school by the principal, she was supported by SANAD's social coordinator, who mediated with the school, in coordination with the DPE, to facilitate her return to class."



*Riheb, wife
of Mohamed,
thirty-eight
years old.*

This tragedy has forever changed my family's life. My son dropped out of school, and my daughter fell into such a severe depression that she had to be hospitalized.

Five years have passed since his death, and my daughter still hasn't shed a single tear; she has never visited his grave. She refuses to believe he's gone.

She's still waiting for him.



*Samia, fifty-two,
mother of Aziz.*

I lost my son, and now I'm losing my other son.

He refuses to stay at home; he can no longer bear to see his brother's room, his clothes, his toys, or even his photos hanging on the walls.

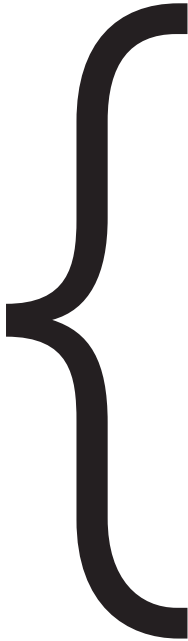
Everything reminds him of his brother...

Over time, those around them tend to become less willing to listen to their expressions of grief. Social and religious norms encourage accepting loss as fate. Many families say they find more understanding among professionals than within their family circle, where dialogue becomes difficult.

Furthermore, when the deceased was incarcerated, their death is sometimes accompanied by an implicit moral judgment, as if involvement in a crime explained or relativized the circumstances of their death. This judgment can lead to an implicit hierarchy of grief, with some deaths perceived as less legitimate to mourn or question than others.

To protect themselves from rumors and hurtful remarks, some families gradually withdraw from social life. Their loss can then neither be fully expressed nor publicly acknowledged,³⁵ which further deepens their loneliness.

35. Altholz R., Living with Impunity: Unsolved Murders in Oakland and the Human Rights Impact on Victims' Family Members. International Human Rights Law Clinic, University of California, Berkeley School of Law, 2020.



Rafa, Kamel's father, thirty-four years old

I live with my extended family under a veil of lies surrounding my son's death. I told them that a heart condition caused his death; they don't even know he was in prison.



Chaima, mother of Rayen, forty years old.

I was forced to leave my home. I could no longer continue living there. The neighbors became obsessed with my story: somewhere between pity and gossip—"that's the woman whose son was killed in prison." Stares follow me every time I go out in the neighborhood, every time I go to the market. I've attempted suicide twice...

Twice I tried to end my life, overwhelmed by poverty, injustice, and illness, but I failed.

- ▶ This withdrawal, however, is not enough to ease the anxiety. Loved ones remain constantly haunted by the anticipation of new serious events.



Chaima had simply asked the police station for help in calming her son, Rayen, whose disability sometimes caused him to have meltdowns. Why was he imprisoned, and how could he have died after just four days?

I still feel like we're being threatened or watched. I no longer have any trust in the state, the security forces, or those who are supposed to protect us. Sometimes, when one of my children comes home late, I can only imagine one scenario: he has been arrested or imprisoned, and he will suffer the same fate as his brother. I fear reliving all of this again...³⁶

36. In the literature on post-traumatic stress disorder (PTSD), there is the idea that the traumatic event permanently alters cognitive patterns, and the future is assessed based on past trauma. Ehlers A. & Clark D. M., A cognitive model of posttraumatic stress disorder. Behaviour Research and Therapy, 2020.

ECONOMIC LOSSES ■

The economic hardships faced by families are not merely a material consequence of the death: they reshape families' living conditions and their ability to act. They occur within social contexts already marked by significant inequalities, reinforcing structural vulnerability.



*Rafa, father of Kamel,
thirty-four years old.*

Financially, I'm not doing well at all; that's why I came to see you and ask for help—I can't afford a lawyer.

The death of a loved one leads to a sudden loss of income, especially when that person was the primary breadwinner. Families must then cope with legal costs while managing daily expenses. Women are particularly affected by this forced realignment of economic and family roles, especially when they must take sole responsibility for running the household, move, or return to work on short notice. These upheavals are all the more complex for the mothers of victims, who are nearing retirement age.



*Riheb, wife of
Mohamed, 38*

The pillar of our household has fallen. Overnight, I found myself solely responsible for four children. I had to work day and night to provide for us, taking on one odd job after another, often at the cost of humiliation and exploitation.

If my husband were still alive, I would never have been treated so poorly.

I sought a more stable future for my daughters, so I agreed to marry them off young. I didn't marry them off happily. I married them off because I could no longer support them. What seemed like a solution turned into new pain: my eldest daughter got divorced before she even turned twenty.



The lengthy legal process and the difficulty in obtaining compensation exacerbate financial insecurity. Even when compensation is awarded, it is delayed and insufficient to make up for the loss of financial support or cover the expenses incurred.

One of the families supported by SANAD even reports that filing a complaint led to a restriction on their access to social assistance.

Under these circumstances, they must rely on their networks or on organizations to obtain support which, although crucial, cannot replace the State's obligations.

Sana, mother of Youssef, twenty-three years old.



*The state punishes me not only by its silence in the face of the crime, **but also by depriving me of my fundamental rights.***

THE IMPACT ON HEALTH ■

For many loved ones, the continuum of violence experienced also leaves its mark on the body.³⁷

Healthcare providers emphasize the continuity between psychological and physical aspects in situations of prolonged grief. Persistent psychological stress, rumination, and hypervigilance keep the body in a state of tension that can impair physiological and immune functions. This state may be accompanied by increased vulnerability to various conditions, particularly metabolic or cardiovascular ones. When the grieving process is prolonged, it thus transcends the psychological realm to affect the body's overall functioning.

37. Das V. et al., *Social Suffering: The Relationship between Physical Pain, Traumatic Events, and Worrying Grief-related Thoughts*, 2000, pp. 46-52.



Finally, economic hardships further exacerbate the impact on health. They limit access to treatment and care by restricting the ability to seek medical consultation, finance follow-up care, or maintain regular treatment. Financial constraints can delay treatment. Added to this is the complexity of the care pathways, marked by long waiting times, fragmented procedures, and the need to have suffering recognized within specific medical categories.




*Chaïma,
Rayen's
mother.*

I'm exhausted... I've lost my health, my strength, and my ability to carry on.

Instead of running between courts and government offices, here I am today running from one hospital to another, suffering from illnesses caused by grief: high blood pressure, nervousness, and eye problems.


*Sana, Youssef's
mother.*

The loss of my son has consumed my soul. Illness has consumed my body.

Finally, economic hardships further exacerbate the impact on health. They limit access to treatment and care by restricting the ability to seek medical consultation, finance follow-up care, or maintain regular treatment. Financial constraints can delay treatment.



Added to this is the complexity of the care pathways, marked by long waiting times, fragmented procedures, and the need to have suffering recognized within specific medical categories.



Youssef worked and contributed to the family's expenses.

His father, Ahmed, fifty-seven, is a night watchman; he went into debt to pay the legal fees related to his son's case. His mother, Sana, fifty-five, has advanced cancer and several chronic illnesses, requiring treatments that are often unavailable at the hospital.

His loss led to the family's social and economic collapse.

We depended on him for medical expenses and daily living costs.

Health outcomes cannot be separated from the social and institutional conditions that shape them. They reflect how the trauma of loss has a lasting impact on the body and the concrete conditions of life.

The issue of access to justice thus arises with particular urgency. How can one envisage an effective remedy when judicial timelines and institutional constraints are out of step with the lived experience of families?



Rafa, Kamel's father, has been searching for the truth for seven years.

Listen to me, my daughter, I have complete faith in you. I've knocked on every door; you're the only ones who've answered me. So many years have passed. Who knows how much time I have left?

If I die, seek the truth and say that Kamel, son of Rafa, was killed.



**VIOLENCE
WITHIN
THE JUDICIAL
SYSTEM**



The way the judicial system operates, as a state system for producing law and truth, has effects that are far from neutral. Procedural rules, their practical application, and the power imbalances they create generate structural institutional violence. This limits access to justice, undermines the effective exercise of families' rights, and can lead, in some cases, to the establishment of de facto impunity.

THE STRUGGLE FOR RECOGNITION AND REDRESS ■

Despite the obstacles, the families persist in their quest for truth, justice, and recognition. They await a trial where they can be heard and where an explanation can be provided regarding the circumstances of their loved one's death. The judicial framework constitutes a space in which they hope their voices will be heard and the legitimacy of their claims recognized.



Rafa, Kamel's father.

I want his case to serve as a lesson. I want those responsible—the police and prison officials—to understand that this must never happen to another human being again.

The purpose of reparations is not to compensate for the loss but to produce public recognition of the status of the victims and their families, by giving their experience a place within the legal framework. Even if partial or incomplete, it makes it possible to bring to light what has been experienced.



Samia, mother of Aziz.

In truth, words fail me; I cannot find the words to express what is in my heart. My only consolation lies in the pursuit of the truth and justice for my son, whose rights have been trampled upon. My sole comfort is in remaining true to myself and my son.



Sana, Youssef's mother.

I wake up every day with even greater pain. Despite everything, I attend every court hearing and shout my son's name.

38. Fleury C., Tourette-Turgis C., Merand-Goldminc M. & Lebeau A., What Survives Loss: The Grief of Families and Loved Ones of Young Road Traffic Victims, Exploratory Study, Association Antoine Alléno, 2025, p. 68.

In this context, the law retains an important symbolic function, helping to restore the dignity of families and keep the memory of their loved ones alive.³⁸

Their perseverance bears witness to the enduring demand for justice.



Honeida, mother of Sofiene, age thirty.

My son's funeral was massive. It brought together family, friends, neighbors, and everyone affected by his death and sympathetic to our plight. The day I obtain a judgment convicting those responsible for my son's death, I will hold his funeral again (...) so that everyone can see that I have succeeded in reclaiming my son's rights in my country.

Yet, in reality, the justice system often becomes an additional source of suffering.



THE RIGHTS OF FAMILIES OF VICTIMS OF SUSPICIOUS DEATHS

Under international law, the families of persons who have died in suspicious circumstances are entitled to a set of independent rights, distinct from those of direct victims. The United Nations General Assembly (UNGA) Resolution 60/147³⁹ defines a victim as any person who has suffered harm as a result of a serious human rights violation—including the relatives of the deceased, whose moral suffering is expressly recognized.

The close relatives of the deceased are considered secondary victims. As such, they enjoy rights guaranteed by binding instruments and clarified by extensive international case law. These rights are organized around three pillars: the right to an effective investigation, the right to information and participation, and the right to truth and reparation.

I. The right to a prompt, independent, and impartial investigation

Article 12 of the United Nations Convention Against Torture requires States Parties to the Convention to conduct an immediate and impartial investigation whenever there are reasonable grounds to believe that a person has been subjected to torture or ill-treatment, even in the absence of a formal complaint. In cases of suspicious death at the hands of state agents, the suspicion of a violation therefore triggers the application of Article 12 of the Convention.

Complementarily, Article 13 of the Convention guarantees every person the right to file a complaint with the competent authorities. These authorities must conduct an impartial examination of the complaint and protect the complainant and witnesses from any intimidation or reprisals.

Under international law, and in particular the Istanbul Protocol⁴⁰ adopted by the UN General Assembly, any investigation into allegations of torture or suspicious death must meet five cumulative requirements:

39. United Nations General Assembly Resolution 60/147, dated December 16, 2005, “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.”


40. United Nations General Assembly Resolution 55/89 of December 4, 2000, “Principles on the means of effectively investigating torture and other cruel, inhuman, or degrading treatment or punishment to establish the facts.”



Right
to Information,

truth,
and reparation



- 
- Promptness — The investigation must be opened without delay; any unjustified delay constitutes a violation in itself.
 - Independence — The investigative body must be institutionally separate from the services or individuals implicated.
 - Impartiality — Absence of conflict of interest; investigators must have no connection to the alleged perpetrators.
 - Comprehensiveness — All evidence (medical, witness statements, expert reports) must be sought out and documented.
 - Transparency — The results must be communicated to the victims; a summary may be made public.

II. The right to information and family participation

The right of families to be informed and to actively participate in the proceedings is guaranteed by several United Nations General Assembly resolutions and constitutes an intrinsic condition of the right to reparation. It entails keeping families informed of developments in the case concerning them at all stages of the proceedings:

- Resolution 40/34, §6: victims must be informed of the role of institutions, the dates, and the conduct of proceedings, and their views and concerns must be able to be presented and considered at the appropriate stages.
- Resolution 55/89, §4: families and their representatives are informed of any hearings, may attend them, and have access to all information pertaining to the investigation; they may submit additional evidence.
- Resolution 60/147, Principle X: Victims are entitled to seek, request, and obtain information regarding the causes and circumstances of the violation and have the right to learn the truth about such violations.

The Committee Against Torture has clarified that States must make available to victims, at their request or that of their counsel, all evidence concerning the acts (medical reports, forensic expert opinions, etc.), and that withholding such

evidence “may unduly prevent the victim from filing a complaint and obtaining redress”.⁴¹

In the case of *Fatou Sonko v. Spain*, the Committee against Torture ruled that an investigation that had lasted just over 19 months, during which the investigative measures taken could not be considered prompt and impartial, was not in compliance with Article 12 of the Convention against Torture. The Committee criticized the State for waiting sixteen months after the investigation began to inform the sister of the deceased victim. It further regretted that neither the complainant nor any other family member had participated in the judicial proceedings.⁴²

In the case of *Blanco Abad v. Spain*, the Committee Against Torture noted that during the proceedings, beginning in October 1994, the author requested on at least two occasions that evidence other than medical reports—specifically, the examination of witnesses and the possible perpetrators of the ill-treatment—be admitted, but this was not done. It considered this to be a violation of Article 13 of the Convention.⁴³

III. The right to the truth and to redress

Article 14 of the Convention against Torture guarantees the victim—and, in the event of death, the victim’s heirs—the right to adequate redress, including restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition. This obligation is independent of the identification, arrest, or conviction of the perpetrators.

The investigation itself must serve as an instrument of truth: according to the Istanbul Protocol, it must “clarify the facts, establish and acknowledge the responsibility of individuals and the State toward the victims and their families.” The investigating authority has an obligation to obtain all necessary information; failing to do so may result in the State being held directly liable for breach of its obligation to provide reparations.

41. Committee Against Torture, General Comment No. 3: Implementation of Article 14 by States Parties, para. 30.

42. Committee Against Torture, *Fatou Sonko v. Spain*, Communication No. 368/2008, November 25, 2011, paras. 10.6–7. See also Committee Against Torture, *M. Dragan Dimitrijevic v. Serbia and Montenegro*, Communication No. 2077/2002, November 24, 2004.

43. Committee Against Torture, *Blanco Abad v. Spain*, Communication No. 59/1996, May 14, 1998, paras. 8.3–8.7.



IMPEDED ACCESS TO JUSTICE ■

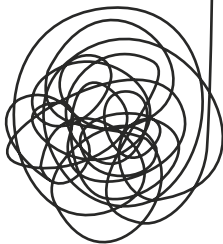
From the very first stages of the investigation, families face procedural obstacles that limit their ability to obtain answers and advance the search for the truth.

In the vast majority of cases of suspicious death, the public prosecutor orders the opening of a judicial investigation pursuant to Article 31 of the Code of Criminal Procedure, which provides that: “The public prosecutor, in the event of a complaint that is insufficiently substantiated or insufficiently justified, may request that the investigating judge provisionally open a case against an unknown person, until such time as charges may be filed or, if necessary, new charges brought against a named individual.”

Very often, this investigation is initiated *ex officio* by the public prosecutor, regardless of whether a complaint has been filed by the family of the deceased. The public prosecutor thus appoints an investigating judge to conduct an investigation aimed at determining whether the death was of criminal origin, particularly in cases involving violence or criminal negligence. At the conclusion of the investigation, the investigating judge submits a report to the prosecutor, who then decides either to close the case in the absence of evidence of a crime or, conversely, to appoint another investigating judge to conduct a judicial investigation aimed at identifying the perpetrators of the offense identified during the initial phase of the investigation.

In theory, this entire procedure appears to satisfy the families’ right to truth. In practice, however, this is not the case. Article 31 is often misinterpreted by judges as allowing them to exclude the family members of the deceased from the investigation by denying them the right to bring a civil action—that is, to be recognized as parties to the proceedings in their capacity as injured parties.⁴⁴

44. This practice violates Article 7 of the Code of Criminal Procedure, which states that “the right to bring a civil action belongs to all those who have personally suffered harm caused directly by the offense.”





45. Court of Cassation No. 84720, 12/25/2019

46. This delay is evident in 48% of the legal cases analyzed by SANAD.

Through a lawyer, a civil party may access the investigation file (autopsy report, witness statements, and other evidence), request that the judge conduct certain investigative actions, appeal the decision made by the magistrate at the conclusion of the investigation, and, finally, seek compensation for damages. However, in cases of suspicious death, these rights are often denied to the family until the prosecutor has established that the death was indeed of criminal origin and a potential perpetrator has been identified.⁴⁵ This initial phase of the investigation can drag on indefinitely without the relatives of the deceased having any means to take action. They are considered to have no right or interest in being informed or in intervening in the investigation until a suspect has been identified.

In other, more favorable cases, the investigating judge denies the family the right to bring a civil action but allows their attorney partial access to the case file and the opportunity to submit observations.

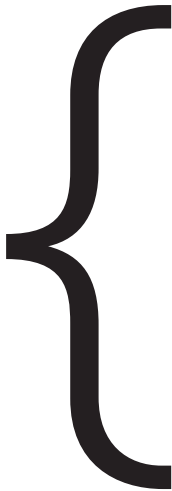
Nevertheless, even in cases where a civil claim is accepted, the investigation often drags on for an unreasonable amount of time.⁴⁶ Investigations can remain open for years before forensic reports are submitted, experts are appointed, witnesses are interviewed, and the possible existence of a crime leading to the death is established.



***Hafedh, father
of Skander,
twenty-seven
years old.***

*Years have passed, and I still find myself
asking questions, waiting...*

Perhaps justice will eventually be served.



After Walid's death, Mostafa and his wife did everything they could to find out the truth, especially since Walid had confided to his brother that he might die as a result of the repeated violence he was enduring in prison. His brother had complained about this to the Citizens' Relations Office, where an officer had then whispered mockingly in his ear, "Go to hell."

The father claims to have visited the security center several times to request the forensic report, which the relevant authorities claimed to have sent, but the officials continued to drag out the proceedings without providing him with any clear information.

Compounding this inaction is a lack of investigative action. Witnesses, particularly fellow inmates, are not always identified; investigators rarely visit the scene of the death; CCTV recordings from the detention facility are not requested or are requested after the retention period has expired; magistrates often fail to request all medical documentation regarding the health of the deceased before and during detention. Autopsy requests, often drafted by the unit conducting the preliminary investigation before an investigating judge is appointed, lack precision and do not include questions regarding detention conditions or the possibility of violence. In some cases, the autopsy report may be delayed for months, or even years. Only preliminary reports without conclusions are issued while awaiting the completion of toxicological analyses, which can be delayed until the samples expire.

When an autopsy report is finally issued, it often limits its analysis to the immediate cause of death. The medical examiner identifies the organs that ceased to function and thus caused death, but without establishing the context



of the death and its possible link to acts of violence or negligence. Judges, for their part, focus on the conclusions of the reports, rarely request additional explanations, and are too quick to conclude that no crime was committed. In this regard, the majority of cases involving victims of suspicious deaths analyzed by the OMCT raise issues related to autopsy reports. These findings reflect a structural lack of transparency in the procedures, which is no longer merely a matter of delays in providing information but rather a systematic failure to make such information available.

Furthermore, lawyers have no binding means to compel judges or criminal investigation units to take action. Progress depends on repeated efforts—calls, letters, visits—that require constant and often grueling commitment from families and their lawyers, sometimes amid institutional tension or pressure. The lack of communication from magistrates and investigators prevents families from tracking the progress of proceedings, accessing evidence, or understanding the decisions made. This situation creates a form of violence that stems from routine and cumulative practices.

All of these mechanisms—inequalities in procedural status, delays in investigations, and a lack of means to follow up—thus lead to a structural restriction on access to justice.



*Moncef, father
of Sabri, twenty-three years old.*

We try to remain confident that the guilty party will one day be punished, because it is not within our power to do anything. We have no means; we cannot secure our rights on our own.



IMPUNITY AND THE PROTECTION OF THOSE RESPONSIBLE ■

Because the deaths involve government officials, families perceive the judicial system as geared toward protecting the administration rather than seeking the truth. In many cases, investigations appear to be sidelined, and the alleged perpetrators remain in office or at large. Judges also face institutional bias within the agencies that had custody of the deceased at the time of or shortly before their death. Judicial authorities sometimes lack the resolve to ensure that members of the internal security forces, correctional facilities, or hospitals appear during hearings and court sessions, as well as to protect families from potential pressure or reprisals. They also appear powerless in the face of these same agencies' reluctance to provide evidence.



Bassem, sixty-five years old, died following a police intervention at his home.

A confrontation took place between Bassem's family and the arrested officers. The family claims that on that day, there was a significant police presence intended to pressure the investigating judge into releasing the arrested officers. They also say they were subjected to provocations by police officers inside and outside the courthouse while they were attempting to organize a rally to demand justice and ensure there is no impunity.

Disciplinary mechanisms offer little hope to the families. Internal investigations appear insufficiently independent and, above all, are highly opaque. The families are not informed of any disciplinary sanctions that may be imposed.

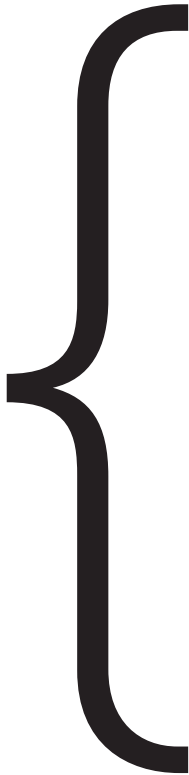
The implicit solidarity among institutions fuels their outrage.



Sana, Youssef's mother.
***The murderer is free,
and I am a prisoner of this pain.***



They express a sense of injustice and denial of responsibility, blaming the state as a whole for the deaths.



Samia's son, Aziz,
was denied medical treatment during his police custody and pretrial detention. He died three weeks after his arrest.

When asked who is responsible for my son's death, I answer: the Ministry of the Interior, the General Inspectorate of Prisons, the Ministry of Justice... all of them.



Hafedh, father of Skander,
twenty-seven years old

I never had any trouble with the police before, but I was shocked. My son made a mistake: punish him, imprison him, but don't kill him. Why did they kill him? He was strapped to his hospital bed even though he was already paralyzed. They stripped him of his dignity and killed him. I hold the prison administration —or rather, the state as a whole fully —responsible.

Impunity fuels frustration and fuels the emergence of new forms of social suffering.

Beyond the individual, it has a deleterious effect on society as a whole: it instills the idea that certain acts can go unpunished, particularly if they affect people in detention. As a result, these individuals are viewed through a negative lens, as if their status alone were enough to downplay the gravity of the offenses. Impunity becomes a form of institutional violence in its



own right, which fuels a sense of inequality before the law and undermines the credibility of institutions.



Moncef, Sabri's father.

Now, I have accepted that my son is dead, but for me, the person responsible must be convicted. Yet I see him every day, driving around in his official car. He continues to work; he even seems to want to provoke us, which makes it impossible to move past what happened.



Amal, Sabri's sister. She wonders, as the officer responsible for her brother's death still works at the same police station: "How can I point the finger at him while trying to convince my other little brother, who is only seven, that these police officers are supposed to be the protectors of our country?"

How can I carry out even the simplest administrative task at this station when I have to face the man who killed my brother?



Honeida, mother of Sofiene, thirty years old.

I used to respect the security forces, but today I hate them deeply and I even avoid looking at them on the street.



Samia, mother of Aziz, twenty-four years old.

December 17 is Revolution Day... And now young people are being killed in prisons. They killed my son; they killed him. He was a dreamer, ambitious, in love with his country; they killed him. Is this the revolution they're talking about and celebrating?

- ▶ The ongoing demands raised by the families underscore the urgency of recommendations aimed at strengthening access to the truth and holding institutions accountable.



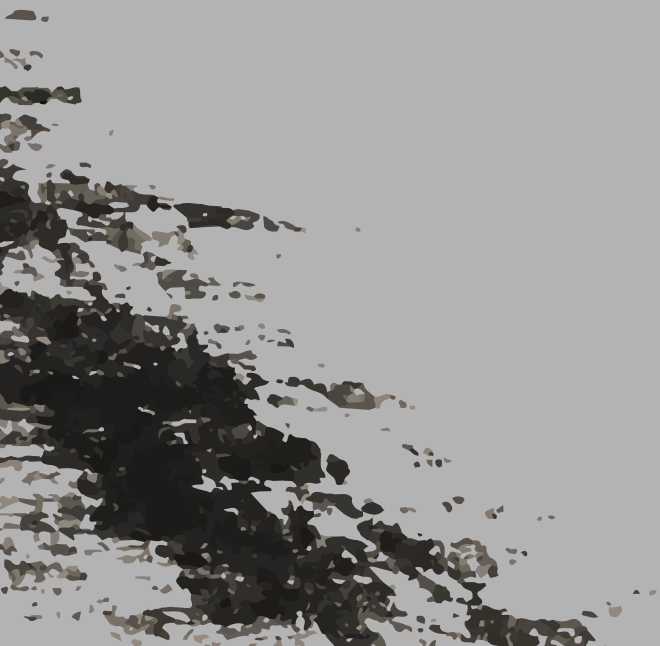


*Rafa, father
of Kamel.*

*I lost my son; I will never see him
again. But at least let this not
happen again.*

***Let no father go through
what I have gone through.***

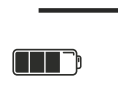
*Let everyone take responsibility, and
let these prisons know their limits.*





& CONCLUSION RECOMMENDATIONS





For the families of victims of suspicious deaths, the loss does not end at the moment of death. It continues in silence, through administrative and legal proceedings, in the waiting, and in the struggle to have their place and rights recognized. All of the cases analyzed and testimonies collected by SANAD highlight that these situations are not isolated incidents. By preventing the facts from being established, institutions block the grieving process and expose families to prolonged suffering, marked by waiting, doubts, and endless procedures.

The psychological abuse inflicted upon them is a direct result of an institutional system. The lack of official notification in many cases, restrictions on access to the case file, excessive delays, and dehumanizing interactions are not mere shortcomings. Taken together, these elements constitute a system that fosters uncertainty, hinders access to the truth, and contributes to blurring accountability.

The right to redress, guaranteed by Tunisia's international human rights commitments, is being violated, and the state may thereby be held liable. When a death occurs under its responsibility, the lack of an effective response constitutes in itself a form of institutional violence.

Over the course of years of legal proceedings, silence transforms the families' relationship with institutions. The judicial system, which was meant to be a space for truth and recognition, becomes a place of attrition and, at times, resignation. It is the very credibility of the rule of law that is undermined by fostering the idea that certain deaths can remain unexplained and without consequences.

The following recommendations are intended to ensure that any death for which the State is responsible is addressed through a prompt, independent, and transparent response. The goal is to establish the truth, hold those responsible to account, and ensure that the families' rights are finally recognized.



Immediate and official notification and support for families when a death occurs while the person was under the responsibility, custody, or effective control of the State

- ▶ Adopt and publish a mandatory national protocol for reporting deaths that provides for:
 - A transparent procedure for reporting the death, from the person who certifies the death to the head of the facility where the person was held (prison, police station, etc.);
 - Direct notification of the next of kin by an official representative trained for this purpose, within a strictly defined timeframe not exceeding 24 hours;
 - The provision of a written statement detailing the circumstances known at the time of notification.
- ▶ Ensure the adoption of the Protocol through regulatory text and its effective implementation by the relevant administrative authorities.
- ▶ Prohibit any indirect, informal, or unsupervised transmission of information regarding the death.
- ▶ Ensure that the body is treated with dignity, in accordance with the principles of respect and dignity, and provide families with information about the circumstances under which they will view the body.
- ▶ Provide emergency psychological support to families who request it.



- ▶ Ensure that families have prompt access to essential information, including:
 - The official death certificate, the preliminary autopsy report, and the final autopsy report as soon as they are completed;
 - Clear, written, and standardized information on available avenues of recourse and access to the legal aid system.

Autopsy reports that comply with international standards

- ▶ Make it mandatory to perform an immediate autopsy for any death occurring in a place of detention.
- ▶ Ensure the effective independence of forensic examinations by:
 - The creation of a forensic unit specialized in deaths occurring in situations of deprivation of liberty and trained in the Istanbul Protocol;
 - The issuance of autopsy orders by a judicial authority rather than by the criminal investigation services;
 - The systematic inclusion in forensic reports questions regarding the circumstances of death, particularly the possible use of violence or excessive force, detention conditions, and access to medical care;
 - The systematic collection and transmission to the medical examiner of all medical documentation pertaining to the deceased, including the prison medical record;





- The establishment of a fully traceable chain of custody for the storage and handling of medical evidence;
- The adoption of a maximum timeframe for the completion of autopsies.

Preventing impunity by ensuring that families have effective access to an independent, diligent, and prompt judicial process

- ▶ Ensuring the systematic opening of an independent and effective investigation whenever a death involves law enforcement officers or occurs in custody.
- ▶ Establish a specialized judicial unit (comprising judicial police and magistrates) dedicated to investigating allegations of torture and ill-treatment, equipped with the means to act independently; entrust all investigations into cases of suspicious death to this unit until the possibility of torture or ill-treatment—whether intentional or due to negligence—has been ruled out.
- ▶ Require prosecutors to immediately order the opening of a judicial investigation upon the occurrence of a suspicious death, so that the family may bring a civil action and actively participate in the investigation;
- ▶ Amend the Code of Criminal Procedure to grant families, from the outset of the investigation and regardless of its basis, a set of effective procedural rights, including:
 - The right to be informed of the progress of the investigation;
 - The right to access the investigation file, including medical records;
 - The right to request investigative measures (including interviews, confrontations, inspections, searches, expert opinions, and counter-expert opinions).



- ▶ Expand the use of video surveillance systems in police custody and interrogation facilities, with mandatory retention of recordings for a sufficient period of time, and access to the recordings for investigators and, where appropriate, the legal representatives of victims.
- ▶ Amend the Code of Criminal Procedure to strengthen the powers of investigating judges regarding orders for the disclosure of documents, recordings, and other evidence from the relevant government agencies, and to establish a framework for the obligation of these agencies to comply promptly.
- ▶ Amend the Code of Criminal Procedure to establish time limits for the preliminary investigation and the judicial investigation.

Guarantees of non-repetition

- ▶ Provide for the provisional suspension of officials involved in acts that may constitute serious human rights violations for the duration of the investigation, while respecting the presumption of innocence.
- ▶ Amend the law governing the General Inspectorate of Internal Security to require the publication of a periodic report detailing the number of complaints received, their categories, the cases that have been investigated, and the decisions adopted.
- ▶ Following administrative court rulings holding the State liable in cases of suspicious deaths, take all necessary measures to prevent further deaths from occurring under similar circumstances.





*He often told me,
"One day, I'll build you
a decent house, where
you won't have to live
in this misery
anymore."*



*On Wednesday, I bought
him some clothes and
deodorant, but he never
got to have them. There
was no one at the
hospital; my son wasn't
there, and his former
roommate told me,
"He died at 9 a.m."*



*My son is buried
underground. During
the first rain after his
death, I stayed outside,
to feel the earth, to
smell its scent. I don't
know if he's warm
enough...*

*How can I warm him?
How can I find peace?
May these rains soothe
the fire that consumes
me.*



After three years of searching for the truth, filled with anger, pain, and a deep sense of helplessness, I am suffering terribly.



The cause of his death and the manner in which he died are what cause me the most pain. They are responsible for my son's death.



There is nothing more cruel than losing your child in a place that is supposed to protect, not torture and kill.



How can I salute a flag when the police, who are supposed to serve the country, have shattered my family?

***I felt that I was
going to be left
alone in this
darkness.***

*Hope remains
our only
refuge.*

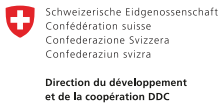
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*We have a right
to know why
our sons
died.*

...

*I will not remain
silent; I will not
give up until
justice is served
for my son.*

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