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Tunisia. Hold Police Accountable for Shootings

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The family of Ahmed Ben Ammar Boulâabi, a 32-year-old day laborer, who joined a demonstration on January 8 in the town of Tala. Police first fired tear gas toward the protesters on the Avenue Bourguiba. The commander in charge then warned them to disperse. When the protesters refused, he ordered his forces to fire. Boulâabi was shot at about 9:30 p.m. and died on the spot. The preliminary medical certificate issued by the Tala Hospital, dated January 8, gives the cause of death as a bullet in his abdomen.

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Slah Dachraoui, a 19-year-old fruit stand operator, was among the first protesters killed. The forensic report issued by the hospital says Dachraoui died from an “abdominal wound from a firearm.”

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Things are moving fast in Tunisia, but finding out who opened fire on demonstrators and why can't

wait. The units and commanders responsible for these apparently unlawful killings should be identified and held accountable.

Eric Goldstein, deputy Middle East and North Africa director

(Tunis) - The transitional government of Tunisia should make it an urgent priority to investigate the killings of demonstrators by Tunisian security forces in early January 2011, Human Rights Watch said today.

Security forces used excessive force in suppressing demonstrations in the central western cities of Kasserine and Tala, Human Rights Watch said, killing at least 21 people with live ammunition in these two cities alone between January 8 and 12, Human Rights Watch found.

"Things are moving fast in Tunisia, but finding out who opened fire on demonstrators and why can't wait," said Eric Goldstein, deputy Middle East and North Africa director at Human Rights Watch. "The units and commanders responsible for these apparently unlawful killings should be identified and held accountable."

A transitional government has been in place since President Zine el-Abidine Ben Ali fled the country on January 14, Human Rights Watch said. The transitional government announced the creation of a commission to investigate and determine responsibility for grave violations of human rights committed since sustained protests began. The protests followed the self-immolation of the street vendor Mohamed Bouazizi on December 17, 2010, in Sidi Bouzid, 70 kilometers east of Kasserine. The victims' families told Human Rights Watch that no official body of any kind has contacted them.

Kasserine and Tala are only two among several cities where security forces opened fire on protesters. Others died in Tunis, Menzel Bouzaïane, Douz, Regueb, Bizerte, Zarzis, and elsewhere. The interior minister of the transitional government, Ahmed Fri'a, said on January 17 that 78 persons died and 94 were injured during the weeks of protests that helped to force Ben Ali out of office. Based on the reports gathered from cities nationwide, it can be safely assumed that the vast majority died from police gunfire.

Kasserine and Tala

From January 19 to 22, Human Rights Watch investigated the fatal shootings in Tala and Kasserine that took place between January 8 and January 12, interviewing witnesses, doctors, lawyers, and victims' families, and visiting the scenes of the shootings and hospitals. The researchers encountered no obstacles to their movements and found people willing to talk.

Kasserine had more fatalities than any other city during the protests. Tala, population about 35,000, lost more people than any other city its size. Both are in Kasserine governorate, where unemployment is far higher than the national average.

The number of injured is not known. Kasserine Hospital's orthopedic department says it treated 34 patients for gunshot wounds, but some of the victims may have come from other cities, while others who suffered more superficial wounds may have not come to the hospital for treatment. Tala Hospital reported treating 14 persons for nonfatal gunshot wounds.

Human Rights Watch has not yet investigated killings elsewhere in the country.

The events in Kasserine and Tala followed similar patterns of the past. Under President Ben Ali, authorities almost

never allowed protest demonstrations. By law, street gatherings required a permit that authorities usually denied to those with political and economic demands. Following the self-immolation in Sidi Bouzid, "unauthorized" demonstrations broke out in various cities and encountered varying degrees of police repression.

The demonstrators in Tala and Kasserine were mostly youths. They chanted slogans that combined economic demands with criticism of Ben Ali and those in power. The security forces fired teargas, plastic, and rubber bullets, and live ammunition at the protesters, who threw stones at the security forces, and in some instances, Molotov cocktails. Witnesses said that the gunfire came from troops stationed both on the ground and on rooftops. The researchers found no instance in which protesters used firearms against security forces.

The witnesses uniformly said that the police involved in the killings were not local but rather units brought in from elsewhere. They all described anti-riot units wearing black uniforms with shields and helmets, known as "les Bop," (brigades de l'ordre public), but speculated also that those who opened fire - whom they referred to as "snipers" - may have come from other special units.

It was not possible to reconstruct the exact sequence of events in each demonstration in which the police fatally shot protesters. However, the evidence strongly suggests that the police used lethal force in situations where it could not be legally justified.

Legal Framework

The international norms for the use of lethal force by law enforcement officers are codified in the Code of Conduct for Law Enforcement Officials adopted by the UN General Assembly, and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Principle 9 of the Basic Principles says officers may not use:

firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

Evidence collected by Human Rights Watch also suggests that security forces may have violated Tunisian law, which enumerates the steps security forces must take before firing directly at protesters who refuse to disperse. That principle is also part of the international norms. The Basic Principles state:

In the circumstances provided for under principle 9, law enforcement officials shall identify themselves as such and give a clear warning of their intent to use firearms, with sufficient time for the warning to be observed, unless to do so would unduly place the law enforcement officials at risk or would create a risk of death or serious harm to other persons, or would be clearly inappropriate or pointless in the circumstances of the incident.

Tunisian's Law 69-4 of January 24, 1969, regulating public meetings, processions, parades, public gatherings, and assemblies, tightly regulates in articles 20-22 the use of firearms by law enforcement agents, saying they may resort to them only if there is no other means to defend "the places they occupy, the buildings they are protecting, or the positions or persons they are assigned to guard, or if the resistance cannot be mitigated by any means other than the use of arms."

If the protesters "refuse to disperse" in spite of the warnings given to them, the law enforcement agents are to use the following procedures to scatter them:

- (1) Water guns or hits with police clubs;
- (2) Tear gas;
- (3) Firing into the air;
- (4) Firing above the heads of the protesters;
- (5) Firing toward their legs.

Only if "the protesters try to achieve their goal by force despite having used all of these means," then "the security agents will fire directly on them."

Tunisian law has a lower standard than the Code of Conduct, though, regarding the circumstances under which lethal force may be used. Whereas the Code of Conduct states, "intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life," Tunisian law allows law enforcement agents to use lethal force to protect their positions or buildings.

Police who shoot protesters dead may defend themselves from criminal charges by invoking in court articles 39-42 of the Penal Code, which exonerate the perpetrator of a homicide if it was committed to defend a life or in virtue of a provision of the law or of an order coming from a responsible authority.

The police for the most part failed to follow even Tunisian law with respect to following the graduated, nonlethal measures set forth by the law before opening fire toward the upper bodies of demonstrators, based on testimony collected by Human Rights Watch. This includes testimony from witnesses who said the police fired at them without warning, as well as medical evidence that several protesters suffered gunshot wounds in the back or in the head.

There is thus *prima facie* evidence that members of the security forces are responsible either for perpetrating illegal homicides or for giving orders that they be carried out, Human Rights Watch said. Such cases are a matter for the judiciary to investigate and prosecute where warranted.

The Commission Created to Investigate the Events

Prime Minister Mohamed Ghannouchi named Taoufik Bouderbala, former president and current honorary president of the Tunisian Human Rights League, to preside over the commission to investigate human rights violations perpetrated since the protests began on December 17. As of January 27, the government had not issued the commission's statutes, so it is not known whether it will have the power to subpoena witnesses or documents, or whether it can grant immunity to persons who testify before it.

However, Bouderbala, in an interview with Human Rights Watch on January 26, stated that the commission's priorities include:

To shine the light on why and how people died during the protests, to examine the behavior of the police, and the possible involvement of snipers, party militias, and the presidential guard. We want to determine if the police respected the law [of 1969] on public gatherings, who gave the orders to open fire with live ammunition, and why did they do so?

Bouderbala pledged to make the commission accessible to victims and witnesses in all parts of the country. He said the commission will make its findings public and make recommendations with respect to cases that should go before a criminal or a correctional court.

An investigatory commission can play an important role in establishing the truth of what happened during the days of protest in which the police shot dead scores of Tunisians and identify the broader problems in policing and accountability that will need to be rectified, Human Rights Watch said. It provides a forum that is solicitous of victims and bereaved families who want their story to be told and incorporated into a national narrative.

However, Human Rights Watch said, Tunisian authorities should make clear that such a commission is no substitute for criminal investigations into the homicides and the prosecution of perpetrators where warranted, and they should not delay the investigations.

"Investigations need to proceed quickly," Goldstein said. "There is an urgent need to secure evidence and witnesses to get to the truth."

Tunisian authorities also should liberalize their policies for allowing demonstrations, Human Rights Watch said. It can be presumed that the authorities considered the anti-government demonstrations in various cities after December 17 to be "illegal," since the participants did not formally notify the authorities between three and fifteen days in advance, as required by Articles 2, 9, and 10 of the 1969 law on public gatherings. But if in fact the participants ignored this law, they did so knowing that the authorities during Ben Ali's presidency allowed virtually no antigovernment demonstrations, Human Rights Watch said. While the law seems liberal in requiring mere "notification" rather than "prior authorization," it also empowers authorities in Article 12 to "forbid any demonstration that might endanger public security and order." It also requires organizers, in article, 10, to notify authorities in advance about banners and flags they intend to display at the demonstration.

The criterion of "endangering public security and order" is excessively broad and opens the door to all kinds of arbitrary restrictions on the right to demonstrate, Human Rights Watch said. Tunisian legislators should look to revise this law by starting with a general guarantee of the right to peaceful assembly, and setting out the narrow, specific, and reasonable criteria that authorities can invoke to forbid a demonstration, and by providing organizers a prompt and fair-minded mechanism, independent of the administrative authorities, for appealing prohibitions on a demonstration.

Recommendations to the Government of Tunisia

Ensure that the judiciary conducts independent, speedy and thorough investigations into each incident where security forces shot dead unarmed protesters during the unrest that preceded President Ben Ali's departure. Such investigations should seek to determine the identity of any agent who shot citizens dead in violation of Tunisian law, the unit to which that agent belonged, and the commander who gave orders to open fire or otherwise allowed such incidents to take place. When sufficient evidence is found of a possible unlawful killing, the accused party should be charged, given a fair trial and punished if found guilty.

Solicit and welcome assistance from domestic and international bodies that are able to provide help or advice on conducting investigations into the killings, in view of the extraordinary institutional situation in which Tunisia finds itself.

Take necessary measures to preserve intact all evidentiary material and records that may shed light on direct and command responsibility for the fatal shootings and the circumstances in which they occurred.

Bring the domestic laws governing when law enforcement officers may fire live ammunition against protesters into

line with international norms by restricting the permissible lethal use of firearms to situations "strictly unavoidable in order to protect life."

Bring domestic laws governing the right to hold public gatherings and demonstrations into line with the right of assembly as guaranteed by international human rights law by: guaranteeing the basic right of peaceful assembly and giving authorities only strictly defined and narrow powers to forbid demonstrations; requiring authorities to provide a detailed explanation when forbidding a demonstration; and ensuring a rapid and independent process of appeal for organizers of demonstrations that the administration has prohibited.

Recommendations to the Commission of Investigation into Human Rights Violations Committed Since the Protests Began on December 17

Facilitate access to the commission for victim's families, victims, witnesses and others who can provide evidence of the use of possible excessive force by the police during the protests.

Make available all information collected that can assist the judiciary in bringing alleged perpetrators to trial.

Formulate recommendations on revising the laws governing the use of force by law enforcement agents in controlling demonstrations, and on training, operational procedures, deployment, and equipment, to ensure that Tunisian law enforcement agencies act with restraint in crowd-control situations and are held accountable when they use unlawful force.

Tala

The street protests in Tala, 40 kilometers north of Kasserine, began on a near-daily basis on January 3, the day that students returned to classes after the winter vacation. The police responded during the first days with teargas, beatings, and shots fired into the air, residents told Human Rights Watch. They did not, however, kill or wound anyone with live ammunition.

All this changed on the evening of January 8, when the police shot dead five persons. They killed a sixth on January 12, before leaving town and being replaced by the army.

The protests on January 8 involved sustained demonstrations and rock-throwing at the police on the town's main artery, Avenue Habib Bourguiba, where government buildings are located. Participants said youths threw rocks and then darted back into the alleys that intersect the avenue. Witnesses and participants widely confirmed the rock-throwing but none reported the use of Molotov cocktails or other incendiary devices.

Ahmed Ben Ammar Boulâabi, a day laborer born in 1978, joined a demonstration that day for the right to work, said his sister, Cherifa Bent Ammar Boulâabi, 35.

Police first fired tear gas toward the protesters on the Avenue Bourguiba, she said. The commander in charge, whom she and another resident identified as Youssef Abdelaziz, then warned them to disperse. When the protesters refused, he ordered his forces to fire, she said. Boulâabi was shot at about 9:30 p.m. and died on the spot, she said. The preliminary medical certificate issued by Tala Hospital, dated January 8, gives the cause of death as a bullet in his abdomen.

Ramzi es-Sayeh, 20, a witness, said that police continued shooting as demonstrators tried to move the injured from the street. The police wore black uniforms; some were on the street, some behind windows and atop roofs. A bullet

hit es-Sayeh, passing through his thigh. He was able to limp away and get treatment, first in Tala and then at Kasserine Hospital. Es-Sayeh said police sometimes fired plastic bullets, so the protestors continued demonstrating and throwing stones until they discovered live ammunition was being used. He said police gunfire killed another man, **Marouane Jamli**, during the same demonstration.

Ashraf Ibrahim Souiqi, 27, a waiter, was among several Tala residents wounded that day by police gunfire. Shot in the thigh during the evening protest, he made it to a house where youths also tried to bring Jamli's body. Souiqi treated his injury at a private home because he feared arrest if he went to the hospital.

Ahmed Omri, an unemployed 22-year old, said police shot his brother, Mohamed Omri, a high school student born September 16, 1991, while he was in a procession of about 20 people carrying Jamli's body back from the hospital the night of January 8. Ahmed Omri said the procession was solemn and the men accompanying the body were not throwing anything. He said that as the procession passed along Bourguiba Avenue near the police station, "snipers" fired on them without warning. He said the youths put down the body and fled for cover. The death certificate of Mohamed Omri states that he died from a "grave abdominal wound caused by a firearm." The report from the Kasserine Hospital department of Forensic Medicine states that he had an entry wound in the lower abdomen, and an exit wound in the back.

Ahmed Omri said that Mouhaïmin Aouri and Moaz Goumati were also wounded in the same incident. Aouri, born May 1, 1989, was grazed by a bullet on his back, and Goumati was hit twice in his leg.

Police shot dead two other Tala men on the night of January 8: **Ghassan Ben Taïeb Chniti**, born in September 1991, and Yassine Ben Hammadi Rtibi, born in June 1993. The report filed by the Kasserine Hospital Forensic Medicine department states that the cause of death for each of the men was a bullet in the back.

The Tala Hospital reported treating a total of 13 persons, including Mouhaïnin Aouri, for nonfatal bullet wounds on the night of January 8 and early morning January 9. Of these, most were shot in the legs or feet.

The sixth and last victim to die in Tala, **Wajdi Saihi**, 28, had a diploma in mechanics but was unemployed. On January 12 he was hit by a bullet at the intersection of his street and the Avenue Bourguiba. His brother, Fathi Saihi, 41, a kindergarten teacher, said:

There had been a demonstration on the avenue Habib Bourguia that morning. At about 11:45am, I heard some shooting - more than 10 shots. Everyone went out to see what was happening. I found my brother lying on the street. I put a tourniquet on his leg and brought him to the hospital in Tala. An ambulance drove him toward Le Kef [a larger city to the north], but he died along the way.

The medical report from the hospital in Tala, dated January 17, says the bullet had ruptured Saihi's femoral artery, causing fatal bleeding.

Kasserine

In Kasserine, population about 100,000, residents who spoke to Human Rights Watch all concurred that police shooting began on January 8, although anti-government demonstrations had begun as early as January 4, when lawyers held a protest rally. It was on that day that anti-riot police with helmets and shields first appeared on the city streets, a Kasserine lawyer, Ali Gharsali, told Human Rights Watch.

Human Rights Watch collected information about 15 individuals in Kasserine killed by police gunfire between January 8 and 10. Some lawyers and activists in Kasserine said the number killed is higher.

On January 7 word spread that a man had set himself on fire in Kasserine. He was transported to a hospital in Sfax for treatment but did not survive. His body was returned to Kasserine on January 8.

On January 7, local youths set fire to municipal buildings and offices of the ruling Constitutional Democratic Rally (RCD), perhaps in response to the news of the self-immolation. From that date on, the police faced demonstrations, stone-throwing, and sporadic disturbances in various parts of the city, notably in the downtown area and in the poor neighborhoods of Haï ez-Zehour and Haï en-Nour.

As in Tala, the security forces did not open fire on demonstrators with live ammunition before January 8. On that evening protesters gathered again in several parts of the city and for the first time were met not only by riot police but also by agents who stood both among the police and on rooftops and fired at the demonstrators — whom witnesses called "snipers." They too dressed in black uniforms, but it was not possible to determine if they belonged to the anti-riot units or some other force. Residents of Kasserine said these forces had been brought in from other parts of the country, explaining they knew this because they did not recognize them individually and because of their accents.

In the poor neighborhood of Kasserine known as Haï en-Nour, witnesses said that among the first protesters killed was **Slah Dachraoui**, a 19-year-old fruit stand operator. His mother said he left home the night of January 8 to go to his stand near the Monguela (Watchtower) roundabout, at the end of Hussein Zourouq Street, a boulevard that dissects Haï en-Nour. Later, boys came and told his mother that Dachraoui had been shot. The mother, Ribah Briki, said she went to the Kasserine Hospital, where she retrieved her son's body. The forensic report issued by the hospital says Dachraoui died from an "abdominal wound from a firearm."

Briki also showed a jacket with a hole in the back of the left side. She said the bullet passed through his stomach area and out the back.

Seif Eddine Zourgui, 21, an unemployed carpenter, said he witnessed the shooting of Dachraoui and **Raouf Ben Hamad Bouzidi**, born April 1982, a mechanic. Zourgui said that hundreds of protesters had gathered to "demand our rights" and throw stones at riot police. Zourgui said they tried to burst through a phalanx of police who held shields and were blocking a main street. The police used tear gas and the protesters responded with stones, he said. The confrontation in and around the plaza lasted for about 3 hours, Zourgui said. At some point, shots rang out and Dachraoui fell. Bouzidi tried to lift Dachraoui from the ground, and was hit in the chest by bullets.

Zourgui said that the shooters were stationed atop the Bank of Agriculture building and the Salaam Hotel, less than 100 meters from the roundabout.

Bouzidi's father, Hamada Bouzidi, 48, a mechanic, said his son left to join the demonstration at about 6 p.m. At 9, some boys came to the house to inform him that his son had been killed. Hamada Bouzidi displayed a report from the hospital's forensic medicine department issued on January 9 indicating his son had an entry wound in the abdomen and an exit wound in the back. He also showed what he described as a bullet hole in the side of a black jacket worn by his son that night. (The hospital reports for Dachraoui and Bouzidi are dated January 9, but most accounts said the deaths were on the evening of January 8.)

Police on January 8 fatally shot **Ramzi Ben Al-Habib Houssein**, born in 1982, during a clash between youths and the police in the late afternoon in Haï en-Nour. That evening, a 7-month-old baby, Yakin Karmazi, whose family had been exposed to tear gas while walking in the street of Haï en-Nour, fell ill and died the next day in the hospital. The death certificate lists the cause of death as teargas-related ("*pneumopathie lésionnelle: gaz*").

Similar events also took place in Haï ez-Zehour. On the night of January 9, Mohammed Amine Mbarki, born March 16, 1993 and unemployed, told his father, Salah en-Nasr Mbarki, 42, a mechanic, he was going out to visit his

grandparents. A few hours later, friends of the boy came and told Mbarki's father he had been shot at the Monguela roundabout. The father went to the Kasserine hospital, took his son's body home, and washed it for the burial that was to take place the next day.

Hamza Mansouri, 20, a merchant, said the shooting began on January 8, when protesters gathered at Monguela roundabout hoping to march downtown. They chanted slogans demanding jobs, opposing Ben Ali and corruption, as well as "Allahu al-Akbar," (God is Great). Mansouri said police on a street near the police station used tear gas to keep the demonstrators at bay. Then after about an hour, the shooting began.

Mansouri reported seeing Mbarki hit by a bullet in the head, but could not specify the source of the gunfire, because of the darkness and tear gas. He said "snipers" were stationed above a pharmacy, café and police station adjacent to the roundabout. The Kasserine Hospital forensic medical report for Mbarki, dated January 20, states that he died on January 9 from a gunshot wound to the face.

Police fatally shot **Abdelbasset Moukhtar Gasmi**, a 22-year old who worked in a pizzeria, during the funeral procession for Mbarki at about noon on January 9, said Gasmi's brother, Mohammed Mokhtar Ali Gasmi, who was not in Kasserine at the time.

Gasmi joined the procession as it passed through Monguela roundabout. He had been making dough that morning, but left the restaurant to follow the coffin. Demonstrators threw rocks at the police station nearby and the police fired tear gas, and then live ammunition. After a bullet hit Gasmi, other youths took him to the hospital.

Tarek Aswadi, a 23-year old who worked at the pizzeria with Gasmi, said the marchers in the funeral process were crying first "La Illah ila Allah," There is no god but God, and then "Khoubs wa ma, Ben Ali, la, Khoubs wa zeit, Ben Ali 'ala hayt," that is, Bread and water, Ben Ali no, and Bread and oil, Ben Ali against the wall. The police fired tear gas, the youths threw rocks, and then the police opened fire. Kasserine Hospital's forensic medicine report states that Gasmi's body has a bullet entry wound in the thorax and an exit wound in the waist.

Multiple killings around Monguela roundabout on January 10

Local residents have re-named the Monguela roundabout in Haï ez-Zehour "Martyr's Square" because it was the scene of the highest number of casualties in Kasserine. The bloodiest day at the roundabout was January 10, when police killed at least five men in the vicinity.

A number of low buildings surround the roundabout, including a café and pharmacy. The roundabout lies on a slope. Several streets feed into it, including two that continue up the hill. It was along one of these two streets that a funeral cortege with hundreds of marchers was slowly descending toward the roundabout on the afternoon of January 10, the marchers and the car bearing the body of Mohamed Amine Mbarki Anti-riot police positioned at the roundabout sought to turn back the funeral procession. A standoff ensued. The police fired tear gas at the cortege, forcing its retreat. Youths erected barricades of burning tires on the streets about 60 meters above the square and, wearing masks to cover their faces, hurled rocks at the police. At least one witness, Haïtham Gharsali, said the youths also threw Molotov cocktails. He said about 200 youths were involved. Gharsali, 21 and unemployed, said in an interview at Kasserine Hospital where he was convalescing from a bullet wound, that during the clashes the police opened fire without warning, killing Issa Griri and wounding others, including Gharsali himself, who was hit by a bullet in the arm. The police who shot at him were 20 meters away, he said. He said police with rifles were posted on rooftops in the roundabout and on the street. He said he believed the bullet that struck him was fired by someone at street level.

During the same confrontation, police shot dead *Mohammed Khadraoui*, a 23-year-old café worker who lived in Haï

en-Nour. Khadraoui was participating in the demonstration near Monguela roundabout, said his mother, Zahra Midri, 49. She had tried in vain to persuade him not to go, she said. At 2 p.m., she heard ambulances, ran out, and learned that he had been shot, but by the time she reached the hospital he was dead.

Ahmed Saïhi, a university student, said the protest broke out when police would not let the car carrying Mbarki's body pass. He, along with all the youths of Haï ez-Zour joined in, he said. He said that "snipers" at Monguela square were positioned atop a café and on the roofs of other nearby buildings.

Amira Hathimi, a 23-year old student, said that 200 people were at the square. She said the "snipers" had shields, helmets and Kalashnikov rifles. First came the tear gas, and without warning, the firing, she said. The youths bundled Khadraoui into a civilian car and drove him to the hospital.

On the afternoon of January 10 police shot and killed **Walid Saâdaoui**, born March 1982, **Abdelqader Ghodhbani**, born in 1986, and Ahmed Jabbari, born in July 1949. Jabbari reportedly had no involvement in the protests but was hit by a stray bullet. Police killed **Belgassem Ghodhbani**, born in 1973, the same day. The Kasserine Hospital forensic medicine report says he was hit by three bullets, including one in the back of the neck.

Mansouri said he stayed at the roundabout all that day with many other people "chanting and throwing stones." He said a girl he identified as Afaf Aïdoudi was hit by a bullet as she was standing about 100 meters from the roundabout. He helped her find a taxi to go to the hospital. The only car they could find contained a cadaver of someone killed at the plaza that was also on the way to the hospital.

The next day, Mansouri himself was hit on the left shoulder near his neck and spent ten days recovering in Kasserine Hospital. Mansouri said that people who heard the shooters talking or shouting thought their accents were not local, leading him to believe they were brought in from elsewhere in the country.

Aïdoudi, 20, who has training in electrical repairs, said she was not attending the demonstration, but had been visiting her niece. She stopped to chat with a friend about 100 meters from the roundabout at the time when the Mbarki funeral was passing. She did not hear a shot, but was struck by a bullet in the left thigh, fracturing her thigh bone. She said that Mansouri came to pick her up and help her into a taxi that took her to the hospital.

January 29, 2011