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Tunisia: releases welcome but harassment and intimidation must stop

Amnesty International welcomes the recent release of more than 50 long term political prisoners in Tunisia but remains concerned about the continuing imprisonment of others and widespread harassment of critics and opponents of the government. The organization is calling on the Tunisian authorities to show greater respect for human rights.

Some 54 political prisoners were released on 5 November to mark the 19th anniversary of President Zine El 'Abidine Ben Ali's accession to power on 7 November 1987. All had been imprisoned for over 14 years because of their membership of the banned Islamist organization, *Ennahda*, after unfair trials before the Bouchoucha and Bab Saadoun military courts in 1992. Several, including Mohammed Akrouf, Habib Louze and Abdallah Massaoudi, were sentenced to life imprisonment. All of the releases are conditional. Any former prisoner who breaches the conditions of his release can be re-arrested and made to serve the remainder of his sentence by decision of Minister of Justice, without any judicial process, or placed under house arrest for the same period.

At least 100 *Ennahda* prisoners who were also sentenced after unfair trials in the early 1990s were not released. They continue to be held at various prisons in Tunisia. Some are reported to be in poor health and in urgent need of medical treatment after being tortured in pre-trial detention and subjected to harsh prison conditions, including prolonged solitary confinement, for many years. These include Ahmed Bouazizi, Ridha Boukadi and Sahbi Atig. In addition, the Tunisian authorities continue to hold some 400 prisoners under the 2003 counter-terrorism law allegedly for seeking to go to fight in Iraq.

Despite these prisoner releases, Tunisian security forces continue to harass and seek to intimidate local human rights defenders, lawyers and other rights activists as well as families of political prisoners and former prisoners, and to severely restrict the rights to freedom of expression and association. Human rights lawyer Saida Akremi, a member of the International Association for the Support of Political Prisoners, is under constant surveillance by security officials who frequently question her clients and suggest they engage a different lawyer. In one incident on 25 October, a plain-clothed police officer reportedly followed one of Said Akremi's clients when she left the lawyer's office and terrified her by snatching away her three year old child when she resisted showing him her identity card at the Barcelona bus station in central Tunis. He ran away but then returned the child when the mother, Samah Jendoubi, pursued him screaming and calling for help. Subsequently, she lost a child she was expecting apparently because of the stress caused to her by this attack.

In another recent incident, Samia Abbou, wife of prisoner of conscience Mohammed Abbou, and two of her children aged 10 and 13, were threatened by armed police stationed outside her home on 25 October.

While a number of police officers stood by, two others on motorcycles drove at Samia Abbou and her children in apparent attempt to intimidate and frighten them. On 24 October, the wife and two children of political prisoner Hatim Zarrouk and Sabiha Tayyachi, widow of former political prisoner Hachemi Mekki, were assaulted outside their homes by being beaten and dragged before being taken in an unmarked police car to a police station in the Sidi El Bechir district of Tunis, where they were detained and questioned for several hours before being released.

During the past month, security officials have also kept the office of the National Council for Liberties in Tunisia (CNLT), a leading non-governmental organization that is being denied legal registration, under particularly heavy surveillance, apparently to deter or prevent access to it by former political prisoners and prisoners' families. Some who did succeed in visiting the CNLT are reported to have been arrested afterwards, taken to nearby police stations and made to sign statements that they will not visit the CNLT's office again.

Security officials are reported also to surround the home of Moncef Marzouki, leader of the Congress for the Republic, a banned opposition political party, who returned to Tunisia in October 2006 after five years of self-imposed exile in France, to prevent or deter people from visiting him. As well, he has been reportedly charged with incitement and civil disobedience, offences punishable by up to three years' imprisonment, for urging Tunisians to hold peaceful protests to demand greater respect for their rights in an interview with Aljazeera TV on 14 October.

The Tunisian authorities have also stepped up harassment of women who wear the *hijab* (Islamic headscarf). This follows statements by the Ministers of Foreign Affairs and the Interior and the Secretary-General of the ruling political party, the Constitutional Democratic Rally, against the rise in the use of the *hijab* by women and girls and beards and the *qamis* (knee-level shirts) by men, and calls for a strict implementation of decree 108 of 1985 of the Ministry of Education banning women from wearing the *hijab* at educational institutions and when working in government. Some women have reportedly been ordered to remove the headscarfs before being allowed into schools, universities or work places and others have been made to remove them in the street. Some women, apparently, have been taken to police stations and required to sign written commitment to stop wearing the *hijab*. Amnesty International believes that individuals have the right to choose whether or not to wear a headscarf or other religious covering, consistent with their right to freedom of expression.

Amnesty International calls on the Tunisian government to respect the country's obligations under both national law and international human rights law and standards, and to end the severe restrictions which continue to be used to prevent exercise of fundamental rights to freedom of expression, association and peaceful assembly. The organization is also calling on President Ben Ali's government to end the harassment and attempted intimidation of human rights defenders and civil society activists and ensure that all officials responsible for abusing their rights are removed from their positions and brought to justice.