

£TUNISIA

@Aicha Dhaouadi - Prisoner of Conscience

Aicha DHAOUADI, a secondary school teacher from Bizerte and mother of a four-year-old girl, was arrested and imprisoned for nine months on 19 May 1995, following the imposition by a court in Bizerte of a sentence on charges of belonging to a political association and collection of funds.

Aicha's ordeal began on 4 November 1993, when she was first arrested by the security forces and held by police for questioning for the whole day. She was released in the evening but had to go back to the police station the following morning; for several consecutive days she was detained for questioning during the day and allowed to return home at night to care for her small daughter. She was questioned about the whereabouts of her husband, an exiled supporter of the unauthorized Islamic group *al-Nahda* (Renaissance), and about her contacts with the families of other imprisoned *al-Nahda* supporters. At that time Aicha used to wear the headscarf, but she stopped wearing it following her first arrest, when she was told that unless she stopped wearing the headscarf she would lose her job and face imprisonment.

At the beginning of 1994 Aicha was tried with five other women and sentenced to two years and three months' imprisonment on charges of maintaining a political party and collecting donations, the charges most widely used against thousands of Tunisian men and women imprisoned on suspicion of supporting *al-Nahda* and of having given financial support to the families of imprisoned or exiled *al-Nahda* supporters. The five other women are Kheiria El Qallali, Khira Al Mouaddeb, Najet Al Zemitri, Souad Kshouk and Latifa Addali; they were given prison sentences varying from two years and nine months to one year and two months. Twenty men were also tried in the same trial, including Aicha's husband and two others who were tried *in absentia* as they had left Tunisia in 1992. Nineteen of them were given prison sentences varying from four years and six months to two years, and one was acquitted.

After her trial and sentence Aicha and the five other women remained on bail and at the beginning of 1995 Aicha's sentence was reduced to nine months' imprisonment on appeal. On 19 May 1995 she was rearrested and imprisoned in Bizerte. Two of the other women sentenced with her are also reported to have been arrested recently.

According to the police statement, Aicha confessed that she had been a sympathizer of the Islamist movement *Mouvement de la Tendance Islamique*, MTI (which later changed its name to *al-Nahda* in 1989) during her university studies in 1987, that she gave money to this group until 1991, but that from then on she stopped giving money to this political group and just gave some money to the families of imprisoned *al-Nahda* supporters. The statement also said that she was aware that her husband was wanted by the authorities, and that he had been in hiding at her parents' home from the end of 1991 until he fled Tunisia at

the end of 1992. However, she said that she was forced to sign this police statement without being allowed to read its contents.

Regardless of whether she is herself a supporter of *al-Nahda* and has helped the families of imprisoned supporters of this group, Amnesty International considers her a prisoner of conscience, who has not used or advocated violence and who is detained for her conscientiously-held beliefs. AI calls for her immediate and unconditional release.

BACKGROUND

Political repression has increased in Tunisia since the end of 1990, when the authorities began the crackdown on the Islamist opposition and arrested and imprisoned thousands of known or suspected activists and supporters of *al-Nahda*. Since then the circle of repression has continued to expand and has included political opponents and government critics, both men and women, across the political spectrum. With most of the members and supporters of *al-Nahda* either in prison or in exile, the authorities have increasingly been targeting their families, especially their wives who are often detained, questioned about their husbands' whereabouts and reportedly put under pressure to divorce them. Women and men who are known or suspected of giving financial support, however small, to families of Islamist prisoners or exiles have been detained and imprisoned on charges of belonging to an unauthorized association, participating in unauthorized meetings and unauthorized collection of funds. Women wearing the headscarf are perceived by the authorities as sympathizers and supporters of the banned Islamist group, and over the past year the authorities have continued to increase the pressure on these women to stop wearing the headscarf. Scores of women have been detained and subjected to ill-treatment, including sexual abuse and threats of rape; imprisoned; forced to report to police stations weekly, daily or even twice a day; dismissed from their jobs in the public sector, and prevented from visiting their husbands in prison.

Wives of Islamist opponents who have fled Tunisia have had their passports confiscated and cannot leave the country; the practice of confiscation of passports is widespread in Tunisia for political opponents and government critics across the political spectrum. Radhia Nasraoui, a well-known human rights lawyer and wife of a leading figure of the unauthorized *Parti Communiste des Ouvriers Tunisiens*, (Tunisian workers' communist party), PCOT, himself currently imprisoned as a prisoner of conscience serving a sentence of eight years and seven months, had her passport confiscated in November 1994 and has been unable to get it back since. Moncef Marzouki, a well known medical doctor and former President of the *Ligue Tunisienne des Droits de l'Homme* (Tunisian League for Human Rights), LTDH, who was arrested in March 1994 and detained for four months for having reportedly questioned the independence of the Tunisian judiciary in an interview with

a Spanish newspaper, also had his passport confiscated in March and is unable to leave the country.

Individuals or groups of individuals who have sought to protest at the increased curtailment of freedom of expression and association were threatened with prosecution if they did not withdraw their statements. Despite the repeatedly stated commitment of the Tunisian authorities to respecting and promoting human rights and especially women's rights, women who have sought to criticize the authorities have not been spared threats and harassment. A group of women who signed a petition calling for the respect of freedom of expression, which was published in foreign media outside Tunisia, were summoned by police for questioning, and were told to formally deny having signed the petition. Some of them reported having been threatened with prosecution and dismissal from their jobs. Most of the women refused, but some agreed to state that they had signed the petition on the understanding that it was not going to be used outside Tunisia or against Tunisia. In March 1995 the Tunisian authorities prevented the Amnesty International Section in Tunisia from holding a public meeting to celebrate Women's Day, at which a lawyer from the Tunisian Association of Democratic Women had been invited to speak. In April a confidential letter sent by the Tunisian Association of Democratic Women to the Minister of Justice urging him to ensure the good and fair application of the law resulted in the woman lawyer who had signed the letter on behalf of the association being summoned by the magistrate for interrogation on several occasions and accused of defamation against the authorities; it is not known at present if she will be prosecuted.

The past year has been marked by an atmosphere of increased curtailment of freedom of expression which began before the Presidential election in March 1994, and which led to new cases of arbitrary detention and imprisonment. Unprecedented restrictions were imposed on the media, and the foreign newspapers most read in Tunisia (*Le Monde*, *Libération*, *Le Monde Diplomatique*, the *Guardian*, *al-Hayat*) were banned, some of them for over a year, after they had carried articles critical of the Tunisian Government. Foreign journalists were expelled or forbidden entry to Tunisia, and Tunisian journalists who contributed articles considered to be critical of the Tunisian Government to foreign newspapers have since been subjected to harassment, and one was dismissed. Other foreign observers, including an Amnesty International delegate and a lawyer from *Reporters Sans Frontières*, were expelled or denied access to Tunisia.

Please send appeals to the following authorities in Tunisia, calling for the immediate and unconditional release of Aicha Dhaouadi:

Minister of Justice

M. Sadok Chaâbane

Ministre de la Justice

Ministère de la Justice

Boulevard Bab Benat

Tunis, Tunisie

Faxes: +216 1 568 106

Telexes: 13000 maet tn

(via Ministère de l'Intérieur)

Telegrams: Ministre de la Justice Chaâbane, Tunis, Tunisie

Salutation: Monsieur le Ministre /

Your Excellency

Minister of Foreign Affairs

M. Habib Ben Yahia

Ministre des Affaires Etrangères

Place du Gouvernement,

Tunis, Tunisie

Faxes : +216 1 791 005

Telexes: 14470 mafta tn 14471

mafta tn 14472 mafta tn

Telegrams: Ministre des Affaires

étrangères Ben Yahia, Tunis, Tunisia

Minster of the Interior

M. Mohamed Jegham

Ministre de l'Intérieur

Ministère de l'Intérieur

Av Habib Bourguiba

Tunis

Tunisie

Faxes: +216 1 340 888

Telexes: 13662 sdap tn

Telegrams: Ministre de l'Intérieur, Tunis, Tunisie

Salutation: Monsieur le Ministre / Your Excellency

COPIES OF YOUR APPEALS TO:

M.Rachid Driss
President, Comité supérieur des droits
de l'homme et des libertés fondamentales,
85 ave de la Liberté
Tunis
Tunisia
Fax +216 1 796 593 or +216 1 270 646

Me Taoufik Bouderbala, President
Ligue Tunisienne des Droits de l'Homme, LTDH
21 Rue Imam el Bakri
1002 TUNIS Belvedere
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