

JOINT STATEMENT FROM EU OFFICE

**AMNESTY INTERNATIONAL EU OFFICE
EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK
INTERNATIONAL FEDERATION FOR HUMAN RIGHTS (FIDH)
REPORTERS WITHOUT BORDERS
WORLD ORGANISATION AGAINST TORTURE (OMCT)**

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**EU-TUNISIA ASSOCIATION COUNCIL:
STOP TRADING HUMAN RIGHTS FOR SECURITY**

In a joint appeal, five human rights organisations urge European Union leaders to set clear benchmarks for improvements in the human rights situation in Tunisia, at tomorrow's EU-Tunisia Association Council in Brussels.

Amnesty International, the Euro-Mediterranean Human Rights Network (EMHRN), the International Federation for Human Rights (FIDH), Reporters Without Borders and the World Organisation Against Torture (OMCT), say while human rights abuses in Tunisia are worsening, there is a danger that these will be "swept under the carpet" because of Tunisia's willingness to take part in the "coalition against terrorism".

The EU-Tunisia Association Agreement contains a legally-binding human rights clause (art. 2), stipulating that relations between the parties shall be based on respect for human rights and democratic principles. Despite the clause, the EU has never confronted Tunisia forcefully regarding its continuing and serious human rights violations. In fact, the EU has done everything to avoid such confrontation. For years, Tunisia has shown:

- Increased repression of human rights defenders in Tunisia, including torture;*
- Continuing restrictions on Tunisian media and on civil society;*
- Unfair trials against opposition figures and the increasing use of military tribunals.*

The human rights organisations stress that tomorrow's Association Council is the first opportunity in two years for the EU to formally call Tunisia to account for what is now a deteriorating situation. They say that Tunisia is now taking advantage of the international effort to fight "terrorism", to justify its widespread repression of dissident voices. Amnesty International, EMHRN, FIDH, Reporters Without Borders and the OMCT therefore reiterate earlier calls for the EU to insist that Tunisia:

- Frees all persons detained for the non-violent exercise of the right to speech, association or assembly;
- Ends all forms of harassment against human rights defenders;
- Institutes effective safeguards to prevent the use of torture in police custody;
- Institutes a credible system for investigating allegations of abuse;
- Guarantees the independence of the judiciary;
- Restore all fundamental rights and freedoms.

Background:

The Tunisian authorities use alleged links with "terrorist" organisations as an excuse to bring civilians before military courts where procedures fall short of international standards. Several Tunisian nationals living abroad have recently been arrested when they returned to Tunisia in connection with alleged links to "terrorist organizations". One of them is Mounir Ghaith, aged 30 and married with three children. He had been resident in Italy for 15 years before he was arrested in August 2001 when he returned to Tunisia. On 19 December 2001, the trial opened before the military court in the presence of Mounir Ghaith and two other co-defendants, Abdel Basset Dali and Bechir Ben Zayed were also arrested on their return to Tunisia. The rights of the defence were largely disregarded. Mounir Ghaith denied all charges brought against him, including the allegations of him belonging to an Islamist group operating abroad. The next hearing is due on 30 January 2002, the day after the Association Council.

Opponents or alleged political opponents from across the political spectrum have been and still are at high risk of being arbitrarily arrested, detained, tortured

and sentenced after unfair trials. Hamma Hammami, key figure of the unauthorized *Parti Communiste des Ouvriers Tunisiens* (PCOT), Communist Party of Tunisian Workers, and three others (Abdeljabbar Madouri, Samir Taamallah and Amar Amroussia) are at high risk of detention and torture as they have decided to emerge after several years in hiding. Hamma Hammami, Abdeljabbar Madouri and Samir Taamallah are due to appear before a court on 2 February 2002 after lawyers appealed against heavy *in absentia* sentences. Mohamed Mouadda, former leader of the opposition *Mouvement des Démocrates Socialistes* (MDS), Movement of Socialist Democrats, was rearrested in June 2001 after he had signed a joint manifesto with Rached Ghannouchi, exiled leader of the unauthorized Islamist movement, *al-Nahda*, Renaissance, in March 2001, in which they rejected the possible candidacy of President Ben Ali for the next presidential election in 2004. On several occasions since the beginning of 2002, members of security forces prevented Tunisian human rights defenders and human rights organizations from holding meetings to show their support to Mohamed Mouadda, Hamma Hammami and to express their concerns regarding the deteriorating human rights situation in Tunisia.

Arbitrary detention, prolonged incommunicado detention, unfair trials and impunity have been patterns for years. Those who speak out against the lack of independence of the judiciary face sanctions by the authorities. Judge Mokhtar Yahiaoui was dismissed on 29 December 2001 by a decision of a Disciplinary Council following a open letter he had sent in July 2001 to President Ben Ali calling for the constitutional principle of the independence of the judiciary to be applied and guaranteed. On 13 January 2002, Mokhtar Yahiaoui was arbitrarily prevented from leaving the country at the airport when he intended to travel to France for personal reasons.

Amnesty International EU Office: Tel: +32-2-5021499

Euro-Mediterranean Human Rights Network: Tel: +32-2-5133797

International Federation for Human Rights: Tel: +33-1-43552518

Reporters Without Borders Tel: +33-1-44838464

World Organisation Against Torture: Tel: +41-22-8094939