

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **Tunisia: Ten years on - no justice for Bab Saadoun and Bouchoucha prisoners while civilians continue to be brought before military courts**

As hundreds of Tunisian prisoners enter the third day of a collective four-day hunger strike to mark the tenth anniversary of the Bab Saadoun and Bouchoucha military trials, Amnesty International once more calls on the Tunisian authorities to end the practice of trying civilians before military courts where basic principles of fair trial are disregarded.

On 28 and 30 August 1992, 265 alleged members of the unauthorized Islamist movement al-Nahda were sentenced to heavy prison terms in trials that grossly violated international standards. The trial took place in connection with an alleged "plot" by members of al-Nahda to overthrow the Tunisian government. Though many of those tried in the two military trials had been arrested since the autumn of 1990 details of the alleged "plot" were only announced by Tunisia's Minister of the Interior in May 1991.

The charges on which the trial took place were vague and imprecise and individuals were rarely charged with any specific act. The prosecution's case rested almost exclusively on uncorroborated police statements which had been extorted under duress. Most defendants did not have access to a lawyer during pre-trial detention.

Ten years on some 103 of those sentenced for political reasons in 1992 are still in detention, most of them serving sentences of between 20 years' and life imprisonment. The majority of these are prisoners of conscience, imprisoned solely for the peaceful exercise of their beliefs.

"Ten years after the Bab Saadoun and Bouchoucha trials the Tunisian authorities are again using the argument of a 'terrorist' threat to justify flagrant violations of the human rights of actual or perceived political opponents", Amnesty International said.

Since the year 2000 dozens of civilians have again been sentenced to heavy prison terms after grossly unfair trials before military courts. Today, as a decade ago, little or no evidence is produced to warrant heavy prison terms based on vague charges of alleged 'terrorist' activities.

Up to 1000 long-term political prisoners are detained in harsh conditions in Tunisian prisons, most of them prisoners of conscience. Many suffer from serious health problems, sometimes resulting from past torture. This is often aggravated by the absence of basic medical care in Tunisian prisons and ill-treatment by prison staff. Among those who died in detention since the early 1990s are Ezzeddine Ben

Aicha, 33, and Sohnoun Jouhri, 43. They were sentenced in Bab Saadoun in 1992 and died in detention in 1994 and 1995 respectively. Their deaths have so far remained uninvestigated.

Sadok Chourou, a professor at the Faculty of Science of Tunis University and President of Al-Nahda at the time of his arrest in December 1990, was sentenced to life imprisonment by the Bouchoucha military court on 28 August 1992. Since his arrest he has reportedly been kept in solitary confinement and is said to suffer from ill-health.

Former prisoners and their families are routinely subjected by the Tunisian authorities to a range of measures, such as arbitrary denial of passports, exclusion from medical insurance, arbitrary arrest or restrictions on their ability to earn an income. These measures are for the most part not in accordance with Tunisian legislation and violate international human rights standards.

Journalist Abdallah Zouari, who had been sentenced by the Bab Saadoun military court to 11 years' imprisonment in 1992, was released on 6 June 2002 on completion of his sentence and arbitrarily placed under so-called administrative control (*contrôle administratif*). He was once again arrested on 19 August and remanded in custody after appealing a decision by the Ministry of Interior that ordered him to move from his home in Tunis to the town of Khariba-Hassi Jerbi in southern Tunisia. On 23 August Abdallah Zouari was sentenced to eight months' imprisonment for non-compliance with administrative control after an unfair trial. He has been on hunger strike since 19 August to protest against his arrest.

### **Background**

During the summer of 1992, Amnesty International observed the military trials of Bab Saadoun and Bouchoucha and made public its findings of blatant violations of basic principles of fair trial enshrined in international standards and as guaranteed by Tunisian law.

Amnesty International noted that most of those who were tried had been detained unlawfully beyond the maximum period allowed by Tunisian law; arrests dates had been falsified to conceal prolonged incommunicado detention. Many defendants stated in court that they had been tortured or ill-treated to force them to sign false confessions which were later used as evidence against them. Most of the defendants had no access to lawyers during pre-trial detention. In the trials of Bab Saadoun and Bouchoucha 51 defendants were tried *in absentia*, almost half of these were sentenced to life imprisonment. At least four people died during pre-trial detention while the circumstances of their deaths remain uninvestigated.

Faisal Barakat was arrested in the morning of 8 October 1991 and died later that day presumably as a result of torture. Although he appeared on the list of accused of the Bab Saadoun trial, he was never tried, because the charges against him were officially annulled "because of death". More than ten years later the circumstances of his death are still uninvestigated.

### Public Document

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