

EXTERNAL

AI Index: MDE 30/47/97

29 August 1997

Further information on UA 149/97 (MDE 30/29/97, 27 May 1997) and follow-ups (MDE 30/34/97, 4 June, MDE 30/45/97, 26 August) - Fear of Torture/ill-treatment / Prisoner of Conscience

TUNISIA Rachida Ben Salem (f)

The trial of prisoner of conscience Rachida Ben Salem took place on 28 August 1997 in Tunis and the court will give its verdict on 9 September 1997. She remains detained pending the verdict.

She was tried with nine other people, five of them *in absentia*, who are accused of having intended to help her to leave the country. In addition to the charge of membership of an unauthorized association (the Islamist group *al-Nahda*, of which Rachida Ben Salem's husband is a supporter), she was also charged under the law regulating border crossing and which stipulates that travel documents are necessary to leave the country. Given that at the time of her arrest Rachida Ben Salem was in Tunisia, quite some distance from the Libyan border, she is being prosecuted on the basis of her intention to leave the country.

Rachida Ben Salem was arrested on 18 May 1997 with her two daughters (aged five and seven) near the Libyan border. She was reportedly intending to cross into Libya, from where she was hoping to journey to join her husband, a political refugee in Holland. She was held in incommunicado detention in the Ministry of the Interior in Tunis until 31 May before being transferred to Mannouba Women's Prison, also in the capital. She was reportedly insulted and had her hair pulled during her secret detention in the police station immediately following her arrest.

Action on behalf of Rachida Ben Salem may continue as specified in previous update. Those who have yet to take action should incorporate the above information into their appeals. Recommended actions now read:

- urging that the court observes international standards for fair trial when returning its verdict;
- expressing concern that Rachida Ben Salem was arrested and detained because she intended to leave Tunisia to flee persecution, and reminding the Tunisian authorities that the right to leave one's country is guaranteed by Article 13 of the Universal Declaration of Human Rights;
- reiterating that Rachida Ben Salem is a prisoner of conscience and calling for her immediate and unconditional release;
- expressing concern at allegations that Rachida Ben Salem was ill-treated during secret detention in police custody, and urging that these allegations be promptly, impartially and independently investigated and that she is not subjected to further ill-treatment.

APPEALS TO:

1) Minister of Justice
M. Abdallah Kallel
Ministre de la Justice
Ministère de la Justice
Boulevard Bab Benat
Tunis, Tunisia
Faxes: +216 1 568 106

Telexes: 13000 maet tn (via Ministère de l'Intérieur)
Telegrams: Ministre de la Justice, Tunis, Tunisie
Salutation: Monsieur le Ministre / Your Excellency

2) Minister of the Interior

M. Mohamed Ben Rejeb

Ministre de l'Intérieur

Ministère de l'Intérieur

Av. Habib Bourguiba

Tunis , Tunisia

Fax: +216 1 340888

Telegrams: Ministre de l'Interieur, Tunis, Tunisia

Telex: 13662 sdap tn

Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

Tunisian Human Rights League

Me Taoufik Bouderbala, Président

Ligue Tunisienne des Droits de l'Homme, LTDH

7 Rue Pierre Curie

TUNIS, Tunisia

Faxes: + 216 1 336 338

and to diplomatic representatives of Tunisia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 15 September 1997.