

PUBLIC

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UA 184/01 - Health concern / Ill-treatment / Unfair trial

TUNISIA Abdelatif Bouhajila

There is serious concern for the health of Abdelatif Bouhajila who has been on hunger strike since 15 May 2001 in protest at extremely poor prison conditions.

Abdelatif Bouhajila is asthmatic and suffers from severe kidney disease. Despite this, he was placed in a cell, in Borj Erroumi Prison in Bizerte, without a bed and with other prisoners smoking.

On 14 July, he was transferred to the "9 avril" prison in Tunis. When he refused to enter the new cell because of the bad conditions, he was reportedly ill-treated, causing him to fall and lose consciousness. He was admitted in a reportedly critical condition to the Cardiology Department of a Tunis hospital.

BACKGROUND INFORMATION

Abdelatif Bouhajila was arrested on 11 September 1998. He went on hunger strike at the end of August 2000 in protest against the length of the judicial proceedings against him and several other prisoners. This hunger strike lasted 92 days, ending when he and other prisoners were tried, in an unfair trial, on 24 November 2000. The judge refused their lawyers' request for the trial to be postponed given the very poor physical condition of the defendants. The defence lawyers walked out in protest, but the trial went ahead despite some of the defendants being unable to answer or even understand questions due to their poor physical condition. Abdelatif Bouhajila was sentenced to 17 years' imprisonment. He, and other defendants, had been charged with setting up and participating in an Islamist criminal gang aiming at undermining state security.

Neither Abdelatif Bouhajila, the other defendants nor their lawyers attended an appeal on March 15 2001. They had protested against a lack of impartiality of the judge in the *Cour d'Appel* (Appeal Court) in Tunis and were not allowed to submit a request that the prosecutor designate another court. The sentences were confirmed in the absence of the defendants and their lawyers.

Abdelatif Bouhajila is one of many prisoners, in several prisons in Tunisia, involved in hunger strikes in protest against prison conditions and the length of judicial proceedings (see UA 297/00, MDE 30/22/00, 26 September 2000 and follow-ups).

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/ airmail letters in French, English, Arabic or in your own language:

- expressing concern at Abdelatif Bouhajila's ill-treatment, and urging that his allegations about ill-treatment are promptly and fully investigated and his conditions in prison improved;
- expressing concern for the health of Abdelatif Bouhajila, urging that he is given appropriate medical care;
- calling for a retrial for Abdelatif Bouhajila and his co-defendants that conforms to international fair trial standards.

APPEALS TO:

Minister of Justice

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Ministère de la Justice

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E-mail: mju@ministeres.tn

Telegrams:Ministre Justice, Tunis, Tunisia

Salutation:Monsieur le Ministre / Your Excellency

Minister of the Interior

M. Abdallah KAABI

Ministre de l'Interieur

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Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

M. Slaheddine Maâoui

Ministre Délégué chargé des Droits de l'Homme

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Salutation: Son Excellence/ Your Excellency

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 4 September 2001.