

EXTERNAL

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Fear of torture / Legal concern

8 December 1995

TUNISIA Bachir ABID

Ali JALLOULI
Abdel Moumen BELANES
and other students

Bachir Abid, Ali Jallouli and Abdel Moumen Belanes, all arrested on 30 November 1995, are reportedly being held incommunicado in the Ministry of the Interior in Tunis, where Amnesty International fears they may be facing torture or ill-treatment. The three are among scores of students arrested following peaceful student strikes at Tunisian universities. It is not clear how many are still held.

Despite repeated requests by the families and lawyers of the three students, the authorities have not yet given any information about where or why they are being held, and the lawyers' request that the detainees be given a medical examination appear to have been ignored by the authorities. Such practices violate Tunisian law and international human rights standards, according to which the families of detainees must be promptly informed of their place of detention.

Bachir Abid is a member of the executive bureau of the *Union Générale des Etudiants Tunisiens*, UGET (Tunisian Students' General Union). He was sentenced *in absentia* by the court of Sfax on 13 April 1994 to ten months' imprisonment for possessing leaflets by the unauthorized *Parti Communiste des Ouvriers Tunisiens*, PCOT (Tunisian Workers' Communist Party).

Ali Jallouli is a literature student at the University of Kairouan. He was sentenced *in absentia* by the court of Sousse in July 1995 to four years and three months' imprisonment on various charges including belonging to an unauthorized association (the PCOT).

Abdel Moumen Belanes is a fourth year student of English literature. He was sentenced *in absentia* by the court of Monastir in 1992 to one year and five months' imprisonment for belonging to the unauthorized *Union de la Jeunesse Communiste de Tunisie* (Union of the Communist Youth of Tunisia) and for taking part in unauthorized meetings.

If the three are held on account of these sentences passed against them *in absentia*, Amnesty International would consider them to be prisoners of conscience.

Tahar Gargoura, another student who had been imprisoned earlier this year was also arrested on 30 November, but has since been released.

BACKGROUND INFORMATION

Over the last few years the human rights situation in Tunisia has continued to deteriorate. Thousands of prisoners of conscience have been imprisoned over the past few years for their peaceful political opposition activities.

Most were accused of supporting the unauthorized Islamist party *al-Nahda* and others have included supporters of the PCOT, political opponents and government critics across the political spectrum, relatives of prisoners, lawyers and human rights activists. Trials of those accused of political offences continue to fall short of international standards for fair trials as police statements

which the defendants deny on the grounds that they were extracted under duress are accepted by the courts as evidence. No independent investigations are known to have been carried out into numerous complaints of torture and ill-treatment lodged by detainees and their lawyers.

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

- expressing concern that Bachir Abid, Ali Jallouli, Abdel Moumen Belanes may be at risk of torture or ill-treatment as long as they are held in prolonged incommunicado detention, and urging that they be allowed prompt access to their families, lawyers and medical examination;
- urging that they be immediately released if they are detained as prisoners of conscience on the ground of the sentences passed against them *in absentia*;
- calling for any other students still detained to be treated humanely and to be charged with recognizably criminal offences or immediately released.

APPEALS TO:

1) Minister of the Interior

M. Mohamed Jegham
Ministre de l'Intérieur
Ministère de l'Intérieur
Av. Habib Bourguiba
Tunis, Tunisia

Faxes: +216 1 340888

Telexes: 13662 sdap tn

Telegrams: Ministre de l'Interieur, Tunis, Tunisia

Salutation: Monsieur le Ministre / Your Excellency

2) Minister of Justice

M. Sadok Chaâbane
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 Chaâbane, Tunis, Tunisie

Salutation: Monsieur le Ministre / Your Excellency

3) Minister of Foreign Affairs

M. Habib Ben Yahia
Ministre des Affaires étrangères
Ministère des Affaires étrangères
Place du Gouvernement
La Kasbah, Tunis, Tunisia

Telexes: 14470 mafta tn, 14471 mafta tn, 14472 mafta tn

Telegrams: Ministre des Affaires étrangères Ben Yahia, Tunis, Tunisie

Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

Tunisian Human Rights League

Me Taoufik Bouderbala, Président

Ligue Tunisienne des Droits de l'Homme, LTDH

21 Rue Imam el Bakri

1002 TUNIS Belvedere, Tunisia

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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 20 January 1996.