

PUBLIC

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UA 62/05 Prison conditions/ medical concern

TUNISIA Abdelatif Bouhajila (m), aged 35

Abdelatif Bouhajila has been on hunger strike since 11 February in protest at his solitary confinement in the 9 avril prison in the capital Tunis. His life may be at risk if he is not moved out of solitary confinement immediately and given adequate medical care.

Abdelatif Bouhajila, a political prisoner, is asthmatic and suffers from severe kidney disease. His health has been weakened by several extended hunger strikes he has undertaken in protest at poor prison conditions and his ill-treatment in detention (see UA 297/00, MDE 30/22/00, 26 September 2000, and follow-ups; and UA 184/01, MDE 30/021/2001, 24 July 2001, and follow-up). He has reportedly been held in solitary confinement in a poorly-ventilated cell since late January 2005. He is now said to be extremely weak.

Abdelatif Bouhajila has repeatedly been ill-treated by prison warders since he was remanded in custody in September 1998. In November 2000, he was sentenced to 17 years' imprisonment after an unfair trial on charges of setting up an Islamist organization, *al-Ansar* (The Partisans), allegedly to undermine state security. In 2002, the Appeal Court reduced his prison sentence to 11 years.

BACKGROUND INFORMATION

Prolonged solitary confinement violates Tunisian law as well as international human rights standards. Under Tunisia's new law on prison administration of May 2001, "*confinement to an individual cell*" was retained as a sanction to be used for "*a period not exceeding 10 days*" (Article 22-7). Under the same law, every prisoner has a right to free medical care and medicine, either inside prison or in hospital at the discretion of the prison doctor. In practice, however, these provisions are widely disregarded.

Prison conditions in Tunisia fall short of minimum adequate standards. Hygiene is extremely poor, and prisoners rarely have access to showers and washing facilities. Cells are overcrowded, with most prisoners forced to share beds or sleep on the floor. Contagious diseases, particularly scabies, are widespread, and prisoners do not have access to adequate medical care. Additional discriminatory and arbitrary measures worsen the conditions of detention. Several political prisoners and prisoners of conscience have been kept in solitary confinement for more a decade. Prisoners have faced obstructions when they have sought redress.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic, French and English, or your own language:

- expressing concern for the health of Abdelatif Bouhajila, who is being held in solitary confinement in a poorly-ventilated cell in 9 avril prison in Tunis, despite being extremely weak after more than a month on hunger strike;
- calling on the authorities to give him immediate access to medical care, and to his family;
- calling for an end to the prolonged solitary confinement of Abdelatif Bouhajila and other prisoners, which is a clear violation of Tunisian law and international human rights standards.

APPEALS TO:

Minister of Justice and Human Rights / Ministre de la Justice et des Droits de l'Homme

M. Bechir Tekkari

Ministère de la Justice et des Droits de l'Homme

31 Av. Bab Benat

1006 Tunis, La Kasbah, Tunisie

Fax: + 216 71 568 106

E-mail: mju@ministeres.tn

Salutation: Monsieur le Ministre / Your Excellency

Directeur de l'Administration Pénitentiaire

M. Ridha Boubaker

Administration Pénitentiaire (Idarat el-Sujun)

Le Passage

Av. Habib Thameur, Tunis, Tunisie

Salutation : Monsieur le Directeur de l'Administration Pénitentiaire/ Dear Sir

COPIES TO:

Official human rights body, reporting to the President

Comité supérieur des droits de l'homme et des libertés fondamentales

Zakaria Ben Mustapha (Président)

85 avenue de la Liberté - 1002 Tunis-Belvédère – Tunisie

Fax: + 216 71 796 593 / 784038

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 April 2005.