

PUBLIC

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UA 190/03 Prisoner of conscience / health concern

TUNISIA Zouheir Yahiaoui (m), aged 35

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Prisoner of conscience Zouheir Yahiaoui has been on hunger strike since 15 May in protest at his continued detention. After 42 days of hunger strike there is a serious risk to his health, and possibly to his life. Amnesty International is calling for his immediate and unconditional release.

Zouheir Yahiaoui is reportedly being held in an overcrowded cell in Borj el Amri prison, approximately 30km south west of the capital Tunis. The water supply to the prison is routinely cut, leading to poor standards of hygiene. When his relatives visited him on 26 June they reported that he was extremely weak and found it difficult to stand up or even to speak.

Zouheir Yahiaoui is the former operator of TUNeZINE, an independent Internet website. He was arrested on 4 June 2002 in Ben Arous in the outskirts of Tunis and taken to the Ministry of the Interior, where he was allegedly tortured by security officers. He was convicted on charges of "spreading false information" and "misuse of telecommunication lines" and sentenced to two years' imprisonment after appeal in July 2002. The court failed to order an investigation into the allegations of torture.

Since his arrest Zouheir Yahiaoui has carried out several hunger strikes in protest at his detention and the conditions in which he is being held. Like many other political prisoners and prisoners of conscience, he is reportedly denied adequate medical care. Amnesty International considers Zouheir Yahiaoui to be a prisoner of conscience, detained solely for the legitimate and peaceful expression of his opinions.

On 3 June 2003, Sophie Piekarec, Zouheir Yahiaoui's partner, was refused access to Tunisia upon arrival at Tunis airport. She was kept waiting the whole night in the airport and forced to return to France the following morning, without being informed of the reasons of this decision. Sophie Piekarec is a French research engineer living in France. She has been operating the TUNeZINE website since Zouheir Yahiaoui's arrest in 2002. During her visit to Tunisia, a year after Zouheir Yahiaoui's arrest, Sophie Piekarec intended to meet the French Ambassador in Tunis to raise the case of her partner.

Zouheir Yahiaoui's uncle, Mokhtar Yahiaoui, is a former judge who was dismissed after writing an open letter denouncing the lack of independence of the judiciary to President Ben Ali in July 2001. Mokhtar Yahiaoui has suffered violent attacks and harassment by security forces as a result of his work for the *Centre de Tunis pour l'indépendance de la Justice* (CIJ), Tunisian Centre for the Independence of the Judiciary, and for *Association Internationale de Soutien aux Prisonniers Politiques* (AISPP), International Association for the Support of Political Prisoners (see UA 364/02, MDE 30/028/2002, 16 December 2002).

#### **BACKGROUND INFORMATION**

Information and communication technology is under the tight control of the authorities in Tunisia. During the past year the authorities have clamped down in an unprecedented way on those who undermine existing censorship or use banned websites and services. People logging on to banned websites are increasingly at risk of arrest, imprisonment and torture.

Access to many websites of human rights organizations and independent news services is blocked from Tunisia. E-mail communication is frequently disrupted and phone lines are often cut or diverted. Several telephone numbers of human rights organizations and Tunisians living abroad are temporarily or permanently unavailable from Tunisia.

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

- expressing concern for the health of Zouheir Yahiaoui, who has been on hunger strike since 15 May in protest at his continued imprisonment;
- urging the authorities to immediately grant him access to medical attention;
- calling for his immediate and unconditional release as a prisoner of conscience, imprisoned solely for the legitimate and peaceful expression of his opinions;

**APPEALS TO:**

President / Président de la République

Président Zine El Abidine Ben Ali

Palais Présidentiel

Tunis, Tunisie

**Telegram:        President de la République, Tunis, Tunisie**

**Fax:               + 216 71 744 721**

**Salutation:     Monsieur le Ministre / Your Excellency**

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

M. Bechir Tekkari

Ministère de la Justice et de Droits de l'Homme

31 Av. Bab Benat

1006 Tunis, La Kasbah, Tunisie

**Telegram:        Ministre de la Justice, Tunis, Tunisie**

**Fax:               + 216 71 568 106**

**E-mail:           [mju@ministeres.tn](mailto:mju@ministeres.tn)**

**Salutation:     Monsieur le Ministre / Your Excellency**

**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**

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 8 August 2003.