

EXTERNAL

AI Index: MDE 30/29/95

5 December 1995

Further information on UA 236/94 (MDE 30/18/94, 17 June 1994) and follow-ups (MDE 30/21/94, 22 September 1994; MDE 30/17/95, 21 August 1995) -Possible prisoner of conscience / Fear of unfair trial / Legal concern and new concerns: Torture / Fear of torture

TUNISIANajib HOSNI, lawyer and human rights activist

Amnesty International is extremely concerned at allegations that Najib Hosni has been tortured, and fears that he may be subjected to further torture in pre-trial detention.

Najib Hosni has been held in pre-trial detention since 15 June 1994, beyond the maximum period of 14 months allowed under Tunisian law, on the charge of having falsified a land contract. On 27 October 1995, he went on hunger-strike to protest at his illegally prolonged detention. On 29 October he was transferred to the Ministry of the Interior in Tunis, where, on 8, 9 and 10 November, he was reportedly tortured by being suspended in contorted positions, with his arms and legs behind his back, and hit on several parts of his body until he lost consciousness. He was also reportedly subjected to electric shocks. Five days later he was taken back to his cell and allegedly left without medical attention.

The Tunisian authorities have now brought new charges against him relating to arms trafficking. Similar charges were recently brought against Mohamed Mouadda, the leader of the opposition party *Mouvement des Démocrates Socialistes* (MDS, Movement of Democratic Socialists) (see Further information on EXTRA 118/95, MDE 30/23/95, 23 October 1995).

Amnesty International believes that Najib Hosni may be detained solely for his dedicated and non-political work as a human right lawyer and that the charges against him may have been brought to slander and discredit him. It fears that he may face further torture in an attempt to force him to admit to the new charges against him.

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

- calling for an immediate and thorough investigation into the allegations that Najib Hosni was tortured at the Tunisian Ministry of the Interior in early November 1995, and for anyone found guilty of torturing or ordering torture to be brought to justice;
- urging that Najib Hosni be granted access to medical care and legal counsel as necessary;
- strongly reiterating that Najib Hosni has now been held in pre-trial detention for a period exceeding the maximum 14 months allowed under Tunisian law and that he should be immediately tried or released;
- also reiterating concern that he may be a prisoner of conscience and calling for his immediate and unconditional release if he has been detained solely on account of his work as a human rights lawyer.

**APPEALS TO:**

1) Minister of the Interior  
M. Mohamed Jegham  
Ministre de l'Intérieur

Ministère de l'Intérieur  
Av. Habib Bourguiba  
Tunis, Tunisia

**Telegrams: Ministre de l'Interieur, Tunis, Tunisia**

**Faxes: +216 1 340888**

**Telexes: 13662 sdap tn**

**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 568106**

**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 Bar Association

Me Abdelwaheb El Behi  
Bâtonnier, Conseil de l'Ordre des Avocats  
6 rue Annaba  
Tunis, Tunisia

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  
**Faxes: +216 1 801 599**

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.