

PUBLIC

AI Index: MDE 30/033/01

18 October 2001

Further information on UA 184/01 (MDE 30/021/2001, 24 July 2001) - Health concern / Ill-treatment / Unfair trial

TUNISIA Abdelatif Bouhajila

Abdelatif Bouhajila's health has deteriorated seriously, and his life is in danger. He has been in hospital since 6 October, after a suspected heart attack. He has continued his hunger strike in hospital, and has recently refused to take sugar water or to be fed on a drip.

When his lawyer saw him on 10 October, Abdelatif Bouhajila was in a wheelchair and was extremely anxious about his health. He already suffers from asthma, kidney disease and blood clots which may lead to a fatal heart attack.

He had been hospitalized on 31 August with suspected kidney failure. He was taken back to prison a month later, but refused to enter a cell with prisoners who smoked, as he is asthmatic, and was put in solitary confinement.

Abdelatif Bouhajila was arrested in September 1998. He first went on hunger strike in August 2000, in protest at the length of the judicial proceedings against him, and the conditions in which he was held. He was jailed for 17 years in November 2000, after an unfair trial.

He was moved from *Borj Erroumi* Prison to the *9 avril* prison in Tunis on 14 July, but refused to enter his cell because of the poor conditions inside. The prison director reportedly assaulted him, and he was hospitalised that day. His lawyer filed a complaint against the director a week later.

Abdelatif Bouhajila continued his hunger strike in hospital until 30 July, when he was told that he would be moved to a cell where conditions would be less threatening to his health. He was returned to the *9 avril* prison on 15 August, although he was in the middle of a course of medical treatment at the time. When he arrived at the prison, he was told that he was going to be moved to *Borj al-Amri* prison, 34km from his family's home in Tunis and without public transport links to Tunis. He refused to accept this decision, and says that prison guards assaulted him again, in the presence of the prison director. He was moved to *Borj al-Amri* prison on 17 August, and resumed his hunger strike immediately. When his 70-year-old father travelled to see him the following day, Abdelatif Bouhajila was in a wheelchair, apparently too weak to walk or even stand up by himself.

Abdelatif Bouhajila and his lawyer were summoned to appear before a judge on 22 August for a pre-trial hearing on the complaint against the prison director. On the day of the hearing the lawyer went to the court, but her client did not appear. She later found out that prison guards had driven him to the court, but had apparently kept him in the car and then taken him back to prison.

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

- expressing concern for the health of Abdelatif Bouhajila, and urging the authorities to ensure that he is immediately given appropriate medical care and housed in better conditions;

- expressing concern at allegations that Abdelatif Bouhajila has been repeatedly ill-treated by the prison authorities, and urging that these allegations are promptly, impartially and fully investigated;
- calling for Abdelatif Bouhajila and his co-defendants to be retried, in proceedings that conform to international standards for fair trial.

APPEALS TO:

Minister of Justice

M. Bechir TAKKARI
Ministre de la Justice
Ministère de la Justice
31 Boulevard Bab Benat
1006 Tunis
Tunisia

Fax:+ 216 71 568 106

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
Ministère de l'Intérieur
Avenue Habib Bourguiba
1001 Tunis
Tunisia

Fax: + 216 71 354 331/340 888

E-mail: mint@ministeres.tn

Telegrams:Ministre Interieur, Tunis, Tunisia

Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

M. Slaheddine Maâoui
Ministre Délégué chargé des Droits de l'Homme
Bureau du Premier Ministre
Place du Gouvernement
La Kasbah
1006 Tunis
Tunisia

Fax:+ 216 71 256 766

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 29 November 2001.