



Barcelona, June 29th, 2020.

Mr. Hugh CHETWYND and Mr. Christian LODA

**European Committee for the Prevention of Torture and Inhuman or Degrading
Treatment or Punishment (CPT)**

Council of Europe

Dear Srs.,

We are making this communication regarding a case that we have already brought to your attention on several occasions in recent years.

It is about Mohamend Choulli el Hosni, currently imprisoned at Mas d'Enric prison in Catalonia.

Since January, Mr. Choulli has again been in solitary confinement. On the night of 30-31 May, Mr. Choulli experienced a new situation of alleged ill-treatment by prison officials. He was reportedly experiencing a very tense situation with an official named Maria who supposedly traffics with cell phones that she sells to prisoners and who denied one to Mr. Choulli. He told her that he was going to report her, and she threatened him to tell him that he was going to have problems as well as his girlfriend, who is also in the same prison. That night, Mr. Choulli would have tried to hang himself with the sheets and when the official Maria came to do the count, she would have ignored him. Later, several officials appeared with shields and would have taken him down by beating him. He was then taken to a containment cell where he was allegedly tied up for 10 hours.

In the disciplinary sanction file that follows that night, it doesn't appear that Mr. Choulli tried to hang himself. However, in a conversation recorded by his sister, he explains that there are cameras where it is possible to see that an official is removing the sheets from around his neck while other officials try to cover the camera with the shields.

Choulli's sister brought these facts to the attention of our SIRECOVI system, from which we activated an alert to the Sindic de Greuges (Catalan ombudsman and Catalan NPM) and to the prison administration (Secretariat of Criminal Measures, Rehabilitation and Victim Attention).

From the SIRECOVI we asked that both the Sindic and us could make an urgent video conference to talk to him and check the marks he would have from the blows. From the SMPRAV we received a letter signed by Mr. Choulli in which he denied our videoconference. In turn, the Sindic was able to meet with him by videoconference, but he denied the facts. Due to our surprise, her sister asked him about all these facts, and he explained that the officials had threatened him and forced him with coercion to deny our visit. He also explained that, in the



video conference with the Sindic, there were officials nearby intimidating him not to tell anything. This is particularly serious, because if this were the case, it would violate the principle of confidentiality that the Convention against Torture and its Optional Protocol requires for interviews with a body such as the Catalan Mechanism for the Prevention of Torture.

His sister recorded the conversation in which Mr. Choulli explained all this.

For all these reasons we managed to get a lawyer from Iridia - Centre for the Defence of Human Rights to visit him. Mr. Choulli explained all this to the lawyer and said the following:

- That 4 officials among others one named Cayetano had threatened him.
- Cayetano would be one of those who beat him up over the weekend
- During the interview, he was gesturing to the lawyer, showing that he was being watched.
- He showed his injuries: Left eye slightly swollen. Stomach with some marks. A wrist he had bandaged himself.

Therefore, on June 22nd, Iridia's lawyers brought the facts to the attention of the Prosecutor's Office of Tarragona for alleged crimes of injury, coercion and threats (attached)

Both the Sindic and the SMPRAV have said that they have opened an investigation.

Finally, last June 26, the newspaper *Vilaweb* published an extensive article on the case: <https://www.vilaweb.cat/noticies/pres-mas-enric-maltractaments-coaccions-mohamed-choulli-hosni/> (in the news you can hear the audios where Mr. Choulli explains the facts)

We would like to recall that Mr. Choulli was one of the prisoners who participated in the Working Group on Isolation in the Parliament of Catalonia in 2017, which has placed him in a situation of greater vulnerability as prison workers see him as a conflictive prisoner.

For all these reasons, we bring this case to your attention once again, with these serious new situations so that within the mandate that legitimizes your action you could address to the responsible administration requesting especially:

- That the facts of the alleged injuries, threats and coercion be thoroughly investigated, and responsibilities clarified.
- That urgent measures be taken to protect Mr. Choulli against possible reprisals that the complaint to the public prosecutor's office, the Sirecovi alerts and the news from Vilaweb may cause.



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You could write to: Mr. Amand Calderó I Monfort

General Secretary of Criminal Measures, Rehabilitation and Victim Attention of the Generalitat de Catalunya.

smprav.justicia@gencat.cat

Thank you for your attention,

Yours sincerilly,

Alejandro Forero Cuéllar

Institutional Violence Registration and Reporting System (Coordinator)

Observatori del Sistema Penal i les Drets Humans

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