

EXTERNAL

AI Index: MDE 30/25/96

27 August 1996

**Further information on EXTRA 71/96 (MDE 30/14/96, 20 May 1996) and follow-ups (MDE 30/16/96, 29 May; MDE 30/20/96, 3 July; MDE 30/22/96, 18 July) - Legal Concern / Prisoner of Conscience**

**TUNISIA Khemais CHAMMARI, human rights activist, parliamentarian**

The case of Khemais Chammari, who has been detained since 18 May 1996 and who was sentenced on 17 July 1996 to five years' imprisonment on charges of "*disclosing a national secret to a foreign power*", will be reviewed by the Supreme Court on 29 August. Under Tunisian law Khemais Chammari, who was convicted by the criminal chamber of the appeal court, does not have the right to appeal and his case will be reviewed by Cassation before the Supreme Court, which only looks at procedures and application of the law and does not re-examine the facts of the case. Amnesty International is therefore concerned that Khemais Chammari is not able to fully exercise his full right to appeal.

Amnesty International, whose observer attended the trial of Khemais Chammari on 18 July, concluded that no convincing evidence was produced to substantiate the charges. The organization considers Khemais Chammari to be a prisoner of conscience imprisoned solely for his conscientiously-held beliefs, and calls for his immediate and unconditional release.

Amnesty International is further concerned that since the end of July Khemais Chammari is not being allowed free access to his defence lawyers, in breach of both Tunisian law and international standards. According to Article 70 of the Tunisian Code of Penal Procedures (*Code de Procédure Pénale*) detainees have access to their defence counsel at all times. However, recently detainees who are awaiting review of their cases by the Supreme Court are denied access to their defence lawyers. Protests by the Bar Association and by lawyers have so far been in vain.

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

- reiterating that Khemais Chammari is a prisoner of conscience and calling for his immediate and unconditional release;
- **if sending appeals to arrive on or before 29 August:** noting that his case is due for review by the Supreme Court on 29 August, and urging the Tunisian authorities to ensure that the review is carried out in full compliance with internationally-recognized standards for fair trial;
- urging the authorities to ensure that Khemais Chammari be allowed free access to his defence lawyers.

**APPEALS TO:**

Président M. Zine El Abidine Ben ALi  
Président de la République  
Palais Présidentiel  
Tunis/Carthage  
Tunisie

**Faxes: +216 1 744721**

**Telexes: 14900 prpsa tn / 12163 ppsd tn**

**Telegrams: President, Tunis, Tunisia**

**Salutation: Excellence / Your Excellency**

M. Sadok Chaâbane  
Ministre de la Justice  
Ministère de la Justice  
Boulevard Bab Benat  
Tunis  
Tunisie

**Faxes: +216 1 568106 or 567070**

**Telexes: 13000 maet tn (via Interior Ministry)**

**Telegrams: Ministre de la Justice, Tunis, Tunisia**

**Salutation: Monsieur le Ministre / Dear Minister**

M. Habib Ben Yahia  
Ministre des Affaires Etrangères  
Ministère des Affaires Etrangères  
Place du Gouvernement  
La Kasbah  
Tunis, Tunisie

**Telegrams: Ministre des Affaires Etrangères, Tunis, Tunisia**

**Faxes : +216 1 567 386 or 216 1 567 050 or 216 1 568 050**

**Telexes: 14470 mafta tn / 14471 mafta tu / 14472 mafta tn**

**Salutation: Monsieur le Ministre / Dear Minister**

**COPIES TO:**

Tunisian Human Rights League

Me Taoufik Bouderbala, Président

**Ligue Tunisienne des Droits de l'Homme, LTDH**

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3ème étage, appt.10

1000 TUNIS, Tunisia

**Fax: +216 1 336 338**

Mouvement des Démocrates Socialistes

26, Rue d'Angleterre

B.P. 1000

TUNIS, Tunisia

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 1 October 1996.