

5 January 2001

Further information on UA 379/00 (MDE 30/29/00, 15 December 2000) and follow-up (MDE 30/31/00, 21 December 2000) - Fear for safety / Prisoner of Conscience (new concern)

TUNISIA Human Rights Defenders

The Tunisian authorities have announced that a human rights lawyer, who was due to be released, will be imprisoned for five and a half years. Another human rights defender has been sentenced to one year's imprisonment.

On 5 January, the Tunisian authorities decided to detain Nejib Hosni, a human rights lawyer and member of the *Conseil National des Libertés en Tunisie* (CNLT), National Council for Liberties in Tunisia, for five and half years. He was due to be released today, having served a 15-day prison sentence passed by the court in El Kef on 19 December 2000 and enforced on 21 December, when he was arrested and beaten by police officers. Nejib Hosni was sentenced for having resumed practising law despite a five-year ban imposed in 1996. The ban was arbitrarily imposed by the authorities without the authorization of the *Conseil de l'Ordre des Avocats*, the Tunisian Bar Association, the only Tunisian institution which may decide if a lawyer is to be suspended or disbarred.

Nejib Hosni was first arrested in June 1994. He was held in prolonged pre-trial detention until January 1996, when he was tried and sentenced to eight years' imprisonment on trumped-charges of falsifying a land contract. His trial was unfair and the court failed to produce any evidence to substantiate the accusations against him. Nejib Hosni, who has received several international prizes for his human rights work, was released conditionally in December 1996 after an international campaign on his behalf.

The Tunisian authorities' decision not to release him and to make him serve the remainder of the eight-year sentence imposed in 1996 is yet another indication that they intend to continue to target human rights defenders. The decision is also clearly intended to intimidate other human rights activists and former prisoners of conscience, who have been released conditionally, or who have received suspended prison sentences in recent years.

The decision follows the trial of Dr Moncef Marzouki, spokesperson of the CNLT, who was sentenced to one year's imprisonment for his human rights activities on 30 December 2000. He was convicted of "maintaining an unauthorized association" (that is, the CNLT) and "spreading false information with the aim of disturbing public order" (that is, publically condemning human rights violations in Tunisia).

Human rights defenders continue to be followed and harassed by security agents, who often prevent victims and others from contacting them. Their telephones lines are often cut and some of them have had their passports confiscated and are currently prevented from leaving the country. On 2 January, Slaheddine Jourchi, a vice-president of the *Ligue tunisienne des droits de l'homme* (LTDH), Tunisian Human Rights League, which was suspended in November, was charged with "spreading false information with the aim of disturbing public order" for signing a communiqué about the human rights situation in Tunisia on behalf of the LTDH on 11 December 2000.

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

- expressing concern at the authorities' decision to keep Nejjib Hosni in detention and to make him serve the remainder of the years of the eight years prison sentence, from which he had been conditionally released in 1996;
- calling for prisoner of conscience Nejjib Hosni's immediate and unconditional release, and reminding the authorities that Amnesty International and other international organizations first called for Nejjib Hosni's prison sentence to be revoked in 1996 when he was sentenced on trumped-up charges in an unfair trial;
- seeking assurances that Nejjib Hosni is protected from further ill-treatment while in custody;
- expressing concern at the continuing attacks against human rights defenders and calling for these attacks, harassment and intimidation to cease immediately.

APPEALS TO:

Minister of Justice

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Salutation: Monsieur le Ministre / Your Excellency

Minister of the Interior

M. Abdallah KALLEL
Ministre de l'Intérieur
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Avenue Habib Bourguiba
1001 Tunis
Tunisia

Telegram: Ministre Interieur, Tunis, Tunisia

Fax: + 216 1 340 888

E-mail: mint@ministeres.tn

Salutation: Monsieur le Ministre / Your Excellency

Presidential Councillor for Human Rights

M. Dali JAZI
Conseiller Spécial auprès du Président de la République,
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Fax: + 216 1 571314

Salutation: Monsieur le Conseiller / Your Excellency

COPIES TO:

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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 16 February 2001.