

EXTERNAL

AI Index: MDE 30/04/96

6 February 1996

Further information on EXTRA 118/95 (MDE 30/20/95, 10 October 1995) and follow-up (MDE 30/25/95, 23 October 1995) - Legal Concern

**TUNISIA Mohamed MOUADDA, Leader of opposition political party**

On 2 February 1996, Mohamed Mouadda, the leader of the opposition party *Mouvement des Démocrates Socialistes*, MDS (Mouvement of Democratic Socialists), who has been detained since his arrest on 9 October 1995, was sentenced to two years' imprisonment on charges of unauthorized possession of foreign currency. He denied the charges and his defence lawyers lodged an appeal against the conviction; the prosecution also appealed, seeking a heavier sentence.

His main trial, originally set for 31 January 1996, was postponed to 14 February because his defence lawyers had been unable to obtain access to the full trial documents. On 14 February Mohamed Mouadda will be tried under articles of the Tunisian Penal Code relating to threats to the external security of the state; treason; relations with a foreign power with a view to engaging in hostilities against Tunisia; and under articles of the law on political parties.

Two of the Articles of the Penal Code under which Mohamed Mouadda is charged incur the death penalty.

The charges of unauthorized possession of foreign currency were brought against Mohamed Mouadda after his arrest and in conjunction with the political charges.

At the trial on 2 February his defence lawyers protested at the fact that Mohamed Mouadda was being tried in two separate trials, and called for all the charges to be dealt with by the same court in one trial.

Amnesty International has not yet been able to obtain the full details of the trial of 2 February, in which Mohamed Mouadda was sentenced to two years' imprisonment. The organization remains concerned that he may have been subjected to an unfair trial on that occasion, that he may face an unfair trial in his main trial scheduled for 14 February, and that he may be imprisoned solely on account of his peaceful political activities.

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

- expressing concern that some of the charges brought against Mohamed Mouadda incur the death penalty, and that he is at risk of being subjected to an unfair trial;
- urging that he be immediately and unconditionally released if he is being held solely on account of his peaceful political activities.

**APPEALS TO:**

1) Minister of Justice  
M. Sadok Chaâbane  
Ministre de la Justice  
Ministère de la Justice  
Boulevard Bab Benat  
Tunis, Tunisia

**Faxes: +216 1 568 106**

**Telexes: 13000 maet tn (via Ministère de l'Intérieur)**

**Telegrams: Ministre de la Justice Chaâbane, Tunis, Tunisie**

**Salutation: Monsieur le Ministre / Your Excellency**

2) Minister of Foreign Affairs

M. Habib Ben Yahia

Ministre des Affaires étrangères

Ministère des Affaires étrangères

Place du Gouvernement

La Kasbah, Tunis, Tunisia

**Faxes: + 216 1 562 378 (via Bureau du Premier Ministre)**

**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 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**

Mouvement des Démocrates Socialistes

26, Rue d'Angleterre

B.P. 1000

TUNIS, Tunisia

**Fax: +216 1 347631**

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 5 March 1996.