

EXTERNAL

AI Index: MDE 30/07/96

22 March 1996

Further information (3) on EXTRA 118/95 (MDE 30/20/95, 10 October 1995) and follow-ups (MDE 30/25/95, 23 October 1995 and MDE 30/04/96, 6 February 1996) - Legal Concern

TUNISIA Mohamed MOUADDA, leader of opposition political party

On 29 February 1996, Mohamed Mouadda, the leader of the opposition party *Mouvement des Democratres Socialistes*, (MDS) Movement of Democratic Socialists was sentenced to eleven years' imprisonment after an unfair trial before the appeal court in Tunis. He was charged with "intelligence with" agents of a foreign power aiming at undermining Tunisia. He had already been sentenced to two years' imprisonment on 2 February 1996 on charges of unauthorized possession of foreign currency. Following an appeal on 26 February 1996, this sentence was reduced to one year. These charges were brought after his arrest on 9 October 1995 on political charges, and are believed to have been brought in order to deflect attention from the original case.

An Amnesty International observer was present at the trial, which the organization is concerned violated international human rights standards ratified by Tunisia. The right to defence was markedly curtailed, as the defence lawyers were not allowed to call witnesses, and no convincing evidence was produced to substantiate the charges.

Amnesty International is also concerned that Mohamed Mouadda does not have full right to appeal. He may seek review by cassation before the Supreme Court, which only examines points of law and does not reexamine the facts.

Amnesty International believes that Mohamed Mouadda is a prisoner of conscience held solely on account of his peaceful political activities, and urges that he be immediately and unconditionally released.

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

- expressing concern that Mohamed Mouadda was convicted after an unfair trial;
- expressing concern that he does not have full right to appeal as guaranteed by Article 14 (5) of the International Covenant on Civil and Political Rights (ICCPR) to which Tunisia is a state party;
- calling for his immediate and unconditional release.

APPEALS TO:

1) Minister of Justice

M. Sadok Chaâbane
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

Faxes: + 216 1 347 631

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 19 April 1996.