

EXTERNAL (for general distribution)

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Further information on UA 69/94 (MDE 30/06/94, 22 February 1994) and follow-ups (MDE 30/07/94, 1 March, MDE 30/09/94, 11 March and MDE 30/10/94, 18 March)

- Health Concern / Torture and new concern: Prisoner of conscience

TUNISIA: Hamma HAMMAMI, member of the unauthorized Party communiste des ouvriers tunisiens (PCOT), Tunisian Workers' Communist Party

Hamma Hammami, who was arrested on 14 February 1994 and tortured during incommunicado detention, has been sentenced to terms of imprisonment following trials on 6 and 7 April. Amnesty International is calling for him to be immediately and unconditionally released as a prisoner of conscience imprisoned solely for non-violently exercising his right to freedom of expression.

He was sentenced in Sousse on 6 April to five years and six months' imprisonment on charges of carrying a false identity card, assaulting two policemen and refusing to cooperate with the authorities. The court refused to summon the policemen to testify and no convincing evidence was produced by the court to substantiate the charges.

In the second trial in Gabès on 7 April he was sentenced to four years and one month's imprisonment on charges of maintaining an illegal organization, holding unauthorized meetings and distributing leaflets. He had been convicted of these offences *in absentia* in December 1992, and had remained in hiding until his arrest on 14 February. All the defence lawyers withdrew to protest at the court's refusal to adjourn the trial in the absence of witnesses. The only witness called by the court stated that he did not know Hamma Hammami.

An Amnesty International delegate mandated to observe his trial was refused entry to Tunisia. Another observer from Amnesty International, and observers from other international organizations had gone to the trial last March, but the court postponed the trial without warning.

In the Sousse trial Hamma Hammami stated in court that after his arrest he was tortured, beaten and threatened with death in the Ministry of the Interior in Tunis. His lawyers and family have confirmed that when they were allowed to see him, a few days after his arrest, he still had bruises on his face and head. A photograph taken by the police also shows bruises on his face.

Requests by his family and lawyers for an immediate medical examination were ignored by the authorities for over three weeks, and the medical examination he finally received on 8 March was carried out by a doctor appointed by the authorities. Further requests for independent medical examinations were ignored by the court, and no investigation is known to have been carried out into the allegations of torture.

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

- expressing concern that Hamma Hammami has been imprisoned solely for peacefully exercising his internationally recognized right to freedom of expression;
- urging the authorities to release him immediately and unconditionally;
- urging the authorities to carry out an independent and impartial investigation

into the allegations of torture, and to bring to justice those found responsible.

APPEALS TO: salutation for all: Excellence / Your Excellency

1) President

M. Zine El Abidine Ben Ali
Président de la République
Palais Présidentiel
Tunis/Carthage, Tunisie
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Telegrams: Président Ben Ali, Tunis, Tunisie

2) Minister of Justice

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Ministère de la Justice
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Faxes: +216 1 568 106 or +216 1 567 070
Telexes: 13000 maet tn (via Ministère de l'Intérieur)
Telegrams: Ministre de la Justice Chaâbane, Tunis, Tunisie

3) Minister of the Interior

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4) Minister of Foreign Affairs

M. Habib Ben Yahia
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Telegrams: Ministre des Affaires étrangères Ben Yahia, Tunis, Tunisie

COPIES OF YOUR APPEALS TO:

M. Iadh Ouederni
Conseiller présidentiel pour les Droits de l'Homme
Attaché à la Présidence de la République
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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 20 May 1994.

