

EXTERNAL (for general distribution)

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Death Penalty

28 December 1990

TUNISIA

Lamari Dali

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Lamari Dali, a former Tunisian diplomat aged 59, was convicted by a Criminal Court of high treason and sentenced to death on 25 December 1990. The trial lasted one day and was held *in camera*; even members of the defendant's family were denied access to the proceedings. Lamari Dali's defence lawyers have lodged an appeal before the Cassation Court, a higher court which reviews appeals on points of law. It is not known when this appeal will be held. If the verdict is upheld the sentence will have to be ratified by the head of state and the execution could be carried out immediately afterwards.

The family of Lamari Dali has alleged that he was tortured and ill-treated while held in incommunicado detention after his arrest on 16 October 1990. A former counsellor in the Tunisian embassies in Madrid, Bonn and Berlin and the head of the African desk in the Ministry of Foreign Affairs, Lamari Dali was accused of spying for an unspecified foreign government, a charge which he denied.

The Tunisian newspaper "La Presse" reported that he was caught as he was about to hand documents to agents of a foreign power. His family has claimed that he was being victimised because of a letter he had written to President Ben Ali complaining about the increasing militarization of the Tunisian diplomatic service.

In March 1988 President Ben Ali told to Amnesty International delegates that he was personally opposed to the death penalty and would not sign any death warrant himself. In November 1990, however, he authorized the first execution since he came to power in November 1987, that of Nacer Damergi, convicted of the sexual assault and murder of 12 children aged between seven and 20.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment and punishment, as proclaimed by the Universal Declaration of Human Rights.

**RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in FRENCH if possible:**

- expressing concern at the death sentence passed on Lamari Dali;
- expressing concern that, as the trial was held *in camera*, it is not clear that it was fair and that the proceedings met international standards;

- urging President Ben Ali, who has stated his personal opposition to the death penalty in the past, to commute the sentence should it be confirmed by the Cassation Court and referred to him for confirmation;
- urging that all death sentences be commuted in Tunisia and that steps be taken to restrict and eventually abolish the death penalty.

**APPEALS IN FRENCH OR ARABIC IF POSSIBLE, TO:**

Son Excellence  
Président Zine El Abidine Ben Ali  
Président de la République  
Palais Présidentiel  
Carthage  
Tunis, Tunisia

Telegrams to: President Ben Ali, Tunis, Tunisia  
Telex: 14900 PRPSA TN; 12163 PPSD TN

M. Abdelhamid Escheikh  
Ministre de l'Intérieur  
Ministère de l'Intérieur  
Place du Gouvernement  
Tunis  
Tunisia

Telegrams to: Ministre Interieur,  
Tunis, Tunisia  
Telexes: 13662 sdap TN

M. Chedli Neffati  
Ministre de la Justice  
Ministère de la Justice  
Boulevard Bab Benat  
Tunis, Tunisia

Telegrams: Ministre Justice, Tunis, Tunisia

**COPIES** of appeals should be sent to Tunisian diplomatic representative to your country.

**Please send also copies of some of your appeals, for information, to:**

Ligue Tunisienne pour la défense des droits de l'homme  
1, rue Canada  
Tunis  
Tunisia

**PLEASE SEND IMMEDIATELY.** Check with the International Secretariat or your section office if sending appeals after 8 February 1990.

