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Prisoners of conscience / Legal concern

30 March 1994

TUNISIA Moncef MARZOUKI, human rights activist
 Abderrahmane HANI, human rights lawyer
 Ahmed KAHLAOUI, aged 50, professor, trade unionist

Moncef Marzouki, the former President of the *Ligue Tunisienne des Droits de l'Homme, LTDH*, (Tunisian League of Human Rights), arrested on 24 March 1994, was brought before the Investigating Judge on 29 March and charged with spreading false information liable to disturb public order and insulting the judiciary authorities. He was charged under Articles 49, 50, 51, 68 and 69 of the Press Code. Moncef Marzouki is accused of having criticized the authorities in an interview with a Spanish newspaper, but he denied the charges. The defence lawyers' request that he be released on bail pending trial was refused and he was transferred to the 9 avril Prison in Tunis.

Moncef Marzouki announced at the beginning of 1994 that he was going to put himself forward as a candidate for the Presidential Elections in Tunisia in March 1994, but could not do so because he was unable to obtain the backing of 30 parliamentarians.

The only other person who announced that he would stand as candidate for the Presidential election, Abderrahmane Hani, was arrested on 15 February on charges of setting up an illegal association and spreading false information and is still in detention awaiting trial.

Also detained is Ahmed Khaloui, arrested on 4 March 1994 on charges of distributing leaflets condemning the Hebron massacre. His defence lawyers were not allowed to take a copy of the leaflet he was accused of distributing and their request for bail pending trial was refused. He is currently detained in the 9 Avril Prison in Tunis where he is reported to be held in poor conditions.

Amnesty International believes that Moncef Marzouki, Abderrahmane Hani and Ahmed Kahlaoui are prisoners of conscience detained for peacefully exercising their rights to freedom of expression, and is concerned that the legislation under which they are being held restricts this right, in violation of international treaties to which Tunisia is a state party.

BACKGROUND INFORMATION

Moncef Marzouki was President of the LTDH, one of the oldest Human Rights League in the Arab world, until February 1994. During his Presidency the LTDH was dissolved by the government in June 1992 for non-conformity with a new law on associations passed in February 1992. The League was allowed to re-form in 1993 providing it complied with the new law, and it held its Congress in February 1994.

During the elections campaign Moncef Marzouki gave numerous interviews to the international media, but his interviews and other articles on the subjects were barred from publications in Tunisia. The BBC correspondent in Tunis was expelled in February 1994 after he quoted an interview with Moncef Marzouki and the correspondent of the French daily *Le Monde* was barred from going to Tunisia; circulation of *Le Monde* was also stopped in Tunisia.

Other people have also been arrested recently in Tunisia on charges relating

to their exercise to freedom of expression. They include Boujemaa R'MILI, a leader of the *Ettajdid* (ex-communist) Party arrested on 21 March after giving an interview to a foreign newsagency about alleged irregularities in the elections procedures. He was released on bail on 26 March pending trial.

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

- calling for the immediate release of Moncef MARZOUKI, Abderrahmane HANI, and Ahmed KAHLAOUI, who are being detained as prisoners of conscience for peacefully exercising their right to freedom of expression;
- expressing concern that the three men have been detained under laws which restrict the right to peaceful freedom of expression and violate international treaties to which Tunisia is a state party.

APPEALS TO

Salutation for all: Votre Excellence / Your Excellency

1) President

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

Faxes: +216 1 744 721

Telexes: 14900 prpsa tn 12163 ppsd tn

Telegrams: Président Ben Ali, Tunis, Tunisie

2) Minister of Justice

M. Sadok Chaâbane
Ministre de la Justice
Ministère de la Justice
Boulevard Bab Benat
Tunis, Tunisie

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

4) Minister of Foreign Affairs

M. Habib Ben Yahia
Ministre des Affaires étrangères
Ministère des Affaires étrangères
Place du Gouvernement
La Kasbah
Tunis, Tunisie

Faxes: +216 1 791005

Telexes: 14470 mafta tn, 14471 mafta tn, 14472 mafta tn

Telegrams: Ministre des Affaires étrangères Ben Yahia, Tunis, Tunisie

COPIES OF YOUR APPEALS TO:

Ligue Tunisienne pour les Droits de l'Homme
c/o Institut Arabe des Droits de l'Homme
23, Avenue Mohieddine Klibi
El Manar III
1004 TUNIS, Tunisie
Faxes: 216 1 750 911

M. Iadh Ouederni
Conseiller présidentiel pour les Droits de l'Homme
Attaché à la Présidence de la République
Palais Présidentiel
Tunis/Carthage, Tunisie
faxes: +216 1 731 009 or +216 1 742 513

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 10 May 1994.