

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, MDE 30/10/94, 18 March, MDE 30/12/94, 8 April and MDE 30/14/94, 11 May) - Health Concern / Torture and Prisoner of Conscience and Cruel Degrading Treatment/Legal Concern

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

Hamma Hammami, a prisoner of conscience imprisoned since his arrest on 14 February 1994, has had both of his custodial sentences reduced by six months following appeal. Amnesty International is concerned that he remains imprisoned solely for peacefully exercising his right to freedom of expression, and that he should be released immediately and unconditionally.

At the appeal hearing in Gabès on 20 June, Hamma Hammami's original sentence of four years and one month's imprisonment on charges of maintaining an illegal organization, holding unauthorized meetings and distributing leaflets, was reduced to three years and seven months' imprisonment. International observers who attended the appeal hearing reported that Hamma Hammami was not allowed to speak. His lawyers were reportedly prevented by the court from freely presenting the case for the defence and withdrew from the hearing as a result.

The appeal went ahead without further legal representation for the defendant.

Hamma Hammami had also been sentenced to five years and six months' imprisonment at a trial in Sousse on 6 April. On 27 June this sentence was reduced on appeal to five years' imprisonment.

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

- repeating your concern that Hamma Hammami has been imprisoned solely for peacefully exercising his internationally recognized right to freedom of expression and association;
- insisting that he be immediately and unconditionally released;
- expressing concern that both Hamma Hammami and his lawyers were prevented from freely presenting the case for the defence at his appeal hearing in Gabès on 20 June 1994, in contravention of international standards for fair trial.

APPEALS TO:

Salutation for all: Excellence / Your Excellency

1) 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

2) 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:

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

Me Taoufik Bouderbala
Président
Ligue tunisienne des droits de l'homme
21 Rue Imam El Bakri
1002 Tunis Belvédère, Tunisie

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 August 1994.