

EXTERNAL (for general distribution)

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Death Penalty

28 June 1991

TUNISIA

Mohammed Fathi Zribi

Mohammed Nifaoui

Mongi Ra'ash

Mustapha Benhassine

Imed Mghirbi

Five suspected sympathizers of the Islamic movement al-Nahda, who were sentenced on 22 May by the Tunis Criminal Court to 20 years or life imprisonment for murder and arson had their sentences raised to death sentences on 25 June 1991 by the Court of Cassation. Two of the five, Mustapha Benhassine and Imed Mghirbi, were sentenced in absentia.

The offence took place during the early morning of 17 February when a group of suspected members of al-Nahda attacked the headquarters of the ruling party, the Rassemblement constitutionnel démocratique in the Bab Souika district of Tunis. One group entered the party office soon after 5am, tied up the two guards, seized or attacked other members of the personnel and set fire to the building. One of the guards died two days afterwards from burns and the other remains seriously injured.

Scores of sympathizers of al-Nahda were then rounded up and detained and 28 people including one juvenile were charged in connection with the attack. At the trial before the Criminal Court the 27 adults were convicted and given sentences ranging from two years' suspended sentences to life imprisonment.

Most of the sentences imposed by the Criminal Court were raised by the Court of Cassation, though the sentence on one defendant was lowered from seven to five years and another, tried in absentia, was acquitted. Of those now sentenced to death Mohammed Zribi and Mohammed Nifaoui had previously been sentenced to life imprisonment and Mongi Ra'ash, Mustapha Benhassine and Imed Mghirbi to 20 years' imprisonment.

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

- expressing concern at the fact that lower sentences have been raised to death sentences by the Court of Cassation;
- urging President Ben Ali, who has stated his personal opposition to the death penalty in the past, to commute the sentence;
- urging that all death sentences be commuted in Tunisia and that steps be taken to restrict and eventually abolish the death penalty;

APPEALS TO:

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

Telegrams: President Ben Ali, Tunis, Tunisia
Telexes: 14900 PRPSA TN
12163 PPSD TN
Faxes: + 216 1 744721

M. Abdallah Kallel
Ministre de l'Intérieur
Ministère de l'Intérieur
Avenue Habib Bourguiba
Tunis, Tunisia

Telegrams: Ministre Interieur, Tunis, Tunisia
Telexes: 13662 SDAP TN
Fax: + 216 1 340888

M. Abderrahim Zouari
Ministre de la Justice
Ministère de la Justice
Boulevard Bab Benat
Tunis, Tunisia

Telegrams: Ministre Justice, Tunis, Tunisia
Telexes: 13000 MAET TN
Faxes: + 216 1 568106
+ 215 1 567070

COPIES TO: Tunisian diplomatic representatives 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 APPEALS IMMEDIATELY. Check with the International Secretariat or your section office if sending appeals after 8 August 1991.