

EXTERNAL (for general distribution)

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**Further information on UA 236/94 (MDE 30/18/94, 17 June 1994) - Possible prisoner of conscience / Fear of unfair trial**

**TUNISIANajib HOSNI, lawyer and human rights activist**

Najib Hosni, a human rights lawyer arrested on 15 June 1994, remains detained without trial and is not being allowed access to his lawyers.

After his arrest his lawyers were allowed to visit him regularly, but from 12 August they have been unable to obtain permission to visit him despite repeated requests (except on one occasion, when one of his lawyers was able to visit him several weeks ago).

Such practice is in breach of Tunisian law, which guarantees detainees' right to access to legal counsel at all times (Article 70 of the Tunisian Code of Penal Procedure), and is inconsistent with other international standards on the subject of access to legal counsel.

Najib Hosni had defended many prisoners of conscience from across the political spectrum, and in the course of his statements in court had been very outspoken in denouncing violations of detainees' rights and breaches of the law. He was subjected to continuous harassment by the Tunisian authorities for over a year prior to his arrest, and his wife and children remain unable to obtain a passport. Since his detention his staff have also been harassed and interrogated by the police.

He is detained on charges for falsifying a land contract, but Amnesty International believes that he may be detained for his work as a human rights lawyer. The offence of which he is accused is of a civil nature and does not justify his pre-trial detention.

The treatment to which Najib Hosni has been subjected falls within a pattern of systematic harassment by the authorities against human rights activists and government critics. Earlier this year Moncef Marzouki, the former President of the Tunisian Human Rights League, was detained for four months on charges of criticizing the authorities. Najib Hosni was one of his defence lawyers.

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

- expressing concern at the detention of Najib Hosni, who may be detained as a prisoner of conscience;
- expressing concern at reports that Najib Hosni is not been allowed free access to his lawyers, and urging the authorities to lift these restrictions immediately;
- calling for his immediate and unconditional release if he has been detained solely on account of his work as a human rights lawyer.

*Please bring this action to the attention of lawyers groups.*

**APPEALS TO:**

- 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**

**Salutation: Excellence / Your Excellency**

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**

**Salutation: Excellence / Your Excellency**

**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 4 November 1994.