

EXTERNAL

AI Index: MDE 30/26/96

30 August 1996

Further information (5) on EXTRA 71/96 (MDE 30/14/96, 20 May 1996) and follow-up (MDE 30/16/96, 29 May; MDE 30/20/96, 3 July; MDE 30/22/96, 18 July; MDE 30/25/96, 27 August) - Legal Concern / Prisoner of Conscience

TUNISIA Khemais CHAMMARI

The sentence of five years' imprisonment passed on prisoner of conscience Khemais Chammari on 17 July 1996 was upheld by the Tunisian Supreme Court which, on 29 August, rejected defence lawyers' petitions for the overturning of the verdict through the "cassation" procedure. "Cassation" looks at the procedures and application of the law, but does not re-examine the facts of a case.

Requests by the defence lawyers for a postponement of the Supreme Court's review of the case, which would have allowed them adequate time to prepare their defence, were rejected. Moreover, the lawyers were not allowed free access to their client, in breach of Article 70 of the Tunisian Code of Penal Procedures (*Code Procédure Pénale*).

In July, Khemais Chammari was sentenced to five years' imprisonment on charges of "disclosing a national secret to a foreign power". An Amnesty International observer who attended the trial concluded that no convincing evidence was produced to substantiate the charges against the defendant.

The organization considers Khemais Chammari to be a prisoner of conscience imprisoned solely for his conscientiously-held beliefs, and calls for his immediate and unconditional release.

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

- regretting the Tunisian Supreme Court's decision to uphold Khemais Chammari's sentence of five years' imprisonment for allegedly "disclosing a national secret to a foreign power";
- reiterating that Khemais Chammari is a prisoner of conscience and calling for his immediate and unconditional release.

APPEALS TO:

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Président M. Zine El Abidine Ben Ali
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COPIES TO:

Tunisian Human Rights League
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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 30 September 1996.