

AI INDEX: ASA 40/02/96
16 OCTOBER 1996

TONGA: AMNESTY INTERNATIONAL WELCOMES THE RELEASE OF THREE PRISONERS OF CONSCIENCE

Amnesty International welcomes this week's release of two journalists and a pro-democracy parliamentarian in Tonga but remains concerned at the longer term issues raised by this case.

“These three men should never have been imprisoned in the first place. The parliament should move to rescind their conviction under Tongan law for publishing libellous material,” Amnesty International said.

“The court decision to release the three demonstrates the independence of the judiciary in Tonga. But it does not change the Parliament's power under the Constitution to detain critics of the Government without the right of appeal.”

The three men were released after Tonga Supreme Court Chief Justice Nigel Hampton ruled on 14 October that procedures followed by the Legislative Assembly in the three men's sentencing on 19 September 1996 had violated the country's constitution. Kalafi Moala, the editor of the weekly *Taimi 'o Tonga (Times of Tonga)*, Filokalafi 'Akau'ola, his deputy editor, and People's Representative member, 'Akilisi Pohiva, had already served 26 days of a 30 days' sentence. This follows their role in the publication on 4 September of an impeachment motion against the Minister for Justice and Attorney General, Mr Tevita P. Tupou.

The two journalists were imprisoned by the Legislative Assembly for incorrectly reporting that the minister was “being impeached” before parliamentary procedures for impeachment had been completed.

On 24 September the Tongan Legislative Assembly voted to impeach the Minister, but, following the unexpected closing of the House on 3 October, the debate on the impeachment will not take place until Parliament resumes in June 1997.

ENDS\