

4 February 2002

Further information on UA 28/02 (MDE 30/002/2002, 30 January 2002) - Fear of torture / Possible arrests / Possible prisoners of conscience

TUNISIAHamma Hammami (m)
Abdeljabbar Madouri (m)
Samir Taamallah (m)
Ammar Amroussia (m)

The four members of the Tunisian Workers' Communist Party named above came out of hiding as planned on 2 February, and were arrested at the First Instance Tribunal at the Palais de Justice in Tunis. There are fears that they may be tortured.

Hamma Hammami, Abdeljabbar Madouri and Samir Taamallah had come to the court for a hearing of their appeal for a retrial. Ammar Amroussia went to the public gallery. They gave a press conference in the lawyers' library inside the Palais de Justice before the scheduled start of the hearing, which international journalists and observers attended.

All four went into the courthouse at 9am, together with their lawyers and international observers. However, the judge did not appear and so the hearing could not begin. Dozens of police entered the courtroom at about midday, and at around 1.45pm six police officers forcibly removed the defendants from the packed courtroom. Amnesty International's observer reported that the police pushed the men's lawyers away so violently that they and the people standing around them were knocked to the ground. The police pushed Hamma Hammami's 12-year-old daughter Oussaïma to the floor when she refused to leave her father. The police then gave orders to clear the court and took the three defendants away. Another of Hamma Hammami's daughters, Nadia Hammami, 18, saw the three men in another part of the courthouse, and said that their clothes were torn, and her father had shouted that they had been ill-treated and were going to be tortured.

When the hearing began, at about 5pm, only Hamma Hammami and Samir Taamallah were brought before the judge. This suggests that Abdeljabbar Madouri may have been beaten, or worse, and that the authorities did not want anyone to see what had been done to him. Within minutes the court announced that the sentences for Hamma Hammami and Samir Taamallah were confirmed and that Abdeljabbar Madouri's sentence had been increased by two years. Neither the defendants nor their lawyers were allowed to address the court. The defendants were then immediately remanded in custody and taken to the 9 avril prison in Tunis.

Ammar Amroussia, who had been at large since November 1997 and was present in the court, was arrested after the 5pm court session to serve a prison sentence of two years and four months. As his sentence has already been confirmed after an appeal, under Tunisian law he will not have the right to see a lawyer. His whereabouts are at present unknown.

Before the court hearing a French journalist was assaulted by police and had his camera destroyed. At least two members of unauthorised political parties were hospitalized after they were beaten up by the police. In recent months, a number of political opponents of the government, real or alleged, have reported that police agents have threatened to kill them if they do not stop speaking their minds.

FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French, Arabic, English or your own language:

- asking for Hamma Hammami, Abdeljabbar Madouri, Samir Taamallah and Ammar Amroussia to be released immediately and unconditionally, as they are prisoners of conscience, detained solely for the peaceful expression of their political beliefs;
- urging the Tunisian authorities to guarantee that the men will not be harmed;
- asking for immediate and impartial investigations into the police brutality during and after the judicial proceedings of 2 February, and for all death threats and other attempts to intimidate political opponents, their families, lawyers and human rights defenders to be stopped immediately.

APPEALS TO:

Président de la République

M. Zine Le Abidine Ben Ali

Palais Présidentiel

Tunis

Tunisia

Fax: + 216 71 744 721

Salutation: Excellence / Your Excellency

Minister of Justice

M. Bechir TAKKARI

Ministre de la Justice

Ministère de la Justice

31 Boulevard Bab Benat

1006 Tunis

Tunisia

Fax: + 216 71 568 106

E-mail: mju@ministeres.tn

Telegrams: Ministre Justice, Tunis, Tunisia

Salutation: Monsieur le Ministre / Your Excellency

Minister of the Interior

M. Abdallah KAABI

Ministre de l'Interieur

Ministère de l'Intérieur

Avenue Habib Bourguiba

1001 Tunis

Tunisia

Fax: + 216 71 354 331/340 888

E-mail: mint@ministeres.tn

Telegrams: Ministre Interieur, Tunis, Tunisia

Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

Minister in charge of human rights

M. Slaheddine Maaoui

Ministre Délégué chargé des Droits de l'Homme

Bureau du Premier Ministre

Place du Gouvernement

La Kasbah

1006 Tunis

Tunisia

Fax:+ 216 71 256 766

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 18 March 2002.