

EXTERNAL (for general distribution)

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Further information on UA 519/90 (MDE 30/06/90, 28 December) - Death Penalty

TUNISIA: Lamari Dali

Amnesty International has learned that on 28 December the Cassation Court upheld the sentence against Lamari Dali. There is now great concern that he could be executed within days.

Lamari Dali, a former Tunisian diplomat aged 59, was convicted by a Criminal Court of high treason and sentenced to death on 25 December 1990. The trial lasted one day and was held in camera; even members of the defendant's family were denied access to the proceedings. Lamari Dali's defence lawyers lodged an appeal before the Cassation Court, a higher court which reviews appeals on points of law; as the verdict has been upheld the sentence will now have to be ratified by the head of state and the execution could be carried out immediately afterwards.

The family of Lamari Dali has alleged that he was tortured and ill-treated while held in incommunicado detention after his arrest on 16 October 1990. A former counsellor in the Tunisian embassies in Madrid, Bonn and Berlin and the head of the African desk in the Ministry of Foreign Affairs, Lamari Dali was accused of spying for an unspecified foreign government, a charge which he denied.

The Tunisian newspaper "La Presse" reported that he was caught as he was about to hand documents to agents of a foreign power. His family has claimed that he was being victimised because of a letter he had written to President Ben Ali complaining about the increasing militarization of the Tunisian diplomatic service.

In March 1988 President Ben Ali told to Amnesty International delegates that he was personally opposed to the death penalty and would not sign any death warrant himself. In November 1990, however, he authorized the first execution since he came to power in November 1987, that of Nacer Damergi, convicted of the sexual assault and murder of 12 children aged between seven and 20.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment and punishment, as proclaimed by the Universal Declaration of Human Rights.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in FRENCH OR ARABIC if possible:

- expressing concern at the death sentence passed on Lamari Dali;
- expressing concern that, as the trial was held in camera, it is not clear that it was fair and that the proceedings met international standards;

- 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

M. Abdelhamid Escheikh
Ministre de l'Intérieur
Ministère de l'Intérieur
Place du Gouvernement
Tunis
Tunisia

Telegrams: Ministre Interieur,
Tunis, Tunisia
Telexes: 13662 sdap TN

M. Chedli Neffati
Ministre de la Justice
Ministère de la Justice
Boulevard Bab Benat
Tunis, Tunisia

Telegrams: Ministre Justice, Tunis, Tunisia

COPIES TO: Diplomatic representatives of Tunisia in 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 February 1991.