

OPINION No. 20/2002 (TUNISIA)

Communication addressed to the Government on 16 July 2002.

Concerning: Hamma Hamami, Abdeljabar Madouri and Sammir Taamallah.

The State is a party to the International Covenant on Civil and Political Rights

1. (Same text as paragraph 1 of opinion No. 15/2002.)
2. The Working Group conveys its appreciation to the Government for having provided the requested information in good time.
3. (Same text as paragraph 3 of opinion No. 15/2002.)
4. The Working Group notes with satisfaction that the Government has informed it that the above persons are no longer deprived of liberty. The information has been communicated to the source, which has confirmed it.
5. The Government has stated that Mr. Hamma Hamami was sentenced by the Court of Appeal of Tunis to three years and two months' imprisonment, and that the court also sentenced Mr. Abdeljabar Madouri and Mr. Samir Taamallah to one year and nine months' imprisonment respectively. The Government has also indicated that on 4 September 2002 Hamma Hamami and Samir Taamallah were conditionally released on humanitarian grounds after serving seven months and that, on 5 November 2002, Abedljabar Madouri was also freed after having served nine months in prison. The source maintains that the deprivation of liberty was arbitrary and contests the release for humanitarian reasons.
6. The Working Group, without prejudging the arbitrary nature of the detention, decides to file the case of Mr. Hamma Hamami, Mr. Abdeljabar Madouri and Mr. Samir Taamallah, in accordance with paragraph 17 (a) of its methods of work.

Adopted on 3 December 2002