

# INDEPENDENT VOICES STIFLED IN TUNISIA

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INTERNATIONAL



## 'Tunisia can be a dangerous place for anyone who defends human rights'

Radhia Nasraoui, human rights lawyer, March 2009

Anyone who is critical of the Tunisian authorities or speaks out for human rights in Tunisia is at risk. Human rights activists, NGOs, victims of human rights violations and their families, professional bodies such as the bar association and the journalists' syndicate, and individual lawyers and journalists are in the line of fire of the authorities. They cannot set up or operate independent associations without fear of bureaucratic interference or harassment. They have been prosecuted and imprisoned on trumped-up charges. Their relatives, including children, have been interrogated and harassed. Some have lost their jobs. Offices and homes have been visited by security officers and ransacked. They are often followed and face intensive surveillance. Their telephone lines, internet access and emails are intercepted or blocked. Harassment extends to physical assaults – by police, plain-clothes security officers and others acting at the authorities' behest. They face constant daily harassment, impeding not only their work to



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**above:** Human rights defender Ali Ben Salem is prevented by plain-clothes security officers from greeting LTDH members in the organization's offices in Bizerte in October 2007.

protect human rights but also preventing them and their families from living a normal life. Through such practices, the authorities are sending a message to all in Tunisia to think twice before speaking out or defending human rights.

Instead of addressing the issues raised by human rights defenders and others, the authorities attack the messengers. They refuse to grant organizations legal registration, or interfere in the activities of

those that are registered when they speak out against the authorities or the human rights record of Tunisia. There are more than 9,000 civil society organizations registered in Tunisia, according to the Centre for Information, Training, Studies and Documentation on Associations (Centre d'information, de formation, d'études et de documentation sur les associations, IFEDA), but only a handful are fully independent. None of these can operate free of government interference.

## INTERNATIONAL SCRUTINY

The Universal Declaration of Human Rights guarantees the rights to freedom of opinion and expression and freedom of peaceful assembly and association. These rights have been re-affirmed in Articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR) and Articles 9, 10 and 11 of the African Charter on Human and Peoples' Rights. Tunisia, as a state party to these treaties, has the obligation to respect these rights.

The UN Human Rights Committee, which oversees the implementation of the ICCPR, called on the Tunisian authorities in April 2008 to "take steps to put an end to acts of intimidation and harassment and to respect and protect the peaceful activities of human rights organizations and defenders. Reports of acts of intimidation and harassment should be investigated without delay." It also stated that Tunisia should ensure that any restrictions imposed on the right to peaceful

assembly and demonstration were compatible with the provisions of the ICCPR.

UN experts on human rights defenders have requested a visit to Tunisia since August 2002, but to no effect. In her February 2010 report, the UN Special Rapporteur on the situation of human rights defenders expressed continued concern over restrictions on freedoms of assembly and association in Tunisia.

## ALI BEN SALEM

**Ali Ben Salem is constantly watched by security agents. He told Amnesty International that they have physically assaulted him several times.**

Seventy-eight-year-old Ali Ben Salem, pictured at his home in October 2009, has been continually harassed and intimidated by the Tunisian authorities because of his human rights work. He is a founding member of the Association for the Fight against Torture in Tunisia (Association de lutte contre la torture en Tunisie, ALTT) and the National Council for Liberties in Tunisia (Conseil national pour les libertés en Tunisie, CNLT) and president of the branch of the Tunisian League for Human Rights (Ligue tunisienne des droits de l'homme, LTDH) in the city of Bizerte, 66km north of the capital, Tunis. Amnesty International believes that Ali Ben Salem is targeted by the Tunisian authorities because he is a long-standing critic of Tunisia's human rights record; he has successfully lodged a complaint about torture against the Tunisian authorities before the UN; and he hosts – in his house – the office of the LTDH in Bizerte.

Ali Ben Salem is in poor health, with heart problems, and continues to suffer from back pain as a result of being tortured while in police custody in April 2000. He was arrested by plain-clothes security officers while visiting the home of journalist and government critic Taoufik Ben Brik, who was on hunger strike at the time in protest at the authorities' harassment and refusal to renew his passport. Ali Ben Salem was



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then taken to the El Manar 1 Police Station in Tunis, where he was hit and kicked by several security officers, and dragged along the ground and up stairs face down. He also had tear gas sprayed in his face. He was left for dead at a construction site, around 15km from Tunis. He later lodged a complaint about his treatment with the Office of the Public Prosecutor but no investigation was opened. He also complained to the UN Committee against Torture, which found, in November 2007, that these acts constituted torture; that the Tunisian authorities should investigate and bring those responsible to justice; and that Ali Ben Salem should receive compensation. To date, the authorities have taken no steps to implement this decision.

He cannot afford to pay the cost of his medical treatment as the authorities have blocked his civil service pension and deny him the free medical

care he should receive as a veteran of the Tunisian war of independence. In 1999, the administrative tribunal, which examines alleged abuses by administrative bodies, ordered the authorities to restore Ali Ben Salem's pension and grant him a medical card. Ali Ben Salem says that this has not happened.

Ali Ben Salem is constantly watched by security agents. He told Amnesty International that they have physically assaulted him several times. Plain-clothes security officers are posted in front of his house day and night, preventing anyone entering except his close family, who sometimes have to show their ID cards. They follow him everywhere and stop him visiting other human rights activists and attending meetings where human rights are discussed. Sometimes, they physically bar him from accessing buildings; sometimes, they block his car or prevent him from leaving Bizerte. His telephone landline and internet access were cut in 2005 and he believes that his mobile phone is tapped.

In June 2006, Ali Ben Salem was charged with "spreading false news likely to threaten public order" after he wrote a public statement denouncing torture in Tunisian prisons. The case is still being investigated and Ali Ben Salem is not permitted to leave Tunisia. He has been denied a passport since 1995.

Ali Ben Salem exemplifies the relentless harassment by the Tunisian authorities of independent voices in the country. Sadly, he is not alone in this plight.



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*far left:* Members of the CNLT prevented from accessing the administrative tribunal, where they sought a date for the organization's appeal for registration, 10 December 2008. Image taken from a video.

*left:* Human rights activists read the Universal Declaration of Human Rights after being prevented from entering the LTDH premises in Bizerte in October 2007.

Amnesty International has long documented violations against human rights defenders and independent voices in Tunisia. This report is based on interviews and other research carried out by Amnesty International in Tunisia and abroad over the years. The organization has raised its concerns with the Tunisian authorities directly in meetings and in communications, as well as in public appeals.

The harassment of critical voices and of human rights activists is routine in Tunisia. This report does not aim at providing an exhaustive list of incidents, but rather outlines the most recent developments in Tunisia and shows how the authorities have become more sophisticated and aggressive in their attacks. The authorities claim that many reports of such attacks are either fabricated or the result of internal quarrels

between organizations' members; those that they admit have occurred are, according to the authorities, only isolated cases. But Amnesty International believes that these attacks are the direct result of the authorities' laws, policies and practices and their persistent efforts to control and stifle independent voices in the country.

Tunisian President Zine El 'Abidine Ben 'Ali has repeatedly stated that he is deeply committed to promoting civil society and human rights. On 11 October 2009, at the opening of the electoral campaign for example, he declared that his government had "been keen on continuously developing human rights legislation, institutions and bodies, and enhancing civil society acting in this field". Later that month, however, on the day of the presidential and legislative

elections, he referred to human rights activists and journalists who sought to expose human rights abuses and corruption by the Tunisian government. Then he criticized the "tiny minority of Tunisians who... cast doubts upon its [Tunisia's] achievements and gains. This tiny minority of Tunisians have relinquished the honour of belonging to Tunisia; this honour which requires them to show a sense of propriety and discretion vis-à-vis anything that can cause harm to their country. They have not respected the sacro-sanctity and inviolability of the country".

In April 2010, in their reply to the UN Human Rights Committee, the Tunisian authorities claimed that they "encourage and protect human rights activists and provide them with an appropriate legal framework to carry out their legal activities". In June 2009, in response to statements made by human rights lawyer Mohamed Abbou during a speaking tour in European capitals organized by Amnesty International, the Tunisian authorities denied impeding human rights defenders' activities, telling the news agency AFP that human rights defenders, members of all political parties and associations fully enjoy their rights and can carry out their activities without any hindrance, and can move around and express their views freely.

The reality in Tunisia, however, is that political and economic life is under tight government control and only the official discourse of praise of the authorities is tolerated. The government uses aggressive and repressive tactics to extend that control to the few remaining pockets of independent expression.

## LEGAL PROTECTION OF RIGHTS

The Tunisian Constitution guarantees the right to freedom of opinion, expression, assembly and association. Article 8 states: "Freedoms of opinion, expression, the press, publication, assembly and association are guaranteed and exercised within the conditions defined by the law."

Under Articles 21 and 22 of the ICCPR, any restrictions on the rights to freedom of assembly and association must meet three conditions:

- they must be provided for by law;
- they must be imposed for one of the following purposes: national security or public safety; public order; the protection

of public health or morals; or the protection of the rights and freedoms of others, and;

- they must be "necessary in a democratic society" for achieving one of these purposes.

The UN Human Rights Committee has specified that the reference to "democratic society" in the context of Article 22 of the ICCPR on freedom of association indicates that "the existence and operation of associations, including those which peacefully promote ideas not necessarily favourably viewed by the government or the majority of the population, is a cornerstone of a democratic society".

## FREEDOMS DENIED

Despite the protection afforded by international law and the Tunisian Constitution itself, associations in Tunisia face repression as soon as they raise human rights concerns or demonstrate independence perceived by the government as hostile to its image and policies.

### BLOCKS ON REGISTRATION

The Tunisian Law on Associations, Law No. 59-154 of 7 November 1959, requires new organizations to apply to the government to be registered in order to operate legally. According to this law, an NGO that has filed such an application may operate freely while the government processes its application. If the Ministry of the Interior does not reject the application within 90 days with a reasoned decision, the NGO is automatically registered. However, under Article 4 of the law, the NGO can only start to function legally when its name, goals and other information are published in the *Official Gazette*, a legal periodical where laws, decrees, statutes and other administrative decisions are published.

In practice, the government routinely blocks the registration of certain new NGOs by refusing to accept their applications. Without an official receipt proving that the application has been submitted, NGOs are unable to counter the government's assertions that they have not applied to register. Members of some new NGOs have been physically prevented by security agents from entering the registration office of the relevant governorate; others have been confronted by officials who have refused to accept the application documents.



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**above: Amnesty International delegate greeting Sihem Bensedrine of CNLT on 17 November 2005, after the Amnesty International delegation was prevented from entering the CNLT offices.**

Only a few of the organizations independently reporting on human rights violations in Tunisia have legal registration, and most of them face difficulties. Others are simply denied recognition by the authorities.

Since 1998, almost no independent organizations have been allowed to register. Registration has been denied to several independent human rights organizations, including the International Association for the Support of Political Prisoners (Association internationale de soutien aux prisonniers politiques, AISPP); the Association for the Fight against Torture in Tunisia (Association de lutte contre la torture en Tunisie, ALTT); the Tunis Centre for the Independence of the Judiciary (Centre de Tunis pour l'indépendance de la justice, CTIJ); the Observatory for Press, Editorial and Creative Freedom (Observatoire pour la liberté de presse, d'édition et de création, OLPEC); and Liberty and Equity (Liberté et équité), an organization supporting political prisoners in Tunisia.

The National Council for Liberties in Tunisia was the only NGO to obtain a receipt when it submitted its application to register back in December 1998. Its registration was refused without explanation in March 1999

by the Ministry of the Interior. The founding members challenged this decision before the administrative tribunal. In August 2001, they were informed that the case would be examined by one of the chambers of the tribunal. This has not occurred, however, and the case is still on the docket. The CNLT continues to operate, but is in a situation of legal limbo.

The consequences of not being registered can be drastic: organizations may not be allowed to convene meetings of their members, hold public events or seek funds within Tunisia. Members may not even be allowed to enter the NGO premises or only in limited numbers. Their activities can be criminalized, with their officials and members open to charges of taking part in an unauthorized meeting or membership of an illegal organization.

For instance, no one was allowed to enter the offices of the CNLT between January and August 2009, with one exception, after the authorities had closed down independent Kalima Radio, located in the same building. Access to the CNLT offices have been blocked several times, as noted by Amnesty International delegates in 2005 and 2007. The offices of Liberty and Equity

## The Tunisian authorities [are] using barely hidden subterfuge to weaken or co-opt independent organizations.

are under constant, overt surveillance and access to them is often blocked. Since its first congress in April 2008, the organization has not been able to hold a new congress or even a meeting of its executive board.

In April 2008, the UN Human Rights Committee expressed concern “at reports that a very limited number of independent associations have been registered officially by the authorities and that, in practice, several associations for the protection of human rights whose objectives and activities are not in violation of the [ICCPR] have encountered impediments when applying for such registration (Articles 21 and 22 of the [ICCPR])”.

### OFFICIAL INTERFERENCE

Official registration provides no guarantee that an organization can operate free from official interference. Amnesty International Tunisia; the Tunisian Association of Democratic Women (Association tunisienne des femmes démocrates, ATFD); the Tunisian League for Human Rights; the Association of Tunisian Judges (Association des magistrats tunisiens, AMT); the National Syndicate of Tunisian Journalists (Syndicat national des journalistes tunisiens, SNJT); and the General Union of Tunisian Students (Union générale des étudiants tunisiens, UGET) are all officially registered. However, they have had meetings prevented or disrupted, when issues deemed sensitive by the authorities are discussed, and their offices are under surveillance by plain-clothes security officers.

In October 2009, the ATFD organized a workshop to discuss media coverage during the last presidential and legislative

elections. Its president received a phone call from an official of the Ministry of the Interior informing her that the workshop was illegal but she was not given any further clarification. In a separate incident afterwards, the ATFD offices were surrounded by security forces and people were denied entrance. As a result, ATFD’s planned training sessions on gender equality and women’s rights could not go ahead.

Law No. 69-4 of 24 January 1969 regulating public meetings, processions, parades, demonstrations and gatherings stipulates that the authorities must be notified before a public meeting takes place and must be given information on the date, time and place of the meeting, its object and purpose, as well as the names of the organizers. A circular issued in January 1997 by the Ministry of Higher Education requires that anyone organizing a meeting or conference in Tunisia must submit in advance to the Ministry of the Interior the list of participants, a copy of the agenda and the date, time and place of the meeting. Seemingly, under the authority of this circular, even meetings taking place in private homes have been disrupted or banned.

Owners of venues holding events concerning issues deemed sensitive by the authorities, often cancel bookings at short notice, apparently following pressure from the authorities. Just four days before Amnesty International Tunisia’s Annual General Meeting (AGM) was due to take place in 2009, for example, the venue cancelled the booking. Security officers are believed to have told the venue

manager that Amnesty International Tunisia could not hold its AGM without first obtaining express authorization from the district police. No legal provision requires such authorization; only a prior declaration is required, which the organization had sent. Most recently, in March 2010, international NGO Human Rights Watch faced the same treatment when attempting to launch a report on harassment of former political prisoners in Tunis.

Finding a hotel willing to rent its conference facilities to a human rights organization to hold an event is similarly a challenge. A circular issued by the Ministry of Tourism in March 1997 says hotel managers must inform the police of any meeting, seminar or other function to be held on their premises. It instructs them to tell the police the name of the organization and the number and nationality of the participants. It also specifies that prior police authorization is necessary in all cases.

### UNDERMINED FROM WITHIN: FOUR ORGANIZATIONS, ONE TACTIC

The authorities use a variety of tactics to undermine registered organizations whose leaders or spokespeople have challenged or criticized government policies or demanded greater respect for the rule of law and human rights. One insidious tactic, for example, is infiltration of an organization by government supporters with a view to overtaking the organization. This weakens the independent base, and then allows resistance to infiltrators to be portrayed as

internal disputes. The management boards of some organizations have been forced aside in this way by disputes over their legal status. Some have faced calls for new elections after voicing criticism of the government, apparently as a result of behind-the-scenes official manipulation. The following four examples show how disputes presented as internal quarrels are in fact the result of the authorities using barely hidden subterfuge to weaken or co-opt independent organizations.

#### TUNISIAN LEAGUE FOR HUMAN RIGHTS

The publication in 1991 by the LTDH of two statements denouncing human rights violations in Tunisia prompted a 1992 amendment to the Tunisian Law on Associations. As a result, associations registered as of a “general nature”, working on a wide range of issues, may not refuse membership to anyone wishing to become a member. The LTDH was forced to open its membership to all, allowing government supporters to join and so creating internal pressures. This culminated, in October 2000, in four LTDH members known to be close to the authorities filing a court case to complain about irregularities in the election during the Fifth National Congress. The four members requested that its result be annulled and the ensuing executive board dissolved. In November 2000, a court ruled in favour of the plaintiffs and assigned a judicial administrator as head of the LTDH. In June 2001, an appeal court annulled the results of the elections but asked the executive board to organize the next congress. This decision was again upheld by the Court of Cassation in June 2009.



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**above:** Tunisian lawyer and President of the LTDH, Mokhtar Trifi, smiles as he opens the League's office on 28 June, 2001. The League's activities had been stopped by the authorities in February 2001.

During the preparation for its Sixth National Congress, the executive board made changes in the structure of the LTDH which led to the closure of a number of regional offices. This prompted 22 members, including heads of regional offices, to file a case against the executive board. They accused it of abusing its power and breaching the internal statute, alleging that they had been unfairly dismissed in the course of the organization's restructuring and the merging of some of its branches. They also argued that the decision to close regional offices was political, and aimed to exclude members of the ruling political party, the Constitutional Democratic Rally (Rassemblement constitutionnel démocratique, RCD).

On 17 February 2007, the Court of First Instance in Tunis confirmed the right of the 22 plaintiffs and ordered the suspension of the preparatory activities for the National Congress until the decision to restructure

its regional offices and exclude members close to the authorities is rescinded.

These and at least 32 other court cases against the LTDH have effectively suspended the organization's activities. On several occasions, the LTDH has been prevented by the security forces from holding meetings. Its offices in Tunis are constantly monitored and only members of its executive board and staff can enter. Members are also prevented from entering its offices outside Tunis. The telephone line and internet in the Tunis premises are not functioning and some mail is never delivered. In May 2010, the LTDH headquarters office in Tunis was surrounded by police. They prevented members, civil society representatives and foreign diplomats from entering the building to participate in the LTDH 33rd anniversary.

In addition, since 2003 the LTDH has been prevented from accessing the second

## The AMT's board members were replaced in a special congress in December 2005 by newly elected members who are reportedly close to the government.

instalment of a grant received through the European Commission in 2002. The grant remains blocked at the bank, requiring additional authorization from the Tunisian authorities to release it.

### ASSOCIATION OF TUNISIAN JUDGES

The Association of Tunisian Judges (Association des magistrats tunisiens, AMT), whose aim is to defend the interests of judges and protect their independence, came under pressure from the authorities after it criticized, in a public statement, the heavy security presence inside the courthouse when lawyer and human rights defender Mohamed Abbou was arrested and brought before the investigating judge in March 2005 and the fact that his

lawyers were prevented – violently – by the police from assisting him. The pressure increased later that year after the AMT called for more independence for the judiciary, criticized shortcomings of the High Council of the Judiciary (Conseil supérieur de la magistrature), which has responsibility for the appointment, promotion, transfer and discipline, including dismissal, of judges. It is headed by President Ben 'Ali and has the Minister of Justice as its vice-president. It also suggested amendments to the draft law on the judges' status to strengthen their security of tenure. Members of the AMT are reported to have been pressured by the government to disavow the organization's leaders. In August 2005, the AMT president was told to hand over the organization's office keys to the Public Prosecutor, reportedly under orders from the Ministry of Justice and Human Rights. He refused to do so in the absence of a court decision, so the locks were changed to bar AMT members from the office. The AMT's telephone, fax and internet access were increasingly disrupted, then effectively shut down. The AMT's board members were replaced in a special congress in December 2005 by newly elected members who are reportedly close to the government.

Judges active in the AMT executive board seem to have been transferred to remote areas, far from their families, in violation of international standards guaranteeing security of tenure. They continue to be under close scrutiny from their superiors in an apparent attempt to intimidate and silence them. Some have parts of their salaries seized without prior written notice.

Like many in Tunisia, they believe that their phones are tapped and email accounts intercepted. In 2005, the judges filed appeals against their transfers and other measures to the administrative tribunal, but nothing has happened to date.

In September 2006, Wassila Kaabi, a judge and member of the executive board of the AMT, was prevented by security forces at the airport from travelling to Hungary to participate in a meeting of the International Union of Judges. Under Tunisian law, judges require the permission of the Secretary of State for Justice to leave the country. However, Wassila Kaabi was on annual leave and did not require such permission.

In February 2009, Kalthoum Kannou, who was AMT Secretary General before being ousted, was assaulted in the Kairouan Court of First Instance while performing her professional duties as an investigating judge. Her assailant was sentenced to one year's imprisonment by the Kairouan Court of First Instance but in October 2009, the Sousse Court of Appeal acquitted him despite the testimonies of other judges and court personnel incriminating him.

In spite of statements trumpeted by the authorities on women's rights in Tunisia and the progressive status enjoyed by women in the country, four women judges who were members of the original AMT board have been particularly targeted. They have been denied promotions or transferred to remote locations far from their families, raising fears that women judges are being targeted in this way because of the perceived greater effect of such measures on women.

### INTERNATIONAL STANDARDS ON JUDICIAL INDEPENDENCE

The 2002 Bangalore Principles on Judicial Conduct affirm that: "judicial independence is a pre-requisite to the rule of law and a fundamental guarantee of a fair trial. A judge shall therefore uphold and exemplify judicial independence in both its individual and institutional aspects."

The UN Basic Principles on the Independence of the Judiciary, state, in Principle 9, that "Judges shall be free to form and join associations of judges or other organizations to represent their interests, to promote their professional training and to protect their judicial independence." It also reaffirms that members of the judiciary are entitled to freedom of expression, association and assembly.

*right:* Entrance to the National Syndicate of Tunisian Journalists (Syndicat national des journalistes tunisiens, SNJT).



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## NATIONAL SYNDICATE OF TUNISIAN JOURNALISTS

The National Syndicate of Tunisian Journalists (Syndicat national des journalistes tunisiens, SNJT) has been subjected to a campaign of destabilization and intimidation since it published a report in May 2009, criticizing the severe restrictions on freedom of expression and the press which prevail in the country. Ahead of the October 2009 presidential and legislative elections, the SNJT board refused to endorse any presidential candidate, despite heavy pressure to follow suit and endorse President Ben 'Ali as did

hundreds of other professional organizations. In August 2009, the leadership of the SNJT was ousted. First, pro-government members of the Syndicate resigned and circulated a petition, reportedly backed by the Ministry of Communications, expressing no confidence in the elected board. Members of the SNJT were forced to sign the petition, and some were threatened with dismissal from their jobs. A smear campaign against the original board members was launched. Then, government supporters within the SNJT held a special congress, elected a new board and filed a lawsuit to take over the

Syndicate's offices. In September, a court recognized the new, pro-government board and ordered the ousted board to vacate the premises. Shortly afterwards, the new SNJT board endorsed the candidacy of President Ben 'Ali. The ousted board members have faced smear campaigns in the media and reprisals from the authorities. Many of them were interrogated by the Ministry of the Interior's Department of Economic and Financial Investigations regarding the fund of the SNJT.

## HUMAN RIGHTS DEFENDERS

The important role of human rights defenders has been acknowledged by governments around the world. The Declaration on Human Rights Defenders adopted by the UN General Assembly in December 1998 emphasizes that everyone "has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms". This includes the rights to "know, seek, obtain, receive and hold information", to "freely publish, impart or disseminate to others' views, information and knowledge on all human rights and fundamental freedoms" and "to draw public attention to those matters".

Article 5 of the Declaration provides that "For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and

international levels: (a) to meet or assemble peacefully; (b) to form, join and participate in non-governmental organizations, associations or groups; (c) to communicate with non-governmental or intergovernmental organizations."

Article 12 of the Declaration makes it clear that states should protect anyone engaged in such activities against violence, threats, retaliation, adverse discrimination or pressure as a result of their legitimate work: "The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration."

## GENERAL UNION OF TUNISIAN STUDENTS

Like other associations seeking to maintain their independence, the General Union of Tunisian Students (Union générale des étudiants tunisiens, UGET), a legally recognized organization, has been closely monitored by the authorities. The organization seeks to represent students and defend their demands for better studying and living conditions and to have a say in the educational reform policies proposed by the authorities.

The UGET has long been perceived by the authorities as a "rogue" organization to be brought to heel. In recent years, the authorities have intensified their efforts to weaken the UGET, seen by them as taking political stands, and have used several tactics to do so, including harassment



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**above: Activists in Tunis during a hunger strike to call for political reform and respect of the rule of law ahead of the UN Summit on the Information Society which was held in Tunisia in November 2005.**

of active members and their families, their prosecution on trumped-up charges, their expulsion from university as well as barring the UGET from holding its meetings.

The UGET has been unable to hold its national congress since 2003. This has been the result of internal struggles between different factions within the UGET itself, as well as continuous interference by the authorities to support members close to them and deal with them as the legitimate representative of the UGET.

Most recently, the UGET was not allowed to hold its 25th Congress in April 2009, and there was a heavy police presence around the city and university of Bizerte, where it was scheduled to take place. This congress was supposed to unify different movements within the union.

Protests organized by UGET to defend the interest of students, including sit-ins, have been violently dispersed by security forces. In October 2009, after a three-week sit-in in a dormitory in La Manouba, a suburb of Tunis, to demand accommodation, students were violently arrested. Twenty students were prosecuted for “robbery”, “disturbance of the peace” and “damage to others’ property”. UGET’s active members are often targeted by the authorities and sometimes prosecuted on trumped-up charges unrelated to their activities within the student union, such as alleged violence

towards university staff or drunken and disorderly behaviour. Some expelled students were on hunger strike for more than 50 days in February and March 2009, asking to be allowed back into university and claiming that they had been expelled because of their union activism.

All four organizations highlighted above are targeted because they publicly challenge government policies or practices or because they fail to provide unconditional support to the government and the ruling party. Organizations are not the only ones to be targeted; individuals perceived as critical by the authorities are also at risk.

## TACTICS OF HARASSMENT AND INTIMIDATION

The harassment of individual human rights activists and independent voices continues unabated, despite repeated calls by international organizations and NGOs to put an end to these violations.

### CONSTANT SURVEILLANCE

Human rights activists and independent voices are followed daily by security officers or people working for them. They are monitored at home and at work. Some are followed at doctors' appointments or even during funerals. The surveillance varies in intensity. Security officers sometimes warn people not to attend certain meetings or conferences; other times, they physically prevent them from doing so. Surveillance includes phone tapping, email hacking, blocking of internet access and interception of correspondence. When Amnesty International delegates visit Tunisia, they are kept under surveillance by plain-clothes security agents at all times, and are followed by a car or a motorcycle, day and night. This warns off victims of human rights violations and their families from talking to Amnesty International delegates.

Two Tunisian lawyers, Samir Dilou and Anouar Kousri, who described their experience as defence lawyers for suspects of terrorism-related activities at an Amnesty International press conference in Paris on 23 June 2008, were harassed by security officials when they returned to Tunis.

The authorities have targeted the family members of human rights activists, including their children. Some have been



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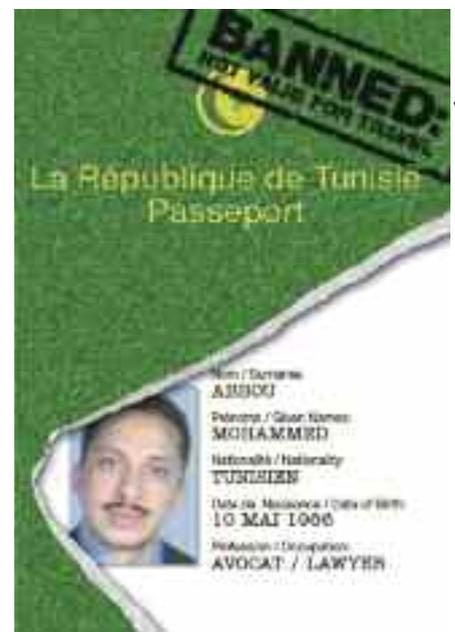
followed, questioned or assaulted by security officers, as have their employers. As a result, family members, friends and neighbours who face harassment are sometimes scared to visit or contact their relatives.

### RESTRICTIONS ON FREEDOM OF MOVEMENT

Freedom of movement for independent voices and critics of the government is restricted within Tunisia. Activists are often blocked from travelling to another city to attend a meeting or court hearing.

Human rights activists are also prevented from travelling abroad, through refusal to issue a passport or through an administrative ban. If they do travel abroad, they are subjected to extensive searches of their luggage and sometimes to intrusive body searches, at the airport upon return, and their documents and other belongings may be confiscated. Lawyer and human rights defender Mohamed Abbou has been denied permission to leave the country seven times since his release from prison in July 2007. He had served 28 months of a three-and-a-half years' sentence imposed on him for denouncing torture in Tunisia in an article he posted on the internet in 2004, and for allegedly assaulting another lawyer, in a grossly unfair trial attended by Amnesty International observers.

**above:** Tunisia press conference, June 2008. From left to right: Anouar Kousri (Vice-President, LTDH); Denys Robiliard, Hassiba Hadj Sahraoui and Said Haddadi (Amnesty International), and Samir Dilou (then Secretary General, AISPP).



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**above:** Passport action by Amnesty International UK, calling on the Tunisian authorities to lift travel restrictions on Mohamed Abbou.



On 27 February 2010, upon his return from Casablanca, Morocco, Mohamed Abbou was physically and verbally assaulted and threatened with being sent back to prison. He was subjected to a full body search and insulted and then pushed by plain-clothes police after a customs agent searched his suitcase and confiscated a copy of a report on press freedom. At the same time, journalist and human rights activist Lotfi Hidouri also had books and documents confiscated.

#### JUDICIAL HARASSMENT

The authorities have prosecuted activists on trumped-up charges. Some have been imprisoned after grossly unfair trials. Others have been under judicial investigation for years, unable to travel abroad and living in the shadow of prosecution. Sometimes, they are given no information about the charges or the alleged plaintiffs. For years, the authorities have prosecuted activists by using provisions of the Penal Code and Press Code that criminalize defamation or the spreading of false news aiming at disturbing public order. They are now increasingly using trumped-up criminal charges.

In November 2009, human rights activist Zouheir Makhoul, a member of Liberty and Equity, was sentenced to four months' imprisonment for "harming others via the public telecommunications network" after an unfair trial. He had posted a video on Facebook which exposed pollution, lack of infrastructure and basic services in the city of Nabeul, on Tunisia's north-eastern coast.

#### PHYSICAL ASSAULTS

Human rights defenders, lawyers, journalists and other activists have been assaulted by security officers in plain clothes, usually to



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prevent them from attending meetings and demonstrations, or if they have raised human rights concerns in public. Some have been pushed and manhandled, others punched and kicked. Some have been abducted and left in remote locations. Assaults are accompanied by insults and threats of reprisals and, sometimes, of imprisonment or death.

On 28 October 2009, three days after the presidential and parliamentary elections, Slim Boukhdhir, an independent journalist who had previously been jailed for writing articles critical of the government, gave interviews on the lack of press freedom in Tunisia and on alleged rampant corruption in

**top left and above: Ayachi Hammamin surveys the aftermath of a blaze in his office, August 2007.**

the close family circle of President Ben 'Ali. He was stopped in the street and forced into a car that evening by five men in plain clothes, all believed to be security officers. They forced his eyes shut, beat and insulted him as they drove away, then stopped the car, threw him out and kicked and punched him until he lost consciousness. Before he did so, one of the assailants brandished a knife and threatened to stab him. He was stripped of his clothes and his mobile phone, identity documents, and money and house keys were taken, apparently to give the

*right: Koll Ennas, a weekly newspaper close to the authorities, described human rights and political activists as traitors, agents and trash of history. This issue was published on 24 October 2009, a day before the presidential and legislative elections. A range of public figures including an Al Jazeera journalist, human rights defenders and heads of political parties were targeted.*

impression that he was the victim of an ordinary criminal mugging. He was dumped in Belvédère Park in north Tunis. Three weeks later, on 16 November 2009, Omar Mestiri, managing editor of Kalima Radio and member of the CNLT, was assaulted by security officers in plain clothes, abducted and left in an isolated location about 15km from Tunis.

No action is known to have been taken against those responsible for these assaults. Some human rights defenders have recognized their attackers as individuals who previously maintained surveillance outside their homes or workplaces.

### SABOTAGE OF PRIVATE PROPERTY

Some human rights defenders report that their property, including cars, have been sabotaged. In one particular case, the office of Ayachi Hammami, a human rights lawyer, was damaged in a suspicious blaze a few days before an international conference on the independence of the judiciary was to take place. A report he was due to present on the lack of independence of the judiciary in Tunisia was destroyed in the incident.

Cars, houses and offices have been broken into, searched and keys and documents stolen. Lawyer and human rights defender Radhia Nasraoui, a co-founder of the ALTT, has been harassed and intimidated over the years. Security officers visited her house during the night of 24 April 2009, and the keys to her house, car and office were stolen, while she was in Kampala, Uganda, participating in the All Africa Human Rights Defenders Conference. On 1 May 2010, she discovered her office had been broken into and her office computer taken. This is the



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fifth time her office has been targeted in this manner in the last few years.

### FINANCIAL STRANGLEHOLD

People who voice criticism find it hard to get a job. As most Tunisian media is state-owned, journalists critical of the government face difficulties obtaining work. Lawyers often lose many clients if they act in politically sensitive cases or raise human rights concerns. Their offices are closely watched by security officers, who intimidate their clients and pressure potential clients to engage other lawyers.

Tax officers have targeted lawyers perceived as critical of the authorities. Some lawyers face an investigation by tax officers every year, others after each of their visits abroad. After he called for greater protection of the independence of the judiciary, Judge Mokhtar Yahyaoui, co-founder of AISPP and CTIJ, was dismissed from his job in 2001 for having “failed in his professional duties”. He has been continuously harassed since then, preventing him from working as a lawyer or in any other job. Lawyer Abdelwahed Maatar had his car seized and was forced

to sell his house in March 2010, to pay the taxes which the authorities said he owed. Other lawyers, such as Abdelraouf Ayyadi and Ayachi Hammami faced further tax investigations after they bought a house.

### SMEAR CAMPAIGNS

Virulent smear campaigns in the state-controlled press and television denigrate human rights activists and independent voices. Women activists are often accused of violating the country's traditional view of acceptable sexual behaviour and are described as lesbians or “acting like prostitutes”. Sexual connotations are also utilized for men, such as referring to their alleged homosexuality, which remains a taboo subject in Tunisian society. Both men and women human rights defenders are accused of serving the interests of foreign governments, including the USA and Israel, and of being paid by these governments to tarnish Tunisia's image. Spokesperson for the CNLT, Sihem Ben Sedrine, has been accused of “acting like a prostitute”, “selling her soul” and serving the interests of the governments of the USA and Israel. In December 2009, activists targeted by such defamatory statements included

Kamel Jendoubi, President of the France-based Committee for the Respect of Freedoms and Human Rights in Tunisia (Comité pour le respect des libertés et des droits de l'homme en Tunisie, CRLDHT), Sihem Ben Sedrine, Sana Ben Achour, President of the ATFD, and Khemais Chammari, member of the board of the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF).

#### NO INVESTIGATION OF COMPLAINTS

When those who have been harassed try to obtain redress, the prosecutor routinely refuses to register their complaint. If complaints are registered, in the majority of cases they are not properly investigated. In some cases, an investigation is opened and a few steps are taken, but no one is brought to justice. On 31 August 2007 the office of lawyer and human rights defender Ayachi Hammami was damaged in a suspicious blaze a few days before he was due to attend a conference in Paris. He lodged a formal complaint and was heard by an investigating judge on 3 September 2007, but there have been no developments in the case since then. On 4 October 2009, the car of lawyer and human rights defender Abdelraouf Ayyadi was damaged and inflammable and explosive chemicals were put in its fuel tank, allegedly by security officials. At the time, he was expected to pick up Hama Hammami, a spokesperson of the banned Tunisian Workers' Communist Party (Parti communiste des ouvriers tunisiens, PCOT), lawyer and human rights defender Radhia Nasraoui and the couple's daughter. He lodged a formal complaint, but no investigation is known to have been opened.

### PROFESSIONAL GROUPS IN THE LINE OF FIRE

Some groups are at particular risk of harassment from the authorities because they choose to defend their clients or to report on abuses they witness in the country. They use their voices to raise concerns on the situation in Tunisia and, as a result, are in the line of fire of the authorities.

#### LAWYERS

Lawyers involved in politically sensitive cases or defending human rights are closely monitored, intimidated and harassed. In addition to the measures described in the previous sections, these lawyers are prevented from exercising their profession properly; restrictions are imposed on their activities, making it difficult for them to defend their clients. Besides restricting lawyers' ability to adequately defend their clients, the Tunisian authorities also aim to restrict the number of their clients, and impugn their reputations.

The frequent police presence near or in front of the offices of human rights lawyers deters their clients and potential clients who do not want to have problems with the police. Such presence also deters potential clients who want to seek redress for human rights violations or family members of victims of abuse, as they see the police might further victimize them. Security officers have sometimes pressed defendants to change lawyers if they want their case to "progress in the right direction" or if they do not want to "worsen their case". Security officers also sometimes prevent people from entering the offices



and subject visitors to questioning on the purpose of their visit, including fellow lawyers. Lawyer and human rights defender Mohammed Nouri, president of Liberty and Equity, has lost a large part of his clientele over the years; his office, like his home, is constantly under surveillance and security officers in front of his office prevent some clients from entering.

Lawyers have also reported having their phone tapped, in breach of the right to



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lawyer-client confidentiality. Clients have reported being interrogated by security officers on issues they had discussed only on the phone or when meeting with their lawyer. Lawyers have also reported being listened to while meeting their clients in prison, or that the meeting took place within earshot of a prison officer.

Some lawyers defending human rights or involved in politically sensitive cases have also been prevented from visiting their

clients, despite receiving visit permits from the Prosecutor's Office. Lawyer Samir Ben Amor for example, Secretary General of AISPP, was prevented from visiting any clients for almost nine months between August 2009 and March 2010. He received authorization for these visits, but prison guards would not allow them. At first, he received no explanation as to why he was not allowed to visit his clients. He was later told by a prison guard that it was due to an order from the prison general authorities. It

**above:** Tunisian lawyer and human rights defender Radia Nasraoui 24 May 2006, holds a placard, reading "19th Day of Sit-In", in the Lawyers' House in Tunisia, where lawyers protested against a new law which they feared would undermine their independence.



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## THE ROLE OF LAWYERS

The UN Basic Principles on the Role of Lawyers state that lawyers have an important role in protecting fundamental freedoms.

Principle 14 specifies that “lawyers, in protecting the rights of their clients and in promoting the cause of justice, shall seek to uphold human rights and fundamental freedoms recognized by national and international law”.

Principle 16 adds that: “governments shall ensure that lawyers

- (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference;
- (b) are able to travel and to consult with their clients freely both within their own country and abroad; and
- (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.”

*above:* Security forces surrounding lawyers demonstrating against the adoption of a law creating the Higher Institute for Lawyers without proper consultation, inside the Tunis Court of First Instance on 9 May 2006.



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is very rare that lawyers are granted authorization from the prison administration to visit their clients once the conviction has become final, in violation of Tunisian law. Under Article 17 of Tunisian Law No. 2001-52 on Prison Administration, prisoners have the right to receive visits from their lawyers without the presence of a prison guard and after authorization from the competent judicial authority when not yet convicted or when the conviction is not yet final; and in presence of prison guard after authorization from the prison and re-education authorities when the conviction is final.

Inside the courtroom, the lawyers are also prevented from adequately defending their clients; they are often interrupted or stopped by the judge when they seek to highlight the human rights violations

committed against their clients. When a group of lawyers represent defendants in politically sensitive cases, the judge often ignores them and does not give the floor to lawyers perceived as likely to raise human rights concerns. During political and security-related trials, plain-clothes security agents are present in large numbers in the courtroom, in addition to the uniformed police officers in charge of court security. The presence of this additional security force is widely perceived as intimidating and undermining the impartiality and independence of the court.

The smear campaigns orchestrated against lawyers are designed to erode public confidence in them and to stigmatize them in the eyes of fellow lawyers.

**above: Security forces blocking the street between the court and the Bar Association at the demonstration in Tunis, 9 May 2006.**

The authorities have also reportedly pressured public and important companies, such as banks, to change lawyers. Lawyer Adelraouf Ayyadi is one of many lawyers who have lost a large part of their clientele as a result of their human rights activities.

The authorities have also tried to bring the Bar Association to heel. In 2002, it was put under pressure by the authorities, when pro-government lawyers challenged in court the legality of the Bar Association Council decision to call for a strike.

**‘The country [Tunisia] does not condone blackmail. Betting on foreign [institutions] leads nowhere. It only leads to the criminalization of acts harmful to the interests of the nation and aimed at undermining development work and progress.’**

Lazhar Bououni, Minister of Justice and Human Rights speaking in Parliament, 15 June 2010

The National Council had called for a one-day strike on 7 February 2002 in protest against the unfair trial of members of the banned Tunisian Workers’ Communist Party, which had been marred with irregularities and the physical assault in the courtroom of the defendants by security officers.

### JOURNALISTS

The media is kept under close control from the Tunisian authorities: most press and broadcast media companies are owned by the state or by individuals close to the government, while newspapers of opposition political parties are denied public funding (in breach of the law on the financing of political parties). Editors and journalists operate in a climate of intimidation. Issues of independent newspapers which publish articles critical of the authorities or denouncing corruption are seized and suppressed. Foreign journalists who seek to expose the authorities’ clampdown on the political opposition and human rights activists are barred from visiting the country.

The Penal Code and the Press Code contain a number of vaguely worded provisions which criminalize the spreading of false news aiming at disturbing public order (Article 49 of the Press Code), and the “incitement to rebellion” by speeches in public, posters or written bills (Article 121 of the Penal Code). There are also broadly defined defamation offences in Article 245 of the Penal Code and Article 50 of the Press Code. Article 121ter of the Penal Code forbids the distribution, sale, display or

possession with a view to distribute, sell or display pamphlets, bulletins, leaflets of local or foreign origin likely to harm public order or “good morality”.

Journalists who are perceived to be criticizing the authorities in their writings risk prosecution on trumped-up charges, and other forms of harassment and intimidation, such as smear campaigns seeking to discredit them. They may be dismissed from their jobs in Tunisian media or given minor assignments. They are virtually banned from employment in national media and face hurdles when they work for foreign media, including the lack of accreditation and

of press pass, the difficulty to film and send images to broadcasting media.

On 27 January 2009, police officers in plain clothes surrounded the office of Kalima Radio, which had started to broadcast via satellite the previous day. After three days of blockades, the radio premises were closed and sealed and all material seized. The blockade saw a number of incidents of intimidation and harassment. Human rights defender and editor-in-chief of Kalima Radio, Sihem Ben Sedrine, was placed under investigation for allegedly using a broadcasting frequency without a licence. Naziha Réjiba, also known as Oum Ziad,

## FREEDOM OF EXPRESSION

Article 19 of the ICCPR guarantees the right to freedom of expression. While this article admits some limitations to this right, the restrictions must be necessary to protect national security, public order, public health or morals, or the rights or freedoms of others, and, according to the UN Human Rights Committee, “may not put in jeopardy the right itself”. Tunisia has ratified this instrument and is therefore obliged to ensure the rights specified in the ICCPR to all individuals in its territory and subject to its jurisdiction. Article 8 of the Tunisian Constitution guarantees the right to freedom of opinion, expression, assembly and association.

The Human Rights Committee, in its 2008 Concluding Observations on Tunisia, expressed its concern about “certain provisions of the [Tunisian] Press Code as well as [about] their application in practice, which is contrary to Article 19 of the [ICCPR]”. It specified that “Article 51 of that [Press] Code contains a

particularly extensive definition of the offence of defamation, which is moreover subject to severe penalties, including imprisonment, especially in cases of criticism of official bodies, the army or the administration”. It called on the Tunisian authorities to take steps to put an end to direct and indirect restrictions on freedom of expression and to bring Article 51 of the Press Code in line with Article 19 of the ICCPR, so as to ensure a fair balance between protection of a person’s reputation and freedom of expression.

UN bodies have also specified that “the use of criminal law is particularly inappropriate for alleged defamation against public officials in view of the fact that officials should be expected to tolerate more criticism than private citizens”, and that “the right to freedom of opinion and expression [...] involves the right to freely criticize politic officials, public officers, public personalities and authorities”.

is a journalist, co-founder of Kalima and OLPEC, and human rights activist. She has been intimidated and harassed for years. Some of her articles have been censored, and the newspapers where they were published were seized as the Tunisian authorities claimed the articles were untrue.

In November 2009, Taoufik Ben Brik, a journalist and government critic, was sentenced to six months' imprisonment on trumped-up charges of committing violence, damaging property, harming public morality and defamation. He denied all the charges against him. He said they were manufactured by the authorities because of his criticism of the government. He was released after serving his entire sentence.

Tunisia's silencing of independent voices has so far escaped clear criticism from Tunisia's international partners. The European Union and the USA in particular have largely been prepared to take the Tunisian authorities' rhetoric of respect for human rights at face value. Reports by Amnesty International, and others, which catalogue serious human rights violations have been largely sidelined by foreign governments seeking to foster closer trade ties and security co-operation. Until these governments begin to exert meaningful pressure on the Tunisian authorities to clean up their human rights record, it is likely that the hounding of independent activists and human rights defenders will continue.

This report demonstrates the length to which the Tunisian authorities would go to silence opposition. The authorities are now

trying to gag criticism abroad. On 15 June, the Tunisian parliament rushed through a new amendment to Article 61bis of the Penal Code which is designed to silence government critics and human rights activists. Article 61bis of the Penal Code deals with violations of the "external security" and criminalizes contacting "agents of a foreign power to undermine the military or diplomatic situation in Tunisia". Tunisians convicted of this crime currently face up to 20 years in prison, with a minimum sentence of five years. Under the new amendment the article now also sanctions those who contact foreign bodies with a view of harming Tunisia's vital interests, including its "economic security".

Such legal reforms are clearly intended to target human rights activists who lobby foreign bodies, such as the European Union, to put pressure on the Tunisian government over its human rights record, including by making bilateral economic relations subject to greater respect for human rights and the rule of law. As a result, the authorities can now prosecute human rights activists and journalists for their advocacy work. Such a move by the Tunisian authorities should be unequivocally rejected by its European Union and other partners.

In his reply to statements made by parliamentarians, Justice and Human Rights Minister Lazhar Bououni said that "harming Tunisia's vital interests" included "inciting foreign parties not to grant loans to Tunisia, not to invest in the country, to boycott tourism or to sabotage Tunisia's efforts to obtain advanced partner status with the European Union." These activities

## THE ROLE OF JOURNALISTS

On 1 May 2009, the UN High Commissioner for Human Rights and the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression reaffirmed that "International recognition of the importance of journalists and the need for them to work free from unjust restrictions and the threat of violence is essential."

"International legal instruments give every citizen the right to receive information and ideas of all kinds, through any media of his or her choice. Governments, therefore, have a legally binding commitment to protect a free and independent media, and in doing so guarantee the rights of those working in the media sector. Media independence and pluralism are fundamental to the process of democracy. Editorial independence should be guaranteed by respect within government and society at large for the independent, neutral status of journalists guaranteeing their right to freedom of expression."

have been criminalized under the June 2010 amendments to Article 61bis of Penal Code.

A few days before the adoption of the law, the UN Committee on the Right of the Child urged in its concluding observations Tunisia "to take all necessary measures to immediately halt ... harassment and persecution against human rights defenders and to release all persons detained because of their activities in the field of human rights, including children's rights." In particular it called on the Tunisian authorities to "withdraw the draft bill amending Article 61 of the Penal Code and review without delay laws, regulations and administrative practices in order to facilitate activities of NGOs."

*right:* French President Nicolas Sarkozy, left, greeted by Tunisian President Zine El 'Abidine Ben 'Ali during a welcoming ceremony in Tunis. President Sarkozy made a two-day visit to Algeria and Tunisia 10 July 2007. On another visit to Tunisia in April 2008 President Sarkozy said that "the space for freedoms is progressing in Tunisia".

*cover:* Plain-clothes security officers prevent members from entering the Tunisian League for Human Rights (LTDH) offices at Ali Ben Salem's house in Bizerte in October 2007. Since September 2005, state security officers have been permanently posted in front of the house, to prevent LTDH members or Ali Ben Salem's friends from entering the premises.

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## RECOMMENDATIONS

Despite the risks and obstacles they face, human rights activists and independent voices in Tunisia continue to speak out and to work in many different ways to keep their concerns heard and to defend and protect human rights. The harassment they encounter shows the Tunisian authorities' intolerance of independence. The tactics used by the authorities have combined to restrict freedom of expression, association and assembly.

### **Amnesty International calls on the Tunisian authorities to stop:**

- the harassment and intimidation of human rights activists and government critics immediately;
- taking measures against individuals and associations who defend human rights, the rule of law or the independence of their professions;

- interfering in the internal affairs of civil society organizations and associations with a view to muzzling them.

### **Amnesty International calls on the Tunisian authorities to take measures to:**

- repeal additions to Article 61bis of the Penal Code which in effect criminalizes advocacy by human rights activists and journalists and lobbying of foreign bodies such as the European Union.
- uphold the rights to freedom of assembly and expression, including access to information, as guaranteed in international human rights treaties binding on Tunisia as well as in the Tunisian Constitution;
- repeal all provisions in the 1969 Law on Public Meetings, the 1959 Law on Associations, the Penal Code and the Press Code which criminalize the peaceful

exercise of the rights to freedom of expression, association and assembly;

- allow the UN Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to visit Tunisia and facilitate their visits.

### **Amnesty International calls on the international community, including the USA and European Union to:**

- press the Tunisian authorities to stop the harassment and intimidation of human rights activists and government critics immediately and to uphold their international human rights obligations.

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