

Tunisia Monitoring Group

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Mr. Frank La Rue
Special Rapporteur on the promotion and protection
of the right to freedom of opinion and expression
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Dear Mr. Frank La Rue,

I am writing, on behalf of the 18 members of the Tunisian Monitoring Group (TMG), members of the International Freedom of Expression Exchange (IFEX), to express our concerns about the freedom of expression situation in Tunisia, in particular since the World Summit on the Information Society (WSIS) was held in Tunis in November 2005.

When Tunisia was given the opportunity to host the WSIS, the United Nations expressed the expectation that it would broaden freedom of expression in the country. The government gave assurances that the Internet would be freely accessible, yet even during the WSIS, it was not. Since then, the number of news and human rights websites and blogs being blocked by Tunisian authorities has been rising, and this includes the websites of IFEX and some of its members.

In addition, rights activists complain that they can not access their emails, that their emails are erased, their websites are hacked, and their cell phones also blocked. This summer, rights groups the Observatory for the Freedom of Press, Publishing and Creation in Tunisia (OLPEC), the Tunisian League for Human Rights (LTDH), the National Council for Liberties in Tunisia (CNLT) and the Tunisian Association of Democratic Women (ATFD) publicly denounced the blocking of their emails, which makes it incredibly difficult to carry out their work. Even government journalists have joined other journalists and bloggers to protest the blocking of their access to the Internet, with at least one journalist formally filing suit to protest this blockage. We therefore call for the end of such a gross violation on the right to free expression.

About the Tunisia Monitoring Group

The TMG is a coalition of 18 organisations set up in 2004 to monitor freedom of expression in Tunisia in the run up to and following the WSIS. They are all members of IFEX, a global network of over 80 national, regional and international organisations committed to defending the right to freedom of expression. (See below for the full list of TMG members.)

The first mission of six TMG members, took place from 14-19 January 2005 and led to the first report *Tunisia: Freedom of Expression Under Siege*, published in February 2005. The report described our initial findings and set out a series of recommendations to the Tunisian government. Subsequent missions took place in May and September 2005 and in April 2006. For mission reports, see: <http://campaigns.ifex.org/tmg/reports.html>

During the course of the first five missions, the TMG has met with over 300 individuals and over 50 organisations and institutions including members of the government and opposition, public officials, government supported organisations, independent civil society organisations, human rights defenders, journalists, publishers, librarians, private broadcasters and others.

The sixth mission of the TMG in Tunisia, which took place from 27 February until 4 March 2007, was comprised of Norwegian PEN, Index on Censorship, the World Association of Newspapers (WAN), and the International Publishers Association (IPA). A representative of the Egyptian Organization of Human Rights (EOHR) was prevented from receiving a visa on time by the Tunisian Embassy in Cairo, which also treated him rudely. This is not the first time an Egyptian member of the TMG has been prevented from visiting Tunisia – the Executive Director of the Arabic Network for Human Rights Information (ANHRI) has also been unable to attain a visa.

In the mission report, the TMG concluded that "since WSIS we have disappointingly witnessed serious deterioration in the conditions related to freedom of expression in Tunisia, particularly with respect to independent organisations, harassment of journalists and dissidents, independence of the judiciary, blocking of books and websites, and the imprisonment of the human rights lawyer Mohamed Abbou, for voicing his opinion in articles on the Internet. Cumulatively these changes lead us to conclude that the Tunisian government has sought to further stifle dissent since May 2006."

On this background the TMG urged the Tunisian government to take very seriously the recommendations made in the report and to show a real and immediate intent to remove the practices identified that violate international human rights laws and standards to which Tunisia is a signatory.

The TMG also called on the international community "to take responsibility in holding Tunisia to account for its international obligations, to insist on real commitment to change and to ensure that independent voices in Tunisia are treated with the respect and tolerance of a rights-based democracy and not the abuses that we consider more characteristic of a police state."

Recent developments

In spite of a few positive incidents - the release of Mohammed Abbou in July 2007 is one - the sum total of our observations is that Tunisian authorities are doing their utmost to stifle dissidents and to curb free expression in the country. Dissidents like Abbou or independent journalist Slim Boukhdir are routinely jailed on trumped up charges – excuses to silence them that appear to be legally unrelated to their work, so that the government can tell the international community that free expression is observed.

One prominent case in point is that of online-editor, writer and human rights defender Sihem Bensedrine, whose organisation OLPEC is an IFEX member. Bensedrine has been the target of continual harassment for many years now, both "technical" (internet surveillance, blocking of websites, etc.) and physical. In March this year, Bensedrine and her husband were harassed by border police for no obvious reasons when arriving at the Tunis port from Europe. In August she was physically prevented from leaving the Tunis airport with an Austrian Airlines flight to Vienna. She was attacked by secret police who did not identify themselves and her laptop was destroyed. Only after the TMG engaged the assistance of a representative from the Austrian embassy, was she able to board a flight to Vienna. Neither of these "incidents" have been explained or excused by the authorities.

Last week we learned that Bensedrine was again attacked by police thugs. In addition, her online magazine Kalima (kalimatunisie.com) had been hacked and all its web content destroyed. The attack on Kalima comes three months after the site was re-launched as a multimedia platform and archive. The site has been so damaged that its webmasters have been unable to update or even to access it since the morning of 8 October 2008. The site will now have to be completely rebuilt and uploaded. According to Bensedrine, "the only people who would benefit from an attack on a website that is already inaccessible to Internet users in Tunisia are the security services."

Other independent sites have been the subject of similar attacks in the past. Tunisnews, which distributes a daily newsletter via email, was targeted in a similar way in April 2008. Judge Mokhtar Yahiaoui's blog was also the object of such an attack in November 2005. A number of Tunisian and foreign websites with a political or human rights focus have also been censored in Tunisia for several years.

A time for coordinated, international action

Tunisian authorities have rejected all previous recommendations from the TMG. They have also tried to discredit our work and that of IFEX in general as one-sided and biased, partly because we, as they claim, have refused to meet with Tunisian civil society groups who do not share our views on Tunisia. This is not true ¹.

We now take this opportunity to focus the attention of the Special Rapporteur on the fact that we are merely asking Tunisian authorities to abide by their international human rights obligations, as well as to their commitments as reported in the WSIS final documents. Basic human rights, such as freedom of expression, movement and association, and the freedom to seek, receive and impart information and to create organisations without government interference, do not exist in Tunisia. These rights are respected in democratic countries where the rule of law prevails.

Sadly, this is not the case in Tunisia. The TMG has therefore concluded that it is still increasingly important that international free expression and human rights groups, as well as the international community at large - with the UN bearing a significant responsibility - still keep monitoring development in Tunisia.

The TMG has raised the situation in Tunisia with UN officials on several occasions over the past four years. We hereby urge you to do everything in your power to try to obtain an official invitation to visit Tunisia in the near future, so that you as the Special Rapporteur on Freedom of Expression can observe the situation and recommend positive changes to the Tunisian authorities.

We would particularly ask you to investigate the following:

1. Harassment of human rights groups and journalists, including physical harassment by plainclothes and uniformed police
2. The number of banned books and publications
3. The right of civil society groups to operate freely and to be registered under the law
4. Whether the right to establish media outlets is solely reserved for individuals or groups close to the government
5. The use of laws unrelated to publications and media to jail journalists and activists and thus silence dissent
6. Restrictions on Internet cafés and the ability to freely surf the Web and the practice of blocking websites for their informational or political content.

We would be happy to provide contact information for independent NGOs, journalists and others dedicated to improving the state of free expression in Tunisia. The TMG has accumulated a large amount of information on Tunisia and we would be pleased to supply any further information that is not readily available at the dedicated TMG website:
<http://campaigns.ifex.org/tmg/>

Sincerely yours,



Rohan Jayasekera
TMG Chair

Members of the IFEX-TMG:

Arabic Network for Human Rights Information (ANHRI), Egypt
ARTICLE 19, United Kingdom
Canadian Journalists for Free Expression (CJFE), Canada
Cartoonists Rights Network (CRN), United States
Egyptian Organization for Human Rights (EOHR), Egypt
Index on Censorship, United Kingdom
International Federation of Journalists (IFJ), Belgium
International Federation of Library Associations and Institutions (IFLA), Netherlands
International Press Institute (IPI), Austria
International Publishers' Association (IPA), Switzerland
Journaliste en danger (JED), Democratic Republic of Congo

Maharat Foundation, Lebanon
Media Institute of Southern Africa (MISA), Namibia
Norwegian PEN, Norway
World Association of Community Radio Broadcasters (AMARC), Canada
World Association of Newspapers (WAN), France
World Press Freedom Committee (WPFC), United States
Writers in Prison Committee of International PEN (WiPC), United Kingdom

For further information, contact IFEX-TMG Chair Rohan Jayasekera, Index on Censorship, United Kingdom, tel: +44 20 7278 2313, e-mail: rj@indexoncensorship.org, Internet: <http://campaigns.ifex.org/tmg/>

ⁱ Prior to the last mission, the chair of the TMG contacted the Tunisian embassy in Oslo, requesting meetings with Tunisian authorities in Tunisia from 27 February to 4 March 2007. The request for meetings was faxed on 15 February, more than 10 days ahead of the mission. Even though it contained the dates for the mission, an e-mail reply did not reach the TMG Chair until after he had left for Tunisia. Needless to say, with Tunisian authorities blocking Internet access, e-mail could not be accessed from the hotel in Tunis. The letter, confirming possible meeting with the Ministry of Justice and asking us to meet with the civil society groups, was only made known to TMG after a meeting with Ridha Khemakhem in the Ministry of Justice on Friday morning, 3 March (this meeting was arranged by telephone). At this point, all meetings were booked and it was not possible to arrange additional meetings, as most of the delegation members were due to leave Tunis the next day. This is the way Tunisian authorities work.