

# Reporting on Corruption in Tunisia: The Price Journalists Pay

## An IPI Report

By IPI Press Freedom Manager Anthony Mills

### **Introduction**

From 25-30 April, IPI Press Freedom Manager Anthony Mills participated in a joint press freedom mission to Tunisia, along with other representatives of the ‘Tunisia Monitoring Group (TMG)’, which brings together over twenty organisations from the International Freedom of Expression Exchange (IFEX) network.

Mission members met with a broad variety of independent journalists and human rights lawyers and activists, as well as with the British, American and EU ambassadors to Tunisia.

On 3 May, World Press Freedom Day, Tunisian President Zine El Abidine Ben Ali, in a message sent to the chairman of the National Union of Tunisian Journalists (SNJT) and the chairman of Tunisia’s Association of Newspaper Editors, hailed Tunisia’s “will to secure the principles of freedom and democracy,” according to the official Tunis Afrique Presse News Agency. He claimed that the Tunisian information sector had been allowed to “fully assume its role as part of the freedom of opinion and expression and the sense of responsibility, without any kind of instructions or supervision whatsoever.”

Unfortunately, the reality on the ground for Tunisian journalists is at painful odds with Ben Ali’s statement.

IPI Press Freedom Manager Anthony Mills said: “It became biting clear to us that there is a yawning gap between Tunisia’s noteworthy economic and social progress, and the enormous pressure under which independent journalists are forced to operate in the country. They face harassment, physical attack, and imprisonment.”

Despite the dangers and claustrophobic environment, a number of independent journalists continue to attempt to carry out their profession.

Often, they report on corruption – and the authorities react with redoubled wrath.

In fact, it was a satirical mock interview with Tunisian President Zine El Abidine Ben Ali, in which he talks about his alleged nepotism, corruption and repression of political opponents, which renowned critical journalist Taoufik Ben Brik believes earned him a six-month jail sentence on fabricated charges of assaulting a woman in a car park.

IPI's Anthony Mills, and other TMG members, met Ben Brik just two days after he was released from prison

Mission members were consistently trailed by plainclothes police.

### 'Four Months without Light in a 2.8m x 2.8m Cell'

Among the independent Tunisian journalists who have covered corruption and who met with the TMG mission was Slim Boukhdhir. He was sentenced to one year in prison, and handed a five-dinar (approx. three Euros) fine in December 2007, by the district court of Sakiet Ezzit, in Sfax, following a trial that according to human rights observers was unfair. He was convicted of "insulting behavior towards an official in the exercise of his duty" (eight months), "breach of accepted standards of good behavior," (four months) and "refusal to produce his identity papers to the police," according to the Tunisia-based Observatory for the Freedom of Press, Publishing and Creation (OLPEC).

Boukhdhir was arrested on the morning of 26 November as he made his way to a police station in the suburbs of Tunis to recover his passport – denied him since 2003. Police officials had earlier refused his request for a passport, prompting him to stage a 15-day hunger strike.

OLPEC has said it believes the trial, and withholding of a passport, were designed to punish Boukhdhir for articles on corruption published in the international press.

Speaking of his imprisonment to the TMG mission, Boukhdhir said: "The whole period I was kept in solitary confinement - four months without light in a 2.8m x 2.8m cell. In the 5<sup>th</sup> month, they provided me with a television."

After his release, the authorities did not return his ID or passport. "If you don't have your ID, you don't exist," he said. "I can't for instance use just any Internet café, because upon government instructions every visitor must present an ID and the manager of the Internet café must note customers' names and ID numbers. I use an Internet café far from my home - a 30-minute journey by car. The owner is a friend of mine, so he allows me to use the Internet. The only document I have is my bank card. Of course I am not allowed to work and my house is observed by the police all time."

Also following his release, Slim received a call from Al Arabiya.net informing him that the broadcaster no longer needed a correspondent in Tunisia. A few days later, he received another call from Al Quds Al Arabi, informing him that "it is no longer possible to work with him." Slim believes that both media outlets were pressured by the authorities to let him go. "It was no surprise that the government lifted the blockade on Al Arabiya.net days later," he told the TMG mission, adding: "The authorities in Tunis had punished Al Quds Al Arabi several times by blocking the newspaper's distribution, sometimes for up to a week. Maybe the authorities reached a settlement with them to allow distribution if they let me go."

Since his early release from prison in July 2008, Boukhdhir has been repeatedly threatened and intimidated.

On the night of 20 September 2008, after leaving an Internet cafe in the southern city of Sfax, he was arrested by four plain-clothes policemen who threatened him over his articles and then dumped him 10 km outside the city, according to press freedom observers.

On 28 October, 2009, Boukhdhir was allegedly abducted by members of the security forces – four men in civilian clothing -, driven to a park, stripped, beaten and threatened with a knife. His money, mobile phone, and ID were taken.

“They beat me for 90 minutes, before leaving me with a broken nose, injuries to my head and naked,” he said. “Of course they also took everything I had on me. I took a taxi to Naziha’s (Naziha Réjiba, editor-in-chief of Kalima and vice-president of OLPEC) house and then to the hospital.”

Boukhdhir was treated at a hospital for injuries that included a broken nose, according to HRW.

Earlier in the afternoon, Boukhdhir had been interviewed by the BBC about the re-election of Tunisian President Zine El Abidine Ben Ali to a fifth term. According to Rjiba, he also spoke about a recent campaign to intimidate journalists and the use of criminal defamation laws. He also mentioned the wife of Ben Ali.

“Criticizing Ben Ali or his family is the most dangerous thing you can do in Tunisia,” Rjiba told IPI.

After he returned home, his house was surrounded by plainclothes police, who remained there for over a week and harassed visitors who tried to visit him. A few days later the police noose around his home was tightened, effectively preventing anyone from leaving or entering.

## Satirical Mock Interview about Corruption & Repression

On 19 November, 2009, prominent journalist and government critic Taoufik Ben Brik was put on trial on charges of committing violence, damaging property, harming public morality and defamation, after he was accused of assaulting a woman in a car park.

Ben Brik had been arrested in the past and had been prevented from travelling outside of Tunisia.

Before he was arrested in November, he had published a series of articles in the French press during the presidential election campaign mocking President Ben Ali. One article, which appeared on 21 October 2009 in the French magazine *Le Nouvel Observateur*, was a satirical mock interview in which “Ben Ali” speaks about his nepotism, corruption, and repression of opponents, according to Human Rights Watch.

One of Ben Brik’s lawyers, Nejib Chebbi, believes this was the real reason for Ben Brik’s arrest.

TMG mission members visited Ben Brik two days after his release. They noticed a heavy plainclothes police presence outside his apartment.

In discussions with Ben Brik he told them: “In other countries they kill journalists. Here they kill the profession of journalists.”

He said there were almost no journalists in Tunisia able or willing to do investigative reporting.

## Assaulted in Front of His Wife and Child

Another journalist who covers corruption, and has been imprisoned and physically assaulted is Zouhair Makhlof, who contributes to the website of the Progressive Democratic Party, a legal opposition party which boycotted the presidential election in October 2009. On 1 December 2009, he was sentenced to three months in prison and fined 6,000 Tunisian dinars (approx. 3,200 Euros) after a trial described by human rights observers as unfair. He was convicted of “harming a third party by way of a public telecommunications network,” under Article 86 of the Telecommunications Law.

Before he was arrested Makhlof had created an online video report on the region of Nabeul – where the local pottery industry has allegedly caused environmental and health problems.

One of the potters interviewed by Makhlof subsequently filed a complaint alleging that he had been filmed without his consent, although witnesses said permission had been granted, and the interview lasted for more than 10 minutes, according to Human Rights Watch.

Responding to a summons, Makhlof went to a police station on 20 October, and was arrested.

To protest against his detention, Makhlof, who suffers from diabetes, started a hunger strike on 21 October. On the same day, his lawyers were prevented from seeing him at the prison. On 23 November, another lawyer was prevented from visiting him.

During Makhlof’s trial, most human rights activists and trial observers were prevented from entering the courtroom.

Defense requests for witness testimony were rejected and the judge did not look at the film of the interview. Instead, the court relied on the plaintiff’s complaint, although he was never asked to testify in court.

Just a day before the TMG mission arrived in Tunis, Zouhayr Makhlof was attacked. On 24 April, police arrived at his house and arrested him on the grounds that he had published images offensive to Tunisia on a website. When he asked to see a warrant, they allegedly assaulted him in front of his wife and children. He was then detained for three to four hours, before being released at around midnight. Human rights

observers believe that the principle reason for his arrest was the fact that he was due to meet a French human rights lawyer. When members of the TMG mission met with Makhlouf on 29 April evidence of his injuries was still clearly visible.

## ‘Systematic Control of Tunisians outside Country’

IPI, along with its other TMG mission partners, also spoke to Soufiane Chourabi, a journalist who writes for Tunisian opposition newspaper *Tariq Al-Jadid*, and *Al-Akhbar* in Lebanon. One of his main focuses is corruption, and he too has run afoul of the Tunisian authorities.

He has had books confiscated at Tunis airport three times. Most of the books confiscated, he said, had nothing to do with the internal affairs of Tunisia. One was a report by the Cairo Institute for Human Rights.

“Even when I don’t bring books they fully search my luggage,” he told us. “They confiscate books without any justification and don’t tell you why. In October, when I arrived at Tunis airport they confiscated copies of an independent Moroccan weekly, *Nichan*. They confiscated the copies I got from the editor in Jordan. The only headline which might have been linked to the confiscation was ‘The Boss of Corruption in Morocco’. The issues had carried articles about Moroccan King Mohamed VI, but the headline related to corruption did not refer to him in particular.”

Chourabi said he felt things had changed after presidential elections in October 2009.

He also spoke of being monitored by the Tunisian authorities outside Tunisia.

He said he has a Tunisian friend who works in another Arab country and at whose house he has stayed. He said she told him that she went to the Tunisian embassy there to renew her passport and was asked if she knew him, and well-known Tunisian blogger Sami Bin Gharbiyeh, who has been living in Europe for 10 years.

“There is no doubt that there is systematic control of Tunisians outside the country through Tunisian embassies and consulates,” Chourabi said.

He spoke of one Tunisian journalist who works for Al-Jazeera, lives in Qatar and has a blog on which he posts articles, including some printed by foreign newspapers. The blog is blocked in Tunisia.

Chourabi also noted that when in 2003 he went to a workshop organised by the Tunisian Council for Liberties held in Rabat, Morocco, the Tunisian participants were followed by an unidentified individual. “He followed us before we took the plane, then onto the plane, and then in Rabat.”

He said that, unlike other journalists who cover corruption in Tunisia, he had not been physically assaulted but, like many others, had been denied access to news conferences by visiting politicians and opposition leaders etc..

He is also denied access to information in other ways.

“It goes without saying,” he said, “that as a journalist you have to go to official sources but most of the time they just don’t respond. I have my sources and obtain different information about corruption at the municipal level. I know those who are on the municipal council and sometimes receive information about mismanagement and corruption, but when you ask for information from other sources you get total silence.”

He added: “When you write about corruption and you have checked all your facts, the newspaper doesn’t want to publish the story. Recently I did an investigative report on how a leading sports figure is involved in corruption and when I had finished it no Tunisian newspaper would publish it. Unfortunately websites and blogs do not have the same impact on readers. On them we can sometimes post articles on corruption but they do not have the same impact as daily and weekly newspapers.”

Chourabi said he has his own blog but it, too, is blocked in Tunisia. He has to keep changing the address of the blog – which is frustrating for regular readers. His Facebook account is also blocked.

When Tunisians attempt to access any of the scores of blogs and Facebook accounts that are blocked in their country they get the message: 404 Not Found.

Chourabi said he is able to use a proxy server to access his Facebook account but the problem is his ‘friends’ can’t.

“There is no official body to call about who is behind this censorship. You are kept in the dark.”

Chourabi has also been harassed in other ways. In November, on the day of a court hearing for Ben Brik, he was prevented by plainclothes police from entering the newspaper he works for. “They pushed me and said: today you don’t have the right to access your newspaper.”

Back in January 2007, he went to Gafsa in the south of the country to report on social protests linked to employment and corruption. On his way back to Tunis the police stopped a collective taxi he was travelling in, put him in another car, and then asked him who he had met, what he had done, and what pictures he had taken. Then he was released.

## Pressure Takes its Toll

The pressure exerted by the Tunisian authorities on journalists who attempt to cover corruption has taken its toll.

The editor-in-chief of one opposition newspaper said that his newspaper refrained from making accusations of corruption. “We seek compromise within the constraints imposed upon us,” he said, in a clear reference to self-censorship, although he claimed that his newspaper differed from others, which, in return for “financing,” have “changed their tune.”

The editor of another opposition newspaper, who is also an MP, said his newspaper *does* cover corruption and mismanagement. It is possible, he said, that he is given slightly more leeway by the authorities because his political party is legal and therefore has a right to state funding.

Nonetheless, his paper is put under significant pressure.

Tunisia's Agency for Exterior Communication controls public advertising – which it apportions only to newspapers it approves of. This translates into considerable financial difficulties for any newspapers that don't toe the line.

The editor noted that since the presidential election in October 2009, the Agency for External Communication had stopped giving his paper public advertising – he subsequently wrote an editorial alleging that this was punishment because of the newspaper's position during the election.

He said the authorities employ two broad means to prevent unfavorable news from getting out: Sometimes they employ a legal ruling banning a particular issue or issues; this was the case when his newspaper published details about a court hearing related to social protests in the south of the country, when activists were on trial. On other occasions, the authorities don't use the law; instead plainclothes police go to the stands and order them not to sell the issue.

At the best of times, in Tunisia, it is not easy for people to buy opposition newspapers – and therefore inform themselves about important topics such as corruption. Sometimes, people receive text messages warning them of the consequences of buying certain newspapers. Thus, most people who buy such newspapers are those affiliated with the papers' stands politically. The editor said they have turned to the web in an effort to disseminate information through that route, but when we spoke to him he said the website was blocked.

He said that on a number of occasions a specific issue of the paper had been banned.

Asked if, as an MP, he was able to raise the issue of corruption in Parliament, he said that he had, but such initiatives were stymied in a number of ways: Although the media is allowed to cover parliamentary debates, those outlets that are allowed in receive instructions about what kind of coverage to provide; Once a fortnight, state TV broadcasts from 9:00 am to 12:00 am questions and answers from parliament, live, but opposition members have to ask their questions after 12:00; Since state-owned media ignore questions asked by opposition MPs, political parties try to disseminate them through their affiliated newspapers or websites. The problem is that through those channels exposure is very limited. Television, on the other hand, is mass media and targets millions of people. In Tunisia most people seek their information through television.

The editor-in-chief said that the managing editor of the newspaper had been harassed. On one occasion, the authorities knew that an opposition MP was coming to the newspaper and prevented the managing editor from accessing the building.

Back in November on the day of Ben Brik's hearing, another journalist from the newspaper was prevented from accessing it.

And in early 2010, a reporter for the newspaper who went to the southwest of the country with a leading figure from the party was arrested, and had his camera confiscated. When we spoke to the editor-in-chief he said that the camera still had not been returned.

In another example of denial of access to media exposure, he said that in the run-up to recent elections he was slotted in for a TV appearance at 8:30 pm but then received a call saying he would be on at 6:00 pm, when everyone is going home from work.

## Four-Year Sentence Upheld

While in Tunisia, TMG members also attended a hearing by the appeals court in the southern town of Gafsa, in the case of journalist Fahem Boukadous, who had been charged following his coverage of labour unrest, including demonstrations against corruption, in southern Tunisia. Boukadous had been sentenced to four years in prison for "belonging to a criminal association" and "harming public order." Boukadous had been hospitalized with breathing problems the day before the hearing.

On the day this report was released, the Gafsa court upheld the sentence.

Boukadous, a journalist with the Al-Hiwar Al-Tunisi satellite television station, went into hiding in July 2008 after discovering that he was wanted by the Tunisian authorities on charges sparked by his coverage of the demonstrations in Gafsa. He was sentenced to six years in prison in December 2008.

Boukadous emerged to challenge the sentence in November 2009 on the basis that he had been tried in absentia. A court overturned the previous ruling, but said that Boukadous would again be tried on the same charges. In January of this year, the journalist was found guilty as charged and sentenced to four years in prison – upheld on 7 July.