



T U N I S I A

«You have no rights here,
but welcome to Tunisia!»



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Tunisia is engulfed in a total paradox. As revenue from textiles—the country’s main revenue resource—is on the decline, tourism is more essential to its economic development than ever before. And to keep on profiting from this massive influx of foreign visitors, Tunisia must keep up a friendly appearance. In addition to poster campaigns in the Paris Metro and the European media, the country needs to maintain a presence of foreign journalists, who can have a substantial impact on a country’s international reputation—provided that they are accommodating and cooperative—and not too inquisitive. True, Tunisia has sun, beaches and souks. What it does *not* have is human rights, freedom of expression and democratic pluralism. Therefore, these foreign journalists and all dissenting voices likely to provide them with information (dissidents, human rights activists, trade union leaders, independent journalists, etc.) are very closely watched.

All the more so during the second phase of the World Summit on the Information Society (WSIS), which will be held in Tunis from November 16 to 18, when global attention will focus on this area of the Mediterranean region. External communications are therefore an absolute priority, and any means of luring the international press will be deemed justified.

«You have no rights here, but welcome to Tunisia!» This sentence alone summarizes the paradox. It was uttered by a policeman in civilian clothes while he was blocking a Reporters without Borders’ delegation from attending a public hearing at the Tunis Court House on June 4.

Reporters Without Borders’ representatives visited Tunisia from June 2 to 6 to take stock of the state of freedom of expression in the country. The organization’s delegation, which had to conceal the true purpose of its mission in order to enter the country, was under constant surveillance by Tunisian police and intelligence services. Despite these hurdles, it managed to meet with journalists of the state-controlled press, the private press, and the opposition media, as well as with independent journalists who work for state-banned publications. The organization also interviewed human rights and trade union activists, and with an official from the Ministry of Justice.

A formidable propaganda machine

President Ben Ali wants to appear to be a progressive leader who governs the most modern country of the Maghreb. Although Tunisia has unquestionably succeeded in some areas, democratic values such as alternation of political power, respect for human rights, and the division of powers are not on the agenda. Zine el-Abidine Ben Ali has been governing the country since November 7, 1987, when former president Habib Bourguiba was removed from office. After being the sole candidate in the 1989 elections (he obtained 99.27% of the vote) and in 1995 (99.91%), he held the first multi-party presidential election in the country’s history in 1999, which he won by a landslide, with 99.44% of the ballots. In 2004, he was reelected, with 94.48% of registered votes. Two years earlier, in May 2002, he had amended the Constitution in order to eliminate the limit of three successive presidential terms, which he himself had set. He can now run for office until 2011, at which time he will have reached the age limit imposed by Tunisia’s Constitution.

A personality cult has spread throughout Tunisia. Presidential portraits dot the main thoroughfares of the major cities, and every restaurant, bar or hotel—right down to the smallest shop—displays his official effigy, which is usually hung in a very conspicuous spot near the store’s front door. Giant posters (several yards high) featuring the head of state are on display in strategic points throughout Tunis (in the vicinity of the airport, in front of the offices of state-owned airline Tunis Air, in front of the National Tobacco and Matches Agency (RNTA), etc.).

To control the country’s image abroad, the Tunisian government relies on the efforts of the Tunisian Agency for External Communication (ATCE). This state-owned organization, founded in 1990, comes under the authority of the Prime Minister. It is the latter’s responsibility to welcome foreign journalists who travel to Tun-



The daily *Le Quotidien* on Friday, June 3 2005, one of the seven newspapers to have published, that day, the same official photo on their frontpage



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sia. He is also the one who answers journalists' questions and conducts the numerous press and poster campaigns in France and other nations around the world acclaiming the country's merits. The ATCE also makes all decisions concerning the allocation of institutional advertising.

«Today, it is impossible to bypass the ATCE. We must go through the agency to obtain any official information. Even if our request for information concerns scientific, social or cultural matters, etc. It is an imposing censorship device,» one international press correspondent—under condition of anonymity—explained to Reporters Without Borders.

President Ben Ali makes the headlines

The Tunisian media landscape is dramatically depleted. As for the print media, aside from the French-language daily *La Presse* and its Arabic-language counterpart *Essahafa*—which primarily depend upon state funding—there are a dozen pro-government dailies and weeklies. Even if some claim to be independent newspapers, their editorial line is clearly to support President Ben Ali at whatever cost. Every day, the head of state's activities, regardless of what they may be, make the headlines, and editorial writers display boundless imagination in singing the praises of Tunisia's president. For example, on Friday, June 3, while Zine el-Abidine Ben Ali was visiting Malta, seven out of eight dailies published the same official photo of the head of state's visit on their front pages.

On that day, the headlines and catch lines in *La Presse* and *Renouveau* (the daily of the Democratic Constitutional Rally (*Rassemblement constitutionnel démocratique*, or RCD—the party in power) were the same, word for word: «Working toward a special partnership,» «A meeting of the minds between the two countries on all regional and international issues,» «Maltese president congratulates the Tunisian head of state on what he has done for the prosperity of Tunisia and its people,» etc. These ready-made phrases churned out by the presidential office's press services or by the official Tunis Afrique Presse (TAP), were reprinted verbatim in the country's national press.

Two opposition publications—the monthly *Attariq aljadid* and the weekly *Al-Maoukif*—owned by two political parties recognized by the authorities, are also sold in the country. They have demonstrated an independent point of view (especially *Al-Maoukif*) that is surprising

and exceptional among a particularly monotonous press. But their limited circulation (less than 3,000 and 5,000 copies, respectively) and relative scarcity in newsstands, reduce their impact, compared with the 55,000 copies circulated daily by *La Presse*, for example.

«The government would like to shut us down because we are constantly pushing the envelope. At the same time, they use us as examples when they want to discuss information pluralism in the country. And he is also well aware that initiating any legal action against us would harm his reputation abroad,» calculated Rashid Kashana, *Al-Maoukif*'s editor-in-chief.

Censorship by receipt

Tunisia has ratified all major international treaties whose purpose is to protect human rights: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the African Charter on Human and Peoples' Rights, and even the Tourism Code of Ethics, which guarantees the respect of human rights and fundamental freedoms.

But it is evident that in Tunisia, as in other repressive nations, these signatures and ratifications are merely illusions. The government continues to violate its own commitments, and the facts systematically contradict the declarations made by the head of state.

Tunisia is «a country in which freedom of the press is becoming more firmly entrenched with each passing day, in which freedom of expression is evident in all of its noblest forms and in the heart of which journalists occupy the position they deserve, so that they may carry on their work with the support of the free media associated with a democracy and founded upon objectivity, service to the country and our people's hope for a better future. (...) We will strive to continuously strengthen freedom of the press.»

Speech made by President Ben Ali on May 3, 2005, on the occasion of World Press Freedom Day.

Officially, anyone is free to create a publication in Tunisia. No prior authorization exists, and all that is needed is to file a simple declaration with the Ministry of the Interior. However, in practice, the reality is totally different. Article 13 of the Tunisian Press Code says: «Prior to



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publishing any periodical, a notification written on official paper stamped and signed by the director of the periodical must be deposited at the Ministry of the Interior, for which a receipt will be given.»

The last phrase is the vital one: «... for which a receipt will be given.» Indeed, this receipt is indispensable in order for the individual to be able to print his(her) publication. Article 14 of the Press Code stipulates that «the printer shall require the receipt delivered by the Ministry of the Interior, which must have been issued within the previous year.»

Reporters Without Borders met several journalists who had filed notification forms to create a publication and who were never issued a receipt. Such was the case for Sihem Bense-drine, for example, who has tried three times since 1999 to register and publish the magazine *Kalima*. In view of the administration's refusal to issue a receipt, she had no other choice than to publish her magazine on the Internet.

Mohammed Talbi, a former university dean highly critical of the government, has been waiting for a receipt to create his newspaper since ... 1989. «They know very well what I would write, so they will never give me a receipt,» he said. «I have never witnessed a more difficult period. Even under Bourguiba, there was a semblance of an opposition press. We could not criticize Bourguiba, but we could at least say a few things. Since 1989, the situation has been getting worse.»

Other journalists have tried, in vain, to create magazines specializing in culture, architecture, or the latest technologies. A Tunisian journalist who was promised anonymity confided to Reporters Without Borders that without the direct political support of the presidential office, it is now impossible to create a newspaper. «I had some key political connections myself when I decided to found my own magazine, but that was not enough.»

All the same, *Kalima* is still circulating on the Internet and its owner expects that it will soon reappear in printed form. «We are exercising our right, not asking for it,» summarized Om Zied, editor-in-chief of the magazine's Arabic-language section. «We have support from readers—even from some government officials.»

Abolition of the procedure of legal submission: a first (inadequate) step

«To ensure better working conditions for the media and reinforce their transparency, we order today that the procedure of legal submission be abolished, along with the associated sanctions concerning the press.»

Speech made by President Ben Ali on May 27, 2005, on the occasion of National Culture Day.

The abolishment of this legal submission procedure will enable the two opposition newspapers—*Attariq aljadid* and *Al-Maoukif*—to reach points of sale faster. The legal submission process was constraining for these two papers, as it required the printer, once all of the copies had been run off, to wait for the Ministry of the Interior's approval before they could be forwarded to the distributor. Both newspapers claimed that there were frequent delays of several hours, or even a day, before the copies reached newsstands.

But this piece of good news was tempered by one of the main parties concerned. «For our part, we are not in favor of abolishing the legal procedure for submission of press publications. This measure helps to conserve copies of Tunisian newspapers. All we wanted was for this procedure not to be used anymore as a means of censorship—a way to control the content of the newspaper,» explained Hichem Skik, editor-in-chief of the monthly *Attariq aljadid*.

Furthermore, the procedure used to put an end to the legal submission of publications reveals a great deal about the country's power structure. As soon as the president publicly announced this measure, it was instantly enforced. During its stay, Reporters Without Borders was able to confirm that this was already the case. There was no need for parliamentary approval. The mere declaration by the president sufficed to give it the weight of law. «The president said so.



The frontpage of the daily *La Presse* on Friday, June 3 2005



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For us, that is enough. We do not have to wait for it to be published in the official journal,» a Tunisian printer explained to the newspaper's director in Reporters Without Borders' presence.

The mirage of privately owned audiovisual media

«Today we announce our decision to open up the audiovisual sector to the private radio and television stations, so that they, along with the government agencies, may contribute to the enrichment of the national media landscape.»

Speech made by the president on November 7, 2003, commemorating the 16th anniversary of the date on which he assumed power.

Once again, President Ben Ali's statements were deceptive. Tunisia's audiovisual media is still totally under government control. The state-owned radio (which operates several stations in the country) and state-owned television stations (*Canal 7* and *Canal 21*) are under the government's thumb and do nothing but broadcast official propaganda. One need only watch the eight o'clock nightly newscast on *Canal 7* (a name given to the station to commemorate November 7, 1987—the date when President Ben Ali assumed power) to understand. The head of state is omnipresent. Most of the news is about him. Viewers do not hear a single criticism, or one word from political opponents or the civil society. During its mission, Reporters Without Borders observed that the Tunisian head of state's visit to Malta was the subject of several hours of broadcasts following the nightly news program.

The only privately owned television station is *Hanibal TV*, launched on February 13, 2005, which does not transmit any news. The broadcast schedule consists mainly of entertainment, comedy series, and cooking programs.

As for radio stations, *Mosaïque FM* first started broadcasting in the Tunis area on November 7, 2003. This radio station, which defines itself as a «generalist with a musical vocation,» broadcasts brief news bulletins on a daily basis. Often accused of having close ties with the authorities, the station's director, Nouredine Boutar, defended herself by saying: «I do have good relations with government officials, that is true. But it does not prevent the station from covering subjects never before discussed in Tunisia, such as AIDS, unemployment, and sexuality.»

«People call in and speak freely about whatever they wish,» one of the radio hosts confirmed to Reporters Without Borders. On the other hand, when asked whether some of them ever talk about politics and criticize the actions of the head of state, the answer was a resounding 'Oh, no! That is impossible.'»

The agreement between the Tunisian government and *Mosaïque FM* is particularly restrictive. The station's «top executive» and news director are appointed subject to government approval. As for the news, the station agrees to broadcast newflashes that do not exceed five minutes per hour and «do not include editorials or commentary.» Similarly, this agreement prohibits the transmission of «news of a nature to disrupt the public order or harm the country's international reputation.» Nor is *Mosaïque FM* entitled to «rebroadcast live programs of other radio or television stations without the government's prior approval,» at the risk of being suspended «without notice,» or having its license agreement terminated. Finally, Article 10 of the agreement obliges the radio to «broadcast the statements and speeches of the President of the Republic without interruption, exactly as they are broadcast by the state-owned stations.»

In this context, it is impossible to speak of an independent radio station. «I know that it is not enough,» confided *Mosaïque FM's* director. I hope that other radio stations will come join us and speak freely on politics and other subjects.»

The creation of a second station, *Radio Jawhra*, has been announced for the end of the year in the Sousse region, but its program schedule is not yet known.

Several applications for a license to create a radio or television station have been filed, but



The frontpage of the daily Assabah on Friday, June 3 2005



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have been rejected. One of them was from Rashid Kashana, of the opposition weekly *Al-Maoukif*, who applied on March 14, 2004 for permission to create a radio station and a television station. So far, he has received no reply.

Journalist Zied El Héni was among the first to file an application. He has been trying to launch his station, *Radio Carthage*, since 1996. He brought the matter before the courts several times in hopes of obtaining a decision in his favor. On his fourth attempt, in November 2004, he learned that the Ministry of Telecommunications had replied to the administrative court handling the journalist's case that a new law had indeed been enacted in 1990 authorizing the creation of privately owned radio stations, but that there was also a 1957 decree stipulating that the government must maintain a total monopoly over the audiovisual sector. «The fact that *Mosaïque FM* was granted a license does not mean that all applications will be treated the same way,» the Chief of Staff of the Ministry of Telecommunications concluded in his correspondence.

One-and-one-half year jail term for defamation

«Since November 7, 1987 [the date when Zine el-Abidine Ben Ali assumed power], no journalist has been detained because of his or her journalistic activities»

source: www.tunisie.com, the official website for information about Tunisia.

A few examples will suffice to belie the statements of this website—one of the Tunisian government's vehicles for propagating disinformation:

- On October 8, 2003, Abdallah Zouari, a journalist with the weekly *Al-Fajr*, was given a 13-month jail term for «defamation»;
- On July 10, 2002, Zouhair Yahyaoui, host of the news website *Tunezine*, was sentenced to one year in prison for «spreading false news»;
- During the summer of 2001, Sihem Bense-drine, editor-in-chief of the e-zine *Kalima*, was arrested and held for one-and-one-half months for «defamation»;
- On October 9, 1995, Mohammed Kilani, editor-in-chief of the weekly *Al Badil*, was given a 5-year prison term for «defaming a politician»;
- On January 30, 1991, Omar Shabou, director of the weekly *Le Maghreb*, was given a 15-month jail sentence for «defamation» and «spreading false news»;
- On March 3, 1990, Nejib Azouz, director of

the weekly *Les Annonces*, was sentenced to two month in prison for «defamation.»

As of today, Hamadi Jebali, publisher of the weekly *Al-Fajr*, is the only journalist behind bars in Tunisia. He has been incarcerated since 1991 for «defamation» and «membership in an illegal organization.» He will finish serving his sentence in 2008.

History cannot be rewritten. The Tunisian government and the ATCE attempt to conceal these facts, or distort them by means of public statements, official press releases and interviews. According to one of the often-used official versions, these journalists are not really journalists, but rather political opponents who are attempting to destabilize the country—or even Islamists threatening to destroy it.

In January 2000, the United Nations' Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression urged «all States to immediately ensure that press offenses shall no longer be punishable by prison terms, except for such offenses as racist or discriminatory remarks, or inciting to violence. For violations such as «defamatory writings,» «insults» or «dishonoring the head of state,» or the publication of «false» or «alarmist» information, prison terms are both reprehensible and disproportionate to the harm suffered by the victim. In any case, «imprisonment as punishment for the peaceful expression of an opinion constitutes a serious violation of human rights.»

Of course, Tunisia is a member-state of the United Nations. However, that does not prevent it from maintaining, in its Press Code, sentences of from one to three years in prison for acts of defamation committed against constitutional bodies, the administration, members of the government or deputies, and of six months for acts of defamation against individuals. And any offense committed against the President of



The frontpage of the daily *Al-Chourouk* on Friday, June 3 2005



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the Republic is punishable, under Article 48 of the Press Code, by a prison term of up to five years.

Mohamed Habib Cherif, Human Rights Coordinator at the Tunisian Ministry of Justice, explained to Reporters Without Borders that «Tunisian judges merely enforce the law. Perhaps the law should be changed, but we are making progress, and that is what counts. The same thing applies to the Abbou case.»

Mohammed Abbou, a 39-year-old lawyer, was sentenced on April 28, 2005 to a prison term of one-and-a-half years for «publishing false news.» In August 2004, he had posted on the Internet website *Tunisnews* an article in which he compared tortures inflicted upon political prisoners in Tunisia to the abuses committed by American soldiers at the Abu Ghraib prison complex in Iraq. However, according to numerous observers present at the trial, his sentence may actually be due to another article published on the Internet a few days prior to this arrest, on March 1, in which he criticized President Ben Ali's invitation to Israeli Prime Minister Ariel Sharon to attend the United Nations World Summit on the Information Society in Tunisia in November 2005. «In this article, he discussed President Ben Ali's family, and that is simply out of the question,» explained Semia Abbou, the lawyer's wife, who met with Reporters Without Borders' team during its mission.

Mohammed Abbou also received a two-year prison sentence in yet another case. He is also accused of having physically assaulted a colleague. All human rights organizations, as well as Mohammed Abbou and his family, categorically deny this charge and claim that it was fabricated by the authorities in order to give him a harsher sentence and publicly humiliate him.

«I visit him once a week, but the visits do not go well. There are always guards around, listening to us. Once, I went to the prison with my children. They wanted to kiss their father,

so I asked the guards to allow this, but they refused. The children did not understand and were very upset by this situation,» Mrs. Abbou confided.

At a sham trial on June 10, 2005, the appeals court upheld the two verdicts. The diplomats, journalists and general public were ordered out of the room. Only the defense lawyers were permitted to attend the hearing, which lasted all of about two minutes. The presiding judge refused to reconsider the substance of the hearings, and upheld the sentences by blatantly flouting the basic rights of the defense.

Information boundaries

«Since November 7, 1987, not one newspaper or magazine has been suspended.»
source: www.tunisie.com

False—yet again. Censorship is still very much alive in Tunisia. It is not a concern for the national press, which is government-controlled, but for the foreign press, which has fewer restrictions and is therefore considered more dangerous. Countless French, European, and Arabic publications are banned from entering Tunisia. The French dailies *Libération* and *Le Monde* are regularly blocked at the border or circulated after a delay of several days. The Arabic-language newspaper based in London, *Al Quds al-Arabi*, reports having serious problems. «They are decimating our newspaper's circulation. They hold back several copies at the airport and later circulate them all at one time. We have sent several letters complaining about it, but never get a reply,» one of the daily's editors-in-chief pointed out to Reporters Without Borders. Another Arabic-language daily, *Al Hayat*, has simply chosen to stop circulating any copies in Tunisia because there were just too many difficulties to overcome.

The Tunisian Press Code is very explicit on the subject. Article 25 stipulates that «the publication, introduction and circulation in Tunisia of foreign works, whether or not they are periodicals, may be prohibited by decision of the Ministry of the Interior, on advice of the Secretary of State for Information, who is responsible for the Prime Minister.» The Minister of the Interior is therefore solely competent to make this decision. He is not required to provide any explanation and the judiciary is excluded from the process.

Very recently, it was the turn of French magazine *Jeune Afrique - L'Intelligent* to fall victim to



The frontpage of the daily *Le Renouveau* on Friday, June 3 2005



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such censorship. Issue number 2315 of May 22 to 28, 2005, was not distributed in Tunisia due to the publication of an article entitled «Lawyers: Tension Mounts.» This report notably dealt with the arrest of lawyer Mohammed Abbou, and relayed calls for a «strengthening of democracy» by human rights organizations not officially recognized by the authorities. However, the next issue—which included a right of reply from the Tunisian Embassy in France—was properly circulated throughout the country.

Broadband's broad offense

«Tunisia is thoroughly convinced of this sector's crucial importance [Ed. note: Internet and the information society] in the promotion of a balanced and equitable human development, and the materialization of all of humanity's hopes for liberty, justice and dignity.»

Speech made by the Tunisian president on December 10, 2003, on the occasion of the official opening of the first phase of the WSIS in Geneva.

«It is against the law to connect to banned websites»: this order, posted in most of Tunisia's Internet cafes, sets the tone.

The Internet, whose merits the Tunisian government incessantly praises in its European press campaigns (the latest one in France, in the June 5 to 11, 2005 issue of the magazine *Jeune Afrique - L'Intelligent*, in a report entitled «A Journey through Cyber-Tunisia: a Success Story,» is severely censored in the country.

The websites of human rights organizations and political parties not officially recognized by the authorities are inaccessible. It is impossible to connect to the few on-line news websites or e-zines (*Kalima*, *Réveil tunisien*, *Alternatives citoyennes*, *Tunisnews*, etc.), or the Reporters Without Borders' website.

Tunisians who are familiar with the latest technological innovations resort to proxies to circumvent this censorship. Using e-mail distribution lists and electronic exchange of information are also common ways of avoiding censorship.

The authorities justify their actions by claiming that it would be illogical to allow organizations that are banned in the country to host Internet websites. As for the inaccessibility of Reporters Without Borders' website, one Tunisian official had previously maintained in *Jeune Afrique - L'Intelligent* that it must be a «personal matter.» The websites of the other human rights organizations are, in fact, more accessible. During

the mission, Reporters Without Borders' representatives had no difficulty in connecting to the websites of Amnesty International, the International Federation of Human Rights, or Human Rights Watch. Several individuals, however, pointed out that it «depends on what day it is.» Some websites are thought to be momentarily disconnected from the World Wide Web during heavy crackdown periods or depending upon the website's content.

Even access to «publinets» (public Internet access points) is sometimes restricted. For example, Abdallah Zouari, former journalist with the publication *Al-Fajr*—who was jailed for 11 years between 1991 and 2002 and is now under administrative control in Zarzis (in southern Tunisia, over 370 miles from his home)—is not permitted to surf the Internet. His personal access was blocked and he was tossed out of publinets on several occasions. Each time, the managers of these access points would tell him that they were obeying «orders.»

In addition, several people have been arrested for surfing the Internet. The «Zarzis Internet users,» a group of five young people and a religious education professor, were accused of terrorism and given 13-year prison sentences, mainly for having viewed banned Internet websites. Many Tunisian and foreign observers feel that this case and others of the same kind are being used by the government as a pretext to demonstrate its good will and effectiveness in the fight against terrorism. «These young people from Zarzis had absolutely no knowledge of each other before this case, and never planned to initiate any attacks,» their families unanimously claimed during their meeting in Zarzis with Reporters Without Borders.

In addition, the latter objected to being far away from their loved ones, who are being held in the Tunis area, over 370 miles from their homes. Some of the families can only afford to visit their child once a month. One of the fathers has only seen his son once since his arrest in February 2003.





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Keeping activists in the dark

«Freedom of assembly and association are guaranteed (...) The right of unionization is guaranteed.»

Article 8 of Tunisia's Constitution.

Nonetheless, at least four freedom of expression organizations (the International Association for the Support of Political Prisoners (Association internationale pour le soutien des prisonniers politiques - AISPP); the National Council for Civil Liberties in Tunisia (Conseil National pour les Libertés en Tunisie - CNLT); the League of Free Writers (Ligue des écrivains libres - LEL); and the Observatory for the Defence of Freedom of the Press, Publishing and Creation (Observatoire pour la liberté de la presse, de l'édition, et de la création - OLPEC), are not officially recognized by the Tunisian government.

These organisms are fighting to subsist, working semi-clandestinely under very difficult conditions. Their leaders are accused of planning to destabilize the country and are subjected to overt harassment. Some of them are also being attacked in the official or pro-government press.

Last May, *Al-Chourouk*, a privately owned pro-government daily, waged a violent smear campaign against Sihem Bensedrine, a journalist who is also a CNLT spokesperson. In an article entitled «When the Viper Reappears, We Will Crush Her under Our Feet,» she was accused—in particularly violent and obscene terms—in selling herself to «foreigners in general and Zionists in particular.» Another newspaper, *Al-Hadith*, called her a «diabolic creation» and an «out-of-control maniac» who corrupts young boys. Sihem Bensedrine's lawyers maintain that some of these statements constitute an incitement to murder.

On May 27, without the slightest hesitation, the President of the Republic displayed a rare

degree of cynicism by awarding Abdelhami Rihai—one of the authors of these articles—with the National Order of Cultural Merit.

«Sihem Bensedrine is a fascist. Mohammed Talbi [president of OLPEC] is a fundamentalist. Mohammed Abbou [founding member of the AISPP] is a fundamentalist,» fumed Mouldi M'barek, a journalist with *La Presse*, the state's French-language daily, during a meeting with Reporters Without Borders.

The non-stop confrontation between some government or pro-government journalists and the heads of these organizations is not helping to calm things down. Hatred of this sort has rarely been witnessed between media leaders and human rights activists.

When Mohammed Talbi decided to create the Observatory for the Defence of Freedom of the Press, Publishing and Creation (OLPEC), the administration told him that the purpose of the organization—namely to defend freedom of expression—was groundless and pointless in Tunisia.

The Tunisian Journalists' Syndicate (SJT) was created on May 27, 2004. This independent syndicate is a member of the International Federation of Journalists, but is not recognized by local Tunisian authorities. Close to 160 journalists have already joined, according to Mahmoud Dhaouadi, its General Secretary. In addition, as the associate editor-in-chief of the state daily *Essahafa*, the latter was, in his own words, «put in mothballs.» He no longer has any editorial duties, but works only on the daily's layout, despite his title of associate editor-in-chief. «Several other journalists who joined the Syndicate have also been pressured,» he confirmed. «Along with the other syndicate leaders, we were summoned to the Ministry of the Interior and forbidden to carry on any activity or write any press releases. However, Tunisian law is clear on this subject. Article 242 of the Labor Code explains that anyone can form a syndicate and that it does not require approval of any kind,» the journalist added.

On the occasion of World Press Freedom Day, on May 3, the Syndicate published a highly critical report on the state of press freedom in Tunisia. Its president, Lotfi Hajji, was quickly summoned by the police. A judicial inquiry was opened, accusing him of «spreading false news.»



The frontpage of the daily *Alhorria* on Friday, June 3 2005



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One last chance

The statements made by the President of the Republic are nothing but a way to dazzle an international community that is increasingly focusing on Tunisia, as it will host the second phase of the World Summit on the Information Society (WSIS) in November 2005. And recent statements issued by the US State Department congratulating the Tunisian head of state for improvements made in this area prove that this tactic is working.

In reality, however, the situation is far different. Freedom of the press is a long way from being guaranteed in Tunisia. Information pluralism does not exist, and any cyberdissidents will still be behind bars when the WSIS opens in Tunis. This is an unprecedented and inexcusable situation.

The so-called liberalization of the audiovisual media is a falsehood. As long as no genuinely free and independent television and radio stations are allowed to broadcast news programs without being bound to the government by an abnormally restrictive agreement, it is unreasonable to speak of any progress being made in this area.

Similarly, there will be no reason to celebrate information pluralism in Tunisia until the legal submission procedure—now subject to the whim of the authorities who issue the indispensable receipt to publications on a «drop-by-drop» basis—has been eliminated. The abrogation of the legal submission procedure, abusively implemented by the authorities to make the public believe that censorship has been abolished, is an inadequate measure.

Reporters Without Borders also objects to the conduct of the United Nations. Their decision to allow a country that imprisons people for using the Internet, and that blocks news websites from organizing a world summit on this issue, is beyond comprehension. The duty of the United Nations' leaders—above all its Secretary General—is to publicly condemn Tunisia for its repeated violations of freedom of expression and its abusive censorship of the Internet.

There is still one last chance to rectify this situation. If the Secretary General of the United Nations and the Secretary General of the International Telecommunication Union (ITU)—the organizer of the Summit—were to unanimously condemn President Ben Ali's government, some positive measures would likely be taken prior to the Summit.

Reporters Without Borders therefore recommends:

• **that the Tunisian authorities:**

- compel the administration to instantly and automatically issue a receipt to any persons who submit an application to create a publication;
- terminate the administrative control of Abdallah Zouari and release Hamadi Jebali, both journalists with *Al-Fajr*;
- stop censoring the Internet, and, in particular, allow totally free access to the World Wide Web;
- retry the Zarzis Internet users in a fair and transparent manner;
- release lawyer Mohammed Abbou.

• **that the United Nations and the International Telecommunication Union (ITU), the body responsible for organizing the WSIS:**

- order the Tunisian government to release Mohammed Abbou and put an end to its censorship of the Internet before the opening date of the Summit;
- invite all officially unrecognized human rights organizations to officially and publicly present their points of view during the Summit;
- remind Tunisia—as the host country of the second phase of the Summit, that it must set an example and scrupulously adhere to the Declaration of Principles signed by all participants in the WSIS, which notably reasserts the right of every individual to «hold opinions without interference» and to «participate in the Information Society.»

• **that the NGOs who will participate in the WSIS this November:**

- to consider freedom of expression and Internet censorship in Tunisia as the core issue for discussion throughout the Summit's proceedings;
- take part in any parallel demonstrations and counter-summits that may be scheduled on the fringe of the WSIS;
- constantly remind the Tunisian government of its commitments and promises in this area during the run-up to the Summit.