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Tunisia: Amnesty International calls for greater respect for human rights as President Ben Ali is re-elected

Following President Ben Ali's re-election for a fourth term in office by 94.49 per cent of the votes, according to provisional official figures, Amnesty International calls on the Tunisian President to respect the country's obligations under Tunisian law and international human rights standards and put an end to the human rights violations that have prevailed the country for more than a decade.

Since the early 1990s, freedom of expression, association and assembly has been markedly restricted in Tunisia. Independent human rights organizations have been denied legal registration or hampered in their activities. Freedom of the press is virtually non-existent and the government has repeatedly blocked access to several internet website.

Amnesty International is concerned about recent reports of attacks on political opponents and known critics of the government in an apparent attempt to intimidate them and obstruct their political activities. Jallel Zoughlami, founder of the unauthorized monthly newspaper *Qaws al-Karama* (the Arch of Dignity) and his brother Nejib have been detained since 22 September and charged on three criminal counts. Their arrest happened after they were reportedly attacked in the centre of Tunis by several men who were apparently able to leave without being arrested by the police. Amnesty International fears that the fight might have been deliberately provoked by the police in order to punish Jallel Zoughlami, who is a known critic of Ben Ali's government.

Political opponents are also often restricted in their freedom of movement. On 13 October, Moncef Marzouki, leader of the unauthorized political party *Congrès pour la République* (CPR) - Republican Congress - was stopped and interrogated for three hours at Tunis airport when he was on his way to Paris to participate in a conference of the Tunisian opposition. He was allowed to travel but was reportedly charged with participation in unauthorized meeting, running a non-recognized political party and attacks on the morals of the nation.

In addition, on 11 October Hamma Hammami, leader of the unauthorized *Parti Communiste des Ouvriers Tunisiens* (PCOT) - Tunisian Workers' Communist Party - was assaulted in public by plain-cloths men believed to be police officers. He had his shirt torn, his glasses broken and was subjected to abusive language.

Such clampdowns are happening in a climate of disregard for the law and international human rights standards by the Tunisian authorities. For years Amnesty International has expressed concerns over systematic violations of human rights, including the right to freedom of expression, association and assembly, attacks on human rights defenders, torture and ill-treatment in detention, unfair trials in political

cases, discrimination and arbitrary measures in prison and harassment of released political prisoners and their families.

Background

According to widely disputed official figures more than 99 per cent of voters approved constitutional changes in a referendum in May 2002. The new Constitution lifted restrictions on the terms for the presidency that were initially introduced by Ben Ali shortly after his arrival to power in 1987, ostensibly to enhance democratic freedoms and to abolish life presidency. Furthermore, amendments to the electoral code in 2003 ban the use of privately owned or foreign television channels and radio stations to call on electors to vote for, or abstain from voting for, a candidate or list of candidates, which disadvantages opposition candidates. Anyone violating the code would face a fine of 25,000 Tunisian dinars (approx. US\$20,800).

Amnesty International has raised concerns that an "anti-terrorism" law introduced in December 2003 may be used to criminalize peaceful political activities. The law contains a very broad definition of "terrorism", raising fears that it may lead to unfair imprisonment. The law also allows for the extension for an undefined period of pre-trial detention, and lacks safeguards in relation to people facing extradition to countries where they could face serious human rights violations. Existing provisions of Tunisian legislation on "terrorism", especially Article 123 of the Military Justice Code and Article 52 of the Penal Code, have been used to criminalize peaceful opposition activities.