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Tunisia: Trial of lawyer raises concerns over freedom of expression

Amnesty International is calling for the immediate and unconditional release of Tunisian lawyer and human rights defender Mohammed Abbou, on the eve of a court hearing on Thursday, 28 April.

Mohammed Abbou, a lawyer and member of the National Council for Liberties in Tunisia (Conseil National pour les Libertés en Tunisie, CNLT), is standing trial in connection to two articles published on the internet in which he criticized the Tunisian government. If convicted, he risks a sentence of up to 15 years' imprisonment.

"Mohammed Abbou is being tried solely for the peaceful exercise of his right to freedom of expression and should be released immediately and unconditionally," Amnesty International said. "His detention and trial are a worrying reminder that those who criticize the government continue to be at risk of imprisonment."

Mohammed Abbou has been detained since 1 March 2005 in connection to an article in which he denounced torture in Tunisia following the interest generated by images of torture practised on Iraqi prisoners in Abou Ghraib. The article was published on an internet website on 26 August 2004. It is also believed that his arrest may be connected to a more recent article in which he criticized a government invitation to Israeli Prime Minister Ariel Sharon to attend the United Nations World Summit on the Information Society, which is due to take place in Tunisia in November 2005.

In recent weeks, scores of lawyers have staged a sit-in at the House of the Lawyer opposite the Court House in Tunis to call for the release of their colleague and more respect and independence for their profession. Following large-scale protests among Tunisian lawyers against the arrest and detention of Mohammed Abbou, he was transferred to a prison in El-Kef, some 200 kilometres from Tunis where he was previously detained and where his family live. His lawyers have reportedly been denied permission to visit him in prison on several occasions.

"It is high time the Tunisian authorities took concrete steps to lift restrictions on freedom of expression. As an immediate step, the government should repeal all legislation which stipulates prison sentences for the peaceful exercise of the right to freedom of expression, in violation of international standards," said Amnesty International.

The organization also renews its call on the authorities to end police surveillance of human rights defenders and their relatives that is manifestly conducted as a form of intimidation. Among other things, the

Tunisian government must lift the numerous restrictions on freedom of expression in all media, including the internet, and allow independent human rights organizations to function legally and freely.

Background:

Human rights defenders and civil society activists continue to operate without protection by the government, or guarantees that they can carry out their activities without interference or fear of persecution. By contrast, those who exercise their right to freedom of expression often face harassment by the authorities and risk being charged with criminal offences. The lack of progress towards guaranteeing freedom of expression is a cause for concern, especially in light of the fact that in November Tunisia is due to host the World Summit on Information Society (WSIS), an inter-governmental and civil society meeting organized by the United Nations. The summit seeks to promote respect for human rights and freedom of expression as fundamental elements to the building of an information society where access to information, ideas and knowledge across the globe is guaranteed without restrictions.

Requests to visit Tunisia by the United Nations Special Representative of the Secretary-General on human rights defenders, Hina Jilani, have remained unanswered since she criticized the lack of protection of human rights defenders in a report in February 2002, based on a previous visit. At the time she had expressed serious concern about the situation of human rights defenders. These conditions have not witnessed any notable improvement in recent years. In March 2005, Hina Jilani was invited to participate in a seminar on mechanisms for the protection of human rights defenders organized by a group of local and international NGOs. The Tunisian authorities reportedly delayed to grant her a visa, thus preventing her from attending the seminar.

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