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Human rights activist facing trial for denouncing pollution in Tunisia

Amnesty International is calling for the immediate and unconditional release of human rights activist Zouheir Makhoulf, who was denied bail when he appeared in court yesterday. The organization considers him a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression and for his peaceful opposition to the Tunisian government.

Zouheir Makhoulf, who was arrested in 20 October 2009, made a first court appearance on Tuesday before the Court of First Instance at Grombalia, 37km south of Tunis. He was charged under Article 86 of the Tunisian Telecommunication Code with “harming or disturbing others via the public telecommunications networks” and could face up to two years in prison and a fine of up to 1000 Tunisian Dinars (around 520 Euros) if he is convicted. He was refused bail and remanded in custody until the next court hearing 24 November. He is currently held at Mornaguia Prison near Tunis.

His arrest and prosecution follows his publication of a video about pollution, lack of infrastructure and basic services in the industrial zone of the city of Nabeul, some 60 km southeast of Tunis. The video was published on *Facebook* in early October 2009 and Zouheir Makhoulf is believed to have been planning also to write a report on the pollution for publication in the opposition newspaper *al-Mawkif*. The video was filmed as part of Zouheir Makhoulf’s campaign for election to the Tunisian parliament on behalf of the opposition Progressive Democratic Party, though the party subsequently decided not to contest the elections, held on 25 October.

Following the video’s publication, one of the Nabeul’s industrial workers who appeared in the video and was shown criticizing pollution and unsatisfactory working conditions filed a complaint. He alleged that Zouheir Makhoulf had not obtained his permission to show him in the film, but it appears that he made this claim after Tunisian security officials put him under pressure to do so. Another individual who was reportedly willing to confirm that Zouheir Makhoulf did obtain the worker’s permission to include him in the video is also said to have changed his mind and to have agreed to become a prosecution witness after he was threatened by security officials.

At yesterday’s court hearing, Zouheir Makhoulf is reported to have appeared in a weakened state and to have been unable readily to speak or stand. He is diabetic and is said by his lawyer to have been on hunger strike for over 10 days in protest at his arrest and detention. He is a former political prisoner who writes for *Assabil Online*, a Tunisian news website. He is a member of Amnesty International Tunisia and the human rights organization, Liberty and Equity (Liberté et Équité),

The hearing took place amid a heavy presence of security officials, some in uniforms and others in plain clothes, who were deployed within and outside the court. They physically barred journalists and human rights defenders from entering the court. One woman journalist, Sihem Ben Sedrine,

who is also spokesperson for the National Council for Liberties in Tunisia (Conseil national pour les libertés en Tunisie, CNLT), was pushed, beaten and insulted by state security officials.

The Tunisian authorities have clamped down further on peaceful critics of the government of President Zine El-Abidine Ben Ali in recent weeks in the run up to and following national elections. Human rights and civil society activists continue to be harassed, intimidated and threatened by the Tunisian authorities. Those who exercise their right to freedom of expression often face harassment by the authorities and risk being charged with criminal offences and imprisoned.

Amnesty International considers that Zouheir Makhoulf is a prisoner of conscience who is being prosecuted for peacefully exercising his right to freedom of expression, and is calling for his immediate and unconditional release and for the charge against him to be dropped.

Public Document

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