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Tunisia: Stop denying abuse in the face of evidence and growing concern

In response to the Tunisian authorities' rejection of Amnesty International's latest report on Tunisia, the organization stands by its findings and challenges the Tunisian authorities to live up to their rhetoric on human rights by registering independent human rights organizations, investigating attacks against activists, lifting restrictions on independent civil society and immediately allowing in the UN expert on human rights defenders, the organization said today.

The Tunisian authorities have rejected the findings of Amnesty International's latest report, *Independent Voices Stifled in Tunisia*, published on Tuesday 13 July 2010. In a statement published by AFP, the Tunisian authorities claimed that civil society organizations do not come under pressure from the state, and insisted that they are able to operate independently. The statement further attacked Amnesty International's research, claiming its findings relied on "erroneous" and "obsolete" information based on "non-credible sources".

Amnesty International notes that restrictions against independent civil society in Tunisia have been widely documented, including by UN bodies such as the Human Rights Committee (HRC). In April 2008, the HRC expressed concern that "a very limited number of independent associations have been registered officially by the authorities" and that, in practice, "several associations for the protection of human rights... have encountered impediments when applying for such registration". Amnesty International also notes that, during the 2008 Universal Periodic Review before its peers in the UN Human Rights Council, the Tunisian authorities dutifully accepted a recommendation that they should register independent organizations.

Two years later, Amnesty International notes that many human rights organizations are still trapped in a legal limbo, having been effectively prevented from registering by the authorities. Amnesty International infers from the statement by the Tunisian authorities that the information contained in its latest report is "erroneous" or "obsolete" and that legal registration will be immediately granted to these organizations, including the International Association for the Support of Political Prisoners (Association internationale de soutien aux prisonniers politiques, AISPP); the Association for the Fight against Torture in Tunisia (Association de lutte contre la torture en Tunisie, ALTT); Liberty and Equity (Liberté et équité), the National Council for Liberties in Tunisia (Conseil national pour les libertés en Tunisie, CNLT); and the Observatory for Press, Editorial and Creative Freedom (Observatoire pour la liberté de presse, d'édition et de création, OLPEC).

Amnesty International's research refutes the authorities' claim that organizations are able to operate free of state interference. In its report, the Amnesty International has documented a compelling pattern of independent organizations being taken over by government supporters, after they publicly challenged government policies or practices, or after they failed to provide unconditional support to the government and the ruling party line. Cases include that of the Association of Tunisian Judges (Association des Magistrates Tunisiens, AMT), which was taken over by government supporters in December 2005 after having a number of run-ins with the authorities over judicial independence. The cases also include the National Syndicate of Tunisian Journalists (Syndicat national des journalistes tunisiens, SNJT), which was taken over in August 2009 after its refusal to endorse the government's candidate for the presidential elections. In each case documented by Amnesty International, dissent by the independent organization has been

followed by swift retribution from the state and its supporters. Amnesty International challenges the authorities to let the Tunisian League for Human Rights (Ligue tunisienne des droits de l'homme, LTDH) carry out its activities and hold meetings open to the public in its premises.

In its report, Amnesty International also documented abuses against individuals, characterized by surveillance, harassment, smear campaigns and even prosecution on trumped-up charges and physical assault. In February 2010 the UN Special rapporteur on the situation of human rights defenders, a UN expert, called on the Tunisian authorities to cease their physical and psychological "campaign of intimidation" against human rights defenders. Amnesty International reiterates that call, and notes that the Tunisian authorities have yet to conduct a single adequate investigation into the harassment and intimidation of human rights defenders in the country, a practice is widely believed to be condoned at the highest levels in Tunisia.

In April 2000, human rights defender Ali Ben Salem was tortured while in police custody. The defender, in his late 60s, was left for dead at a construction site after being severely beaten by security officers. In November 2007, the UN Committee against Torture recommended that the Tunisian authorities should investigate and bring those responsible for the torture to justice; and that Ali Ben Salem should receive compensation. To date, the authorities have taken no steps to implement this decision. Amnesty International calls again on the Tunisian authorities to abide by the decision of the UN committee.

Most recently in June 2010, the UN Committee on the Rights of the Child urged the Tunisian authorities "to immediately halt ... [the] harassment and persecution against human rights defenders and to release all persons detained because of their activities in the field of human rights".

The Tunisian authorities further claim that civil society organizations, including trade unions, are able to act independently. In practice, the sole confederation of officially registered trade unions in Tunisia is the General Union of Tunisian Workers (Union générale tunisienne du travail, UGTT).

Amnesty International documented scores of arrests of trade union members during popular protests in the Gafsa region in 2008. Trade union leaders Adnan Hajji, Bechir Laabidi, Adel Jayar and Tayeb Ben Othman were among those subsequently sentenced to prison terms after grossly unfair trials. While these men were conditionally released under a presidential pardon in November 2009, a journalist who covered the protests now faces imprisonment.

Fahem Boukadous' appeal against his conviction failed on 6 July 2010. The ailing journalist, who was recently hospitalized with severe breathing difficulties, now faces a four-year prison sentence for "belonging to a criminal association", "taking part in a group established to prepare or commit an attack against people or property" and "spreading information liable to disrupt public order" over his coverage of protests in the Gafsa area for a satellite television network. The conviction was condemned by Tunisia's international partners, including the US, which said it was "troubled" by the conviction, and which criticized the "restrictions on freedom of expression" in Tunisia.

The Tunisian authorities can deny Amnesty International but they cannot shut out the weight of world opinion, which is decisively turning against them. In its May 2010 human rights report, the EU noted it had "taken note of reports raising concerns about the respect for the freedom of expression and of the media and for the freedom of association". The EU further stated "NGOs active in the defence of human rights were often confronted with various obstacles to their work."

If the Tunisian authorities are confident about the human rights situation in Tunisia, they should have no opposition to the visit by the UN human rights experts, including on freedom of expression and the expert on human rights defenders who has been seeking to visit the country for more than a decade. Amnesty International restates its recommendations to the Tunisian authorities: stop the harassment and intimidation of human rights activists and government critics immediately; stop taking measures against independent civil society; and stop interfering in the internal affairs of civil society organizations and associations with a view to muzzling them.