



Report

Tunisian Government Severely Restricts Media Freedoms

The Tunisian State mobilizes various arms of the state apparatus and bureaucracy to restrict critical reportage and hobble emerging independent media, even though the government maintains that the country enjoys freedom of speech and the press. Measures the authorities employ include the seizure of journals, coverage restrictions, financial controls, imprisonment, and censorship. Such direct bureaucratic obstruction is complemented by more subtle/surreptitious methods of physical intimidation used to control the media environment and keep dissenting Tunisian voices in check. Journalists and human rights organizations continue to protest against the restrictions.

Government's Bureaucratic Measures Tightly Restrict Media

The government uses an opaque bureaucratic process to tightly control registration of print media, the licensing of broadcasters, and the accreditation of the journalists, even though the government claims that Tunisia has an open media environment (see box on next page).

- The Tunisian Media Law stipulates that before issuing a publication the manager needs to obtain a stamped receipt from the interior ministry, without which the owner of the printing house is not able to print. According to a journalist cited in *Menassat* -- a Dutch Government-funded, English-language website focusing on Arab journalism -- the government has decided to no longer accept applications for media licenses, making it "impossible" for anyone to start a new media institution (17 February 2009).
- Khaled Krichi, a lawyer and human rights activist critical of the government, told Independent Pan-Arab Al-Jazirah Satellite Channel that Tunisian authorities had refused to let him deposit the written notification legally required before printing a periodical, which is considered "an official refusal by the state of the publication though legal means" (11 February 2009).
- *Menassat* reported that *Al-Badil*, the official paper of the opposition communist Labor Party, has been battling media suppression for years; after initially being permitted to publish in the late 80's, it was banned on numerous occasions before being shut down. Now published electronically, the website is banned in Tunisia (22 April 2009).
- Accreditation is continuously denied to Al-Jazirah's Tunis correspondent Lutfi Hajji, he reported in an interview to *Menassat*. This appears to be in response to Al-Jazirah's reportage on the Ben Ali government, on the views of the governments' critics, and on human rights and media issues in Tunisia (23 October 2009).

The bureaucratic process is evidently easier to navigate for outlets that are supportive of government and are owned by someone with ties to the regime.

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- The privately owned religious television channel Hannibal Al-Firdaws [Paradise] TV was launched in September 2008, in what the BBC Monitoring, the monitoring service of the United Kingdom's public service broadcaster says is an attempt to "neutralize" and "counter" the influence of popular Arab religious broadcasters. It is owned by a member of the first lady's family (2 September 2008).
- BBC Monitoring also reported that the country's first religious radio station, Al-Zayytuna for the Holy Koran, was launched in September 2007 and is owned by the Tunisian president's son-in-law Mohamed Fahd Sakhr El-Materi (2 September 2008).

Officials Claim Open Media Environment

Article 8 of the Tunisian Constitution states: "The liberties of opinion, expression, the press, publication, assembly, and association are guaranteed and exercised within the conditions defined by the law." The state maintains the view that Tunisia enjoys freedom of speech and the press. This is reflected in comments made by high level government officials.

- Tunisian President Zine el-Abidine Ben Ali -- in a 22 January statement that was broadcast repeatedly on Tunisian television and made headline news -- said that the government is "acting in a democratic and pluralistic country, where information is free and citizens responsible" (31 January).
- Ben Ali added that the executive power "must respect divergent opinion, accept constructive criticism and take advantage of any sound idea and any useful assessment, and give journalists and citizens the accurate information they need, with frankness and realism."
- Ben Ali previously praised Tunisia's purported 20 years of reform and "comprehensive development," adding that one aim of his political program was a "democratic society built on the freedom of expression." He claimed that "there is no longer a taboo" in Tunisian media but qualified this by making an exception for anything that "contravenes the prescriptions of the law and the rules of professional ethics" (Tunisian TV, 7 November 2007).

Authorities Restrict Printing, Seize Publications Critical of Regime

Once media outlets have crossed the barriers necessary for accreditation, those outlets critical of the Ben Ali regime are also subject to confiscation.

- At the beginning of November 2009, the widely read, critical Algerian daily *Al-Watan* reported that the Tunisian Government had restricted the distribution of three opposition newspapers, *Al-Mawkif*, *Ettariq al-Jadid*, and *Mouatinoun*. The three papers refused to publish for one week in protest of this move (10 November 2009).
- State-funded and controlled *Akhbar Tunis* reported that every copy of Issue 149 of *Ettariq Al-Jadid*, the paper affiliated with the former Communist Party, Ettajdid, was seized at the printers in October 2009 for "publishing the electoral manifestos without

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respect to legal procedures" (12 October 2009). Al-Jazirah reported that the January 2009 issue was also taken out of circulation (31 January 2009).

- In 2008, *Mouatinoun* was banned for two weeks, with sources at the paper saying that "no reason" was given for the ban. Editor Mostefa Benjaafar attributed the ban to the paper's "frank, moderate" and independent journalistic standards, which may have "irked" some officials, Al-Jazirah reported (24 October 2008).

Government Takeover of Media Body To Extend Complete Control

In addition to overt media censorship, the government's bid to completely control media in Tunisia included the takeover of the country's nongovernmental press body and extended as far as censuring a government minister.

- The independent National Union of Tunisian Journalists (SNJT) underwent a hostile takeover by Ben Ali loyalists in mid-2009, a step described by Brussels-based independent press freedom defense organization International Federation of Journalists (IFJ) as evidence of hostility to defenders of press freedom^a (www.ifj.org, 11 May 2009).
- Ousted SNJT head, Neji Beghouri, said in an interview with Al-Jazirah that months before the takeover, the authorities of the state-run Tunisian Radio and TV Corporation (ERTT) had "exerted pressure" on its workers and other journalists to withdraw from the SNJT and join a smaller professional body it had formed (18 June 2008).
- After the takeover, the police took measures to enforce the new progovernment board, with a large number of security personnel blockading the offices and not giving access to members of the old board. Beghouri complained that police officers physically and verbally assaulted him (8 September 2009).
- State-owned, government-controlled Tunisia 7 Television reported that Ben Ali dismissed, Rfaa Dekhil, the minister of communications and relations with parliament, shortly after Dekhil gave television and radio air time to the other presidential election candidates. A presidential spokesman gave no reasons for the dismissal, but local opposition media told Al-Jazirah that the two events were "directly linked" (10 October 2009).

Financial Controls Used To Further Constrain, Punish Critical Media

In addition to erecting hurdles to entry and applying overt pressure, the Government uses the distribution of subsidies, public sector advertising, and lawsuits to control media outlets' reporting. The Tunisian External Communication Agency (ATCE) distributes advertising

^a www.ifj.org/en/articles/ifj-condemns-orchestrated-campaign-against-union-of-journalists-in-tunisia.

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from government agencies and publicly owned companies, and uses its influence to punish media that challenge the regime.

- All parties represented in the parliament are entitled by law to state subsidies for their publications, but Chief Editor Kichem Skik, in November 2009 told Algiers *Al-Watan* that the Ettajdid Party's paper *Ettariq Al-Jadid* had not received subsidies for "months," which he termed a "round about way" of getting rid of the paper instead of seizing it. Abdelatif Abid, a member of the editorial board of *Mouatinoun*, also complained that his paper had been "cut off from public advertising" (10 November 2009).
- Brussels-based media watchdog International Federation of Journalists -- while referring to the hostile takeover of the National Union of Tunisian Journalists by Ben Ali supporters -- reported that the organization's ousted president, Neji Beghourri as saying privately owned media were siding with the government's supporters "for fear of their papers being deprived of public support and advertising revenue" (11 May 2009).
- Opposition newspaper *Al-Mawkif* was simultaneously sued in 2008 for defamation by five companies that market cooking oil and a private bank, the latter said to be headed by the wife of the Tunisian minister of foreign affairs. Editor Rachid Kachana told the Committee to Protect Journalists (CPJ) -- a US based, non-partisan organization protecting the freedom of the press -- these acts were forms of harassment and part of the government's attempts to silence the opposition (2 July 2008).

Government Censorship Prevalent: Closing Blogs, Radio Stations, Filtering Websites

The Tunisian Internet Agency, which is overseen by the Ministry of Telecommunication Technology,^b heavily regulates Internet access and has been observed to block both critical news sites and so-called "new media" sites.

- The government blocked the website of the country's only independent radio station, Radio Kalima, in January 2009, according to the International Freedom of Expression eXchange (IFEX), an international organization dedicated to defending freedom of expression worldwide. The website closure was a culmination of a series of moves to silence the station. At the time, the website was the only way for the station to broadcast after the state prevented it from transmitting by satellite (4 February 2009).
- *Tunisalwasat*, a German-based Tunisian opposition website, reported that Al-Jazirah's website was blocked in Tunisia on 25 and 26 October 2009, after it published a review of a French book on the influence that Ben Ali's wife, Laila Trabelsi, has in Tunisia (26 October 2009).
- The international French-language news website *Come4news* was blocked in mid-March 2008, after the site hosted articles from the banned blog *Tunisia Watch*, as reported by international journalist watchdog Reporters Sans Frontieres (RSF) (7 May 2009).

^b The Tunisian Internet Agency is also the gateway from which all of Tunisia's 11 service providers lease their bandwidth (www.ati.tn).

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The Tunisian Government has used both selective and broad-based filtering of social networking sites, blogs, *Twitter*, and video-sharing websites.

- Internet filtering monitoring body OpenNet Initiative reported that *Herdict*, a blog that aggregates reports of inaccessible sites, and *Twitter* reported that individual *Twitter* pages in Tunisia were being filtered. The accounts of exiled activist Sami Ben Gharbia and popular news source *Nawat* were confirmed inaccessible (4 January).
- According to *Global Voices Online*,^c an independent, grassroots network of bloggers, three blogs blocked in August 2008 had been "particularly active" in providing news of social unrest in the Ghafsa region and the struggle of the Labor Union. One of the bloggers, "Ennaqed," said his blog was banned because he crossed the "red lines that are constraining the media in Tunisia." Access was also denied to numerous other blogs (20 August 2008).
- *Global Voices Online* also reported that video-sharing websites *Dailymotion* and *YouTube* were banned in September and November 2007. *Facebook*, which is said to have over 600,000 subscribers in Tunisia, was banned in August 2008, but following a massive protest by Tunisian netizens, the ban was lifted after two weeks (25 September 2008).

Growing Rates of Internet Access

Although it strictly limits access to Internet sites it deems controversial, the Tunisian Government has been proactive and forward looking in developing a telecommunications infrastructure. As a result of a presidential initiative, in 1991, Tunisia was the first Arab and African country to be connected to the Internet. This has enabled steady growth in Internet exposure.

- According to the Ministry of Communication and Technologies, as of late 2009 there were about 3 million Internet users in the country (16 December 2009).
- Internet penetration has continued to grow -- in 2007, 2.48% of the population used the Internet; in 2008, 2.72%; and in 2009, 3.52% (Arab Advisors Group, December 2009).
- By the end of 2008, there were 11 ISPs in Tunisia, with six owned by the government and the rest privately owned (Arab Advisors Group, March 2009).
- In the first nine months of 2009, 85,000 new accounts were added by these ISPs, taking the total to almost 370,000, a growth rate of 30%. Most Internet accounts in Tunisia are ADSL^d accounts; during the first nine months of 2009, the ADSL market grew by 50.52%, with the addition of 107,356 new accounts (Arab Advisors Group, March 2009).
- Statistics show there are approximately 130,000 active Tunisian Facebook members and this, and other similar social networking sites, are popular among the younger generation (*Menassat*, 20 December 2009).

^c globalvoicesonline.org/2008/08/20/silencing-online-speech-in-tunisia.

^d Asymmetric Digital Subscriber Line.

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Imprisonment, Detention Added Tools Used To Muzzle Outspoken Journalists

While authorities rely heavily on institutional mechanisms to keep publications from crossing red lines, Tunisian law-enforcement agencies and the judiciary, as well as other state organs, also use arrest and imprisonment to punish or intimidate individual journalists who criticize the government.

- After openly criticizing the president in the international press, journalist Taoufik Ben Brik was imprisoned without charge on 29 October 2009. Brik told *Tout sur l'Algerie*, an independent Algerian internet-based news website, he was the victim of a "trap" in which a woman attacked him and later accused him of rape.^e He was eventually sentenced to six month's imprisonment on charges of "assault," "willful destruction of property" and "breach of public decency"^f (27 November 2009).
- Independent French press agency AFP reported, quoting RSF, that 69-year-old Khedija Arfaoui was sentenced 13 July 2009 to eight months imprisonment for a posting she made on *Facebook*, referring to rumors about children being kidnapped in the country for their organs; she was charged with "disturbing public order"^g (13 July 2009).
- RSF said that after reporting on the 2008 demonstrations in the Ghafsa mining region, Fahem Boukadous, a correspondent with independent broadcaster Al-Hiwar Attounsi, was sentenced in absentia to six years in prison on a charge of "forming a criminal association liable to attack persons and their property" (17 December 2008).
- Zouhair Makhoulf, a correspondent for the independent, moderately Islamic *Assabil Online*, was jailed for three months and fined 3,000 euros on 1 December 2009 after posting a video report on the Internet about environmental, economic, and social problems of the industrial quarter of Nabeul. His sentence was arbitrarily extended for four months in February (*Al-Jazirah*, 10 February).

Tunisian security services are also known to detain journalists without filing charges.

- Plainclothes agents detained journalist and blogger Abdullah Zouari for three hours on 15 September 2009, one month after he completed a seven-year sentence of house arrest, which came on the heels of an 11-year prison sentence for "belonging to an illegal organization;" he remains under round-the-clock police surveillance, RSF reported (23 February 2009).
- Blogger Fatima El-Riahi was taken into police custody 3 November 2009 over articles and cartoons she posted on her website, and authorities blocked her website a week prior to this. According to her lawyer, no charges were made against her, and she was

^e For more information, see the 22 November 2009 OSC Translation, **Three Tunisian Newspapers Call One-Week Strike; Protest Government Restrictions** (GMP20091102280001).

^f http://www.ifex.org/tunisia/2009/11/27/ben_brik_sentenced

^g See the 13 July 2009 OSC Translation, **French Press Freedom Body Slams Jailing of Tunisian Woman for Facebook Message** (EUP20090713950048).

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released 8 November, according to Nawaat.org, a London-based opposition news portal (9 November 2009).

- On 15 November 2009, Tunisian authorities detained Djaloul Azouna, the head of the free independent writers association, for four hours, after she met visiting members of the European Human Rights Network (Al-Jazirah, 15 November 2009).
- In February 2009, police arrested without charge three employees of Al-Hiwar Attounsi. IFEX reported that the authorities first threatened the three with imprisonment and then tried to bribe them, offering them government positions if they agreed to stop working with the channel (12 February 2009).

Apparent State-Sanctioned Campaign of Violence, Threats, Surveillance

Independent journalists have also reported facing a more surreptitious campaign of what appears to be state-sanctioned or state-executed intimidation including physical attacks, surveillance, and travel restrictions.

- Journalist Selim Boukhir was assaulted and abducted by unidentified men in front of his house 28 October 2009; he was later found near a park, stripped of his clothes, having sustained various injuries (IFJ, November 2009). The attack came soon after he waged a hunger strike to protest the government's refusal to grant him a passport^h (CPJ, July 2009).
- Omar Mestiri, managing editor of the Web magazine *Kalima*, was attacked by unidentified assailants in Tunis on 16 November 2009, then was forced into a car and driven to an unknown destination; after briefly being detained he was released (17 November 2009).
- According to the IFJ, Zeid el-Heni -- a journalist for the official state-owned daily newspaper *Essahafa* and a member of the SNJT -- was beaten up by unidentified people on 15 October. His blog, *Tunisian Journalist*, was repeatedly blocked and censored by the government (23 February).
- Hama Hammami -- the former editor of banned newspaper *Alternatives* and former head of the banned Tunisian Workers' Communist Party -- was badly beaten by police on arrival at Tunis Airport on 29 September after criticizing the government in an interview with Al-Jazirah (Index on Censorship, 23 October 2009).

Human rights organizations complain that the homes of a group of independent Tunisian journalists are under constant police surveillance, restricting their freedom of movement and ability to work. Personal property and offices of dissenting media and journalists have also come under attack.

^h cpj.org/2009/07/tunisia-must-end-reprisals-against-critical-journa.php.

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- On 5 June 2009, the home of Hamadi Jebali -- previously the editor of *Al-Fajr*, the official paper of the Islamic movement Ennahda -- who was freed in 2006 after 15 years in prison, was surrounded by police without explanation, a local human rights group reported. Jebali said he and his wife remain under tight police surveillance, and their right to freedom of movement outside their hometown of Sousse is severely restricted (CPJ Press Release, 20 July 2009).
- Radio Kalima reported that police attacked its offices after it began its satellite broadcasts. According to the editor in chief, police, accompanied by Tunisia's deputy prosecutor, raided Kalima's studios and confiscated equipment -- including computers, recording equipment, and cell phones -- and then sealed the building and changed the locks (*Menassat*, 4 February 2009).

Authorities have also reportedly denied journalists the right to travel in an apparent attempt to isolate them from an international audience.

- Sihem Bensedrine, secretary general of the Observatory for the Freedom of Press, Publishing and Creation in Tunisia, was prevented from leaving the country as she prepared to board a flight, and "violent force" was used against her during the incident in August 2008. This was the third time she had been refused permission when attempting to cross the Tunisian border (IFEX, 21 August 2008).
- Journalist Lutfi al-Hajji was "attacked" at Carthage Airport upon his return from Doha, where he had given an interview to Al-Jazirah Television criticizing the conditions under which the 2009 Presidential elections were held. Saying the attack was "part of a campaign that the authorities are launching to silence journalists," he described how he was searched twice, insulted, and spat atⁱ (Al-Jazirah, 29 October 2009).
- Journalist Lutfi Hidouri was prevented from traveling to Lebanon to attend the two-day Arab Free Press Forum, a meeting to examine how independent media can be effective despite widespread repression in the region. Furthermore, he was held in overnight detention, according to the World Association of Newspapers, a non-profit, independent organization defending and promoting press freedom^j (11 December 2008).
- Rachid Khachana, outspoken editor of the opposition paper *El-Mawqif* and advocate for an "independent, pluralistic and free media," was effectively banned from traveling when the authorities told him that it would take one year to issue his new passport (Al-Jazirah Satellite Channel, 7 May 2009).

ⁱ See the 29 October 2009 OSC Summary, **Al-Jazirah: Tunisian Journalist Attacked After Appearing on Channel** (GMP20091029648001).

^j See the 12 December 2008 OSC Translation, **Lebanon: Press Body Condemns Travel Curbs on Arab Journalists** (EUP20081212950012).

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International Press Also Affected

The Tunisian Government uses a variety of means to discipline critical international journalists as well as Tunisian journalists living overseas.

- *Le Monde* correspondent Florence Beauge was barred from entering Tunisia on 20 October. According to Index on Censorship, Britain's leading organization promoting freedom of expression, the Tunisian Government claimed that Beauge had always shown "blatant malevolence" to the country (23 October 2009).
- Moroccan journalist Yassine Amri in the popular, highly critical Moroccan paper *Al-Jarida al-Oula* advised foreign journalists not to travel to Tunisia after his own experience dealing with security personnel in the country, and the sustained surveillance he was placed under throughout his visit (7 November 2009).
- According to UK based, *Pambazuka News* website, a "platform for social justice in Africa," *Kul En-Nass*, the private weekly close to the Ministry of the Interior, published allegations that certain Tunisian journalists living in Europe and human rights activists were Israeli agents. Various human rights organizations accused the authorities of being behind these accusations, which in some instances had led to Tunisian journalists living in France receiving hate mail and death threats (17 December 2009).

Journalists, Netizens Mobilize, Protest

Journalists, netizens, and human rights organizations have mounted campaigns to push back against the government's attempts to restrict media freedom, using the Internet, blogs, and social networking sites and ties with international organizations to highlight the issues and to support persecuted journalists.

- Tunisian bloggers on 25 December 2009 began the "White Note Campaign" to protest against "cyber censorship," claiming that the "Tunisian Internet agency spares no websites from censorship" (*Global Voices Online*, 30 December 2009).
- *Menassat* reported that a group of Tunisian media activists established *The Tunisian Observer*, a blog devoted to monitoring the level of independence of the country's independent media. It criticized both the government-backed media and the opposition media for biased reporting (10 July 2008).
- "Popular Media Initiative for Defending the Al-Jazirah Channel" and "No to Blocking Al-Jazirah.net in Tunisia" are two *Facebook* groups launched in a campaign to support the Al-Jazirah Channel and its website, *Al-Jazirah.net*, after the website was blocked on 25 October 2009, *Al-Jazirah.net* reported (31 October 2009).

Union members, journalists, and activists have also participated in acts of public defiance and industrial action as a tool of resistance and protest.

- Media workers and 150 journalists at the Tunisian state television and radio stations went on strike in January 2009 to demand "decent" work contracts and social security

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rights, as reported by the IFJ. Management eventually agreed to review the contracts of the workers^k (29 January 2009).

- AFP reported that in early January 2010, a group of dissident Tunisian journalists and Internet users called "The Tunisian Committee to Protect Journalists" fasted for a day to draw attention to, and protest against, the detention of colleagues Ben Brik and Makhoulouf (5 January 2009).
- In late 2009, as indicated by Al-Jazirah, a group of journalists, university professors, and human rights activists set up a National Committee for the Defense of Freedom of Expression. Describing the "grave deterioration of the freedom of the press," they called for the executive power to "take its hands off" the media scene, as well as for the release of imprisoned journalists (10 December 2009).

^k www.ifj.org/en/articles/ifj-salutes-strikers-as-tunisia-broadcasters-grant-rights-at-work.

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