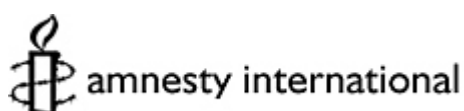


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Amnesty International Annual Report 2011 - Tunisia

Head of state: Zine El 'Abidine Ben 'Ali
 Head of government: Mohamed Ghannouchi
 Death penalty: abolitionist in practice
 Population: 10.4 million
 Life expectancy: 74.3 years
 Under-5 mortality (m/f): 24/21 per 1,000
 Adult literacy: 78 per cent

The authorities maintained tight restrictions on freedom of expression, association and assembly, and government critics continued to be harassed, threatened and imprisoned. Former political prisoners were also harassed, intimidated and subject to restrictions. Torture and other ill-treatment in police stations and prisons were reported. People prosecuted under the anti-terrorism law were sentenced to long prison terms after unfair trials. Death sentences continued to be imposed, but the government maintained a moratorium on executions.

Background

Article 61bis of the Penal Code was amended in June to make it a crime punishable by up to 20 years in prison for anyone to "directly or indirectly, have contacts with agents of a foreign country, foreign institution or organization in order to encourage them to affect the vital interests of Tunisia and its economic security". The amendment was made one month after Tunisian human rights activists met EU officials and parliamentarians in Spain and Belgium to urge the EU to bring pressure on the Tunisian government to uphold its international human rights obligations in the context of negotiations over Tunisia's "advanced status" with the EU. It appeared that the new law was intended to criminalize and deter such lobbying of other states and multilateral institutions in support of human rights in Tunisia.

In June, the UN Committee on the Rights of the Child issued its observations on children's rights in Tunisia, recommending the need to amend the Penal Code to prohibit all forms of corporal punishment against children which remained lawful in the home and alternative care settings.

Anti-government protests

Anti-government protests erupted following the self-immolation of 24-year-old Mohamed Bouazizi on 17 December in the town of Sidi Bouzid in a desperate act of protest after a local official prevented him from selling vegetables and allegedly assaulted him. The security forces used excessive force, including live ammunition, to disperse protests that were largely peaceful – at least two people were killed. Many others were injured by live ammunition, rubber bullets, tear gas or beatings. At the end of the year, the protests were continuing and had spread across the country.

- Mohamed Ammari and Chaouki Belhoussine El Hadri were shot dead by security forces during a protest on 24 December in Manzel Bouzayane, a small town in Sidi Bouzid province.

Freedom of expression and assembly

The authorities maintained tight control over the media and the internet. Those who openly criticized the government or exposed its human rights violations continued to be harassed, placed under intensive surveillance, unjustly prosecuted, and physically assaulted. Independent human rights organizations faced difficulties in holding public events, renting venues for events, or had their events subjected to a heavy security presence.

- Fahem Boukadous, a journalist, and Hassan Ben Abdallah, an unemployed graduate, were both serving four-year prison sentences in Gafsa Prison for their alleged participation in popular protests in 2008 against unemployment and high living costs in Gafsa province, south-west Tunisia. Fahem Boukadous was also convicted of "spreading information liable to disrupt public order" for reporting on the protests for a private TV channel. Both men were sentenced after unfair trials. They were first tried and convicted in their absence in 2008 but were retried in January and March after they requested retrials. In October-November, Fahem Boukadous staged a 39-day hunger strike to protest against his imprisonment and harsh conditions; he ended it when the prison authorities undertook to improve his prison conditions.
- In March, the authorities prevented journalists and human rights activists from attending press conferences in Tunis at which the International Association for the Support of Political Prisoners and Human Rights Watch planned to publish separate reports on harassment of former political prisoners in Tunisia.

Restrictions on former political prisoners

Many former political prisoners continued to be under administrative control orders which required them to report frequently to police stations and usually involved oppressive police surveillance and restrictions on the exercise of their civil rights. Some were rearrested or returned to prison for resuming peaceful political activity or publicly criticizing the government; others were denied access to medical care. Most had their freedom of movement restricted within Tunisia and were denied passports. As a result, most were prevented from obtaining paid employment or leading normal lives.

- Sadok Chourou was released from Nadhour Prison on 30 October. He had been released conditionally in 2008 but returned to prison for a further year after he gave interviews to al-Hiwar satellite TV channel and other internet media in November 2008, a few days after his conditional release. When released on 30 October, officials told him that he should not engage in any media or political activities but provided no official notification of this.
- Abdellatif Bouhajila continued to be denied a passport to enable him to travel abroad for medical treatment. Conditionally released in 2007 from a 17-year sentence imposed after he was convicted of membership of an Islamist group, al-

Ansar (the Partisans) in 2001, he was reported to be in poor health due to ill-treatment in prison and hunger strikes.

Human rights defenders

Human rights defenders faced continuing harassment by the authorities, including heavy surveillance and interference with or blocking of internet and telephone communications. They were also prevented from attending meetings or gatherings that focused on human rights. Some were physically assaulted. Most independent human rights organizations continued to be denied official registration. In February, the UN Special Rapporteur on human rights defenders called on the Tunisian authorities to cease their physical and psychological "campaign of intimidation" against human rights defenders.

- Ali Ben Salem, aged 78, continued to be harassed and intimidated by the authorities because of his human rights work and as a founding member of several human rights organizations, including the National Council for Liberties in Tunisia and the Association against Torture in Tunisia. He also hosts in his home the Bizerte regional office of the Tunisian League for Human Rights. State Security officers continued to be permanently posted in front of his house, and his telephone lines and internet access were cut. He was under constant surveillance and physically prevented from attending meetings on human rights. He continued to be denied a free health care card and a passport and so could not receive the medical treatment that he requires for serious back and heart ailments.
- Human rights activist and journalist Zouheir Makhoulf was released in February; he had been arrested in October 2009 and sentenced in connection with a documentary film about pollution in the Nabeul industrial area in north-east Tunisia. In April, eight police officers visited him and said he was under arrest. They beat him in front of his wife and children when he asked to see the arrest warrant, then detained him for seven hours at a police station. He had bruises and a broken nose when released. He was again beaten in December by a man in plain clothes believed to be a police officer after he left his home to report on unrest in Sidi Bouzid region.

Counter-terror and security

The authorities continued to arrest, detain and try people on security-related charges, including some who were forcibly returned to Tunisia from other states. According to reports, around 2,000 people have been convicted of offences under the anti-terrorism law since 2003, including many who were tried and sentenced in their absence in trials that often failed to meet international fair trial standards. Defendants alleged that they had been forced to "confess" under torture or other duress while held incommunicado in pre-trial detention, but their "confessions" were accepted as evidence by the courts without any or adequate investigation.

In January, during a visit to Tunisia, the UN Special Rapporteur on the promotion and protection of human rights while countering terrorism criticized the Anti-terrorism Law of 2003. He urged the government to amend the law's over-broad definition of "terrorism" and to restrict the law's application so as to exclude those who have been improperly convicted of "terrorism".

- Seifallah Ben Hassine continued to be held in isolation at Mornaguia Prison near Tunis. He had been held in isolation since 2007, far beyond the 10 days permitted under Tunisian law. He was convicted in 2003 under the Anti-terrorism Law and Military Justice Code, and was a defendant in six separate trials, including four before the Tunis Military Court. His six sentences totalled 68 years in prison to be served consecutively. He was arrested while travelling in Turkey where he says he was held incommunicado for a month and tortured before being forcibly returned to Tunisia.

Women's rights

The authorities continued to portray Tunisia as a state committed to the promotion and protection of women's rights. However, women journalists who criticized the government and women human rights defenders were subject to harassment and denigrating smear campaigns in the state-controlled media.

- Faten Hamdi, a reporter with Radio Kalima, unauthorized to broadcast in Tunisia, was attacked in February by two plain-clothes police officers in Tunis. The officers tried to force her into their car and hit her in the face, but she managed to get away.

Women judges who were among the ousted leadership of the Association of Tunisian Judges and had called for the independence of the judiciary faced continued harassment.

- Kalthoum Kennou was transferred from Kairouan to Tozeur against her will instead of being returned to her home town of Tunis. Other judges faced salary cuts without warning and denial of promotion.

In October, the CEDAW Committee, commenting on women's rights in Tunisia, expressed concern about allegations of "arbitrary arrest and harassment" of NGOs and human rights defenders and the "exclusion of autonomous women's organizations" from participation in the policy-making process and from state funding.

Death penalty

At least 22 people were sentenced to death; there were no executions. The government maintained the de facto moratorium on executions in force since 1991. At least 136 prisoners on death row, including four women, were not permitted contact with their families or lawyers.

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