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Freedom of the Press 2012 - Tunisia

2012 Scores

Press Status: Partly Free

Press Freedom Score: 51

Legal Environment: 18

Political Environment: 17

Economic Environment: 16

Status change explanation: Tunisia improved to Partly Free to reflect the dramatic transformation in the media environment following the overthrow of President Zine el-Abidine Ben Ali in January 2011. Proposals for the draft constitution contain provisions protecting press freedom, restrictive laws were no longer used to imprison journalists, and formerly tight controls over the internet were relaxed considerably. A number of private media outlets began operating, leading to a greater diversity of viewpoints and less self-censorship and state control over content. Both professional and citizen journalists were able to cover the news more freely and with less fear of reprisals.

Additionally, there were fewer economic barriers to entry into the media market, and outlets were able to more easily sustain their operations through advertising.

As protests against longtime president Zine el-Abidine Ben Ali – which had begun in December 2010 – gained strength in early January 2011, the regime stepped up efforts to censor coverage of the unrest, and several bloggers and activists were arrested or disappeared on January 6. Nevertheless, the protests spread and gained strength, and the president and his wife fled Tunisia for Saudi Arabia on January 14. After Ben Ali's ouster, previously jailed journalists, bloggers, and activists were released, and gained the ability to operate with much less fear of harassment or imprisonment. A transitional government was formed, but protests continued throughout the year over a variety of issues. Elections held in October for a Constituent Assembly – which would write a new constitution – were deemed to be free and fair, and the new body is led by a coalition of Islamist and secular parties.

Under Ben Ali, Tunisia's constitution and press code offered ill-defined protections for freedom of the press, and the government did not respect them in practice. The press code criminalized libel and defamation, and violations could result in imprisonment and fines, with offensive statements about the president carrying prison sentences of up to five years. Journalists could also legally be punished for disturbing public order. During Ben Ali's rule, more than 100 Tunisian journalists had been forced into exile, according to the National Syndicate of Tunisian Journalists. The authorities monitored foreign media and denied accreditation to critical journalists and foreign publications, and reporters could be seized or expelled if they offended the government. Self-censorship among journalists was common. Due to harassment and the fear of arrest, journalists hesitated to report on sensitive political topics and generally waited for official accounts from the government's Tunis Afrique Presse (TAP) agency to guide their reporting. Censorship and monitoring of the internet was pervasive by the cyberpolice, known as Ammar 404.

After Ben Ali fled, the media environment opened considerably. Proposals for the new constitution, which the Constituent Assembly would begin working on in 2012, provide for freedom of opinion, expression, and the press. The transitional government adopted a draft press code bill on the eve of the Constituent Assembly elections; the bill was then passed by the assembly in November and is in the process of being implemented. This code will enable journalists to freely access information, and removes a requirement for prior authorization from the Ministry of the Interior for the publication of certain stories. The draft press code also includes a reduction in the protection and privileges enjoyed by public authorities, including those related to defamation and information related to state security. In May, the interim government adopted a Decree

on Access to Administrative Documents. While the adoption of the decree was welcomed by press freedom groups, it was criticized for its broad exceptions and the absence of a public interest override clause, as well as the fact that it was not scheduled to be implemented for two years. Activists were working to include the right to freedom of information in the new constitution. Further, there were no libel cases in 2011.

The tone of the media has changed under the new government, as there is no longer official censorship, strict control of the internet is no longer an issue, and self-censorship has decreased. However, these gains were not universal. Journalists in Tunisia continue to face threats, but to a far lesser extent than before, and there is a lack of a professional code of conduct and professionalism among media contributors. Police violence against journalists in May and July 2011 was similar to the practices of the security forces under Ben Ali. In May, plainclothes police physically assaulted 15 local and international journalists while they were covering demonstrations. And in July, several journalists were targeted and attacked while demonstrating outside the Kasbah Palace in Tunis. In addition, Salafist groups have been using various intimidation methods against journalists. The religious extremist groups have harassed media representatives in an attempt to dissuade them from covering stories related to religion. Legal proceedings were brought against Nessma TV and its leading shareholder in October after the broadcasting of the Franco-Iranian animated film *Persepolis*, which depicts a representation of God; the case was ongoing at the end of 2011. Further, after the film was aired, an angry crowd attempted to storm Nessma TV's offices in Tunis; it was dispersed by the security forces

There was a significant increase in the number of independent media outlets in 2011, representing a diversity of viewpoints; however, some observers expressed concern over the apparently chaotic media environment in the country after the revolution, which – similar to the political sphere – is still very much in a transitional phase. New media outlets were able to begin work quickly, as the registration process has been expedited considerably. Press freedom groups and journalists alike are able to operate more openly in this new environment. In 2011, a new television station was created, and three new radio stations began broadcasting. More than 50 newspaper registration applications were submitted by May 2011. The cost of establishing media outlets has decreased, and there is no longer a state intermediary between advertisers and the media. The debilitating limits on advertising that existed under Ben Ali are no longer a factor for privately owned media. The Tunisia External Communication Agency used to allocate advertising support to progovernment newspapers, but this group has suspended its activities. While this is a positive gesture from the government, the agency appears to be restricting media distribution in Tunisia. The agency halted the distribution of two

French weeklies, *L'Express* and *Le Nouvel Observateur*, because they contained representations of the prophet Muhammad.

Approximately 39 percent of the population had internet access in 2011. More people than ever used social-media platforms such as Facebook and Twitter in Tunisia during the year, and these platforms, along with mobile phone networks, helped spread information about the January uprising. Ben Ali's censorship apparatus stepped up efforts to block content, including preventing bloggers from uploading photos and videos of the protests to Facebook, YouTube, and other sites, as well as blocking access to foreign news websites. Several bloggers and online activists, including Slim Amamou, were among those arrested or disappeared on January 6. The environment for online free expression improved significantly after the fall of Ben Ali. However, there have been instances of internet censorship under the transitional government. Amamou, who was named a minister in the transitional government later in January, resigned in May after the government agreed to the army's request to censor websites. Social media is playing a growing role in the country, with new online platforms joining the increasing number of print, radio, and television outlets.

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