

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

18 June 2013

AI index: MDE 30/009/2013

Tunisia: Drop charges against three accused of insulting police at rapper's trial

Amnesty International today urged the Tunisian authorities to drop charges handed down to three persons on 17 June for insulting public officials and undermining public morals after they denounced a two-year prison sentence against rapper Alaa Eddine Yaakoubi.

The organization is also calling on the authorities to immediately investigate allegations of unnecessary and excessive force by police at the court where Alaa Eddine Yaakoubi, known as Weld El 15, was convicted on 13 June for insulting the police, indecency and undermining public morals. Any police officer responsible for such actions should be held accountable.

Eyewitnesses told Amnesty International that the two-year prison sentence had provoked anger among the rapper's supporters at the trial, which took place at a court in Ben Arous, in the suburbs of the capital Tunis, and that police had pushed them out of the courtroom and then proceeded to assault and beat both some of them and journalists filming the scene. Emine M'tiraoui, a journalist for the news website Nawaat who attended the trial, told Amnesty International:

"We were coming out of the courtroom, and angry policemen were trying to push people out. I filmed someone beating up a woman, and my camera was ripped out of my hand. Policemen in plain clothes started to punch and kick me and to beat me with sticks."

Emine M'tiraoui went to hospital to be treated for injuries to one of his hands, including a possible fracture to a finger, and bruises on his chest and feet.

Others who had attended the court session were arrested and taken to a police station. Three of them, including female journalist Hind Meddeb, were charged yesterday by the prosecutor for insulting public officials and undermining public morals in relation to comments they made after the verdict criticizing both the sentence against Alaa Eddine Yaakoubi and the police. Hind Meddeb was not able to read the police interrogation report, but was forced to sign it in order not to remain in police custody, according to her lawyer.

The charges on which Alaa Eddine Yaakoubi was convicted on 13 June relate to a video clip of his song "Cops are Dogs", which talks about police brutality. Although he was acquitted of "conspiracy to commit violence against public officials" and "participating in a rebellion", he was sentenced to two years' imprisonment under Articles 125 and 128 of the Penal Code, which relate to insulting and defaming public officials, and Articles 226 and 226 bis, which criminalize indecency and undermining public morals.

The repeated use of criminal defamation and "public morals" charges against government critics, journalists, bloggers and artists underlines the urgent need to review Tunisian laws that stifle freedom of expression, including the Penal Code. According to international human rights standards, defamation of public officials should not be a criminal offence. Charges of indecency and undermining public morals have also been used to convict and even jail persons who peacefully express their opinions in Tunisia.

Amnesty International has documented a number of cases in which individuals in Tunisia have been charged or convicted, and sometimes cases imprisoned, on such charges in the past two

years. They include Jabeur Mejri, a blogger and prisoner of conscience, who is currently serving a seven-and-a-half year prison sentence for online posts deemed insulting to Islam and Muslims.

The case of Ayoub Massoudi, a former presidential adviser, will be examined by the Court of Cassation on 19 June. In April 2013, he was handed down a suspended four-month prison term by a military appeal tribunal for undermining the reputation of the army and defaming a civil servant. He had criticized the extradition of former Libyan Prime Minister Baghdadi Mahmoudi to Libya. The tribunal also stripped him of certain civic rights, including serving in the army, being employed in the civil service, and being able to receive honours or distinctions from the state.

The trial of blogger Hakim Ghanmi has been postponed by a military court to 3 July. He was charged with undermining the reputation of the army, defaming a public official, and disturbing others through public communication networks, for having posted online a letter to the Minister of Defence, which complains about the actions of the director of a military hospital in Gabès.