

AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: MDE 30/019/2013
6 December 2013

Release Tunisian prisoner of conscience Jabeur Mejri

As the world celebrates International Human Rights Day on 10 December, Amnesty International reiterates its calls on the Tunisian authorities to show their commitment to human rights and freedom of expression by releasing immediately and unconditionally prisoner of conscience Jabeur Mejri.

Despite repeated promises made by the Tunisian authorities to release him, Jabeur Mejri continues to languish in Mahdia Prison. Sentenced to seven and a half years in prison and a fine of 1200 Tunisian Dinars (US\$757) in March 2012 when his posts on the social network Facebook about the Prophet Mohamed were deemed “insulting to Islam and Muslims” by the Mahdia Court of First Instance, Jabeur has already spent nearly two years in prison. He should never have been imprisoned to begin with simply for peacefully exercising his right to freedom of expression.

After his sentence was upheld on appeal and his petition to the Court of Cassation withdrawn, Jabeur Mejri’s only recourse now to be released is a presidential pardon. The Tunisian authorities have repeatedly promised that Jabeur Mejri will be released but have not yet acted on those promises under the pretext of ensuring his security. Rather than using security concerns as an excuse to prolong Jabeur Mejri’s arbitrary imprisonment, Amnesty International calls on the Tunisian authorities to take all necessary measures to protect Jabeur Mejri and his family upon his release.

In a debate at the Council on Foreign Relations on 25 September 2013 during a visit to New York, President Marzouki, himself a former prisoner of conscience under President Zine el Abidine Ben Ali, commented on Jabeur Mejri’s case claiming that he had the intention of pardoning Jabeur Mejri but that given the political situation in Tunisia and the threat of violence from Salafists, releasing Jabeur at this time would put him at risk. President Marzouki repeated his promise to release him and his concerns in an interview with France Info on 6 November 2013 saying that Jabeur’s release cannot happen in the current tense political climate in Tunisia for the sake of Jabeur’s safety and that of the country.

Amnesty International is troubled by the Tunisian President’s argument, which appears to add to Jabeur Mejri’s unjust imprisonment the inability of the Tunisian authorities to ensure his safety. The organization stresses that the Tunisian authorities have an obligation under international law to guarantee freedom of expression and to ensure the safety of those who exercise this right regardless of whether the views expressed might be considered by some as offensive. The authorities should not put the onus on Jabeur Mejri rather than address the threats levelled against him by individuals or groups disagreeing with his views. Amnesty International began a worldwide campaign calling for Jabeur Mejri’s immediate and unconditional release in March 2013. Jabeur Mejri is featured in Amnesty International’s Write for Rights campaign this year when thousands of people from all around the world combine their voices to put pressure on the Tunisian President to pardon and release Jabeur Mejri. Join the effort to secure Jabeur Mejri’s release by taking action at: <http://www.amnesty.org/en/appeals-for-action/LWM2013-Tunisia>

Background information

Jabeur Meiri was found guilty of “publishing material liable to cause harm to public order or good morals”, “for harming others through these publications” and for “assaulting public

morals”, under Articles 121 and 226 of the Penal Code, and Article 86 of the Telecommunications Code.

Since the 2011 uprising that ousted former President Zine El Abidine Ben Ali freedom of expression continues to be under attack in Tunisia. Journalists, bloggers, artists and critics have been arrested or prosecuted under Ben Ali-era penal provisions for criticising public officials or institutions or expressing opinions that were deemed ‘indecent’, offensive or undermining public morals and sacred values. Artists have also accused the authorities of failing to protect them from attacks by individuals or groups disagreeing with their views. Some have even been tried in military courts for charges of defamation and ‘undermining the reputation of the army’.