



Tunisia

“The courage to inform the public”

February 2009

Maghreb and Middle-East desk

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Two different types of media co-exist in Tunisia. The more compliant of the two gets the benefit of huge state subsidies and significant advertising revenue, both public and private. The other media has fought for many years for a different voice to be heard in Tunisia. Needless to say that this second media has to survive in difficult financial conditions, chiefly due to lack of the advantages allowed to the first one.

The Tunisian media that are independent of government do not have the freedom to carry out normal newsgathering. Their limited circulation denies them access to a major audience. Privately-owned television *al-Hiwar Ettounsi* is only able to broadcast for a few hours a day by satellite. Its director, Tahar Ben Hassin, has never managed to obtain a licence for terrestrial broadcasts. Newspapers belonging to legal opposition parties, such as the weeklies *al-Maoukif* and *Mouwatinoun*, are hard to find due to pressure brought to bear on distributors and news-vendors alike. And websites that are critical of the government are quite simply inaccessible in the country.

A Reporters Without Borders' delegation went to Tunisia at the end of 2008 to meet this opposition press that is being hounded by the police and betrayed by the justice system. The organisation is calling for political support from the international community. There has been no let-up in the surveillance of opposition figures and the independent press by the Tunisian regime since the organisation's previous visit in June 2005 (http://www.rsf.org/article.php?id_article=14253). After more than 20 years in power, President Zine el-Abidine Ben Ali has backed modernisation of the press, but never its independence.

Reporters Without Borders' arrival in Tunisia coincided with celebrations marking 21 years since the Tunisian head of state took power, or the "21st Anniversary of the Change" as government propaganda has it, chorused in turn by the official press. As at every major festival of power, President Zine el-Abidine

Ben Ali never fails to laud Tunisia's achievements in the field of free expression. This year however it came with a thinly veiled warning to independent journalists: "We have continuously striven to promote public freedoms, particularly freedom of expression. We have taken various initiatives and measures to promote the media landscape, and to improve its performance, relying, in this endeavour, on the awareness of media professionals and their commitment to freedom of the press and to the ethics of the profession. We, in fact, consider these ethics among the guarantees of freedom and the foundations of democratic behaviour that is sometimes transgressed by some, especially by intruders into this profession and those who are accustomed to disseminating false allegations and trying to undermine the country's higher interests", he said on 7 November 2008.

The opposition press, ornament of Tunisian pluralism

Certainly, there has been some apparent progress, but it has been in appearance only. The creation in January 2008, with the agreement of the authorities, of a Tunisian journalists' union (SJT), chiefly led by independents, was seen as "a step in the right direction". The Association of Tunisian Journalists (AJT), which was dissolved on the creation of the union, had been seen as a puppet in the hands of the authorities. The head of social affairs for the new union, Habib Chébbi, outlined the problems of trade union action in Tunisia: "We have no choice but to take part in discussions, even when promises made to us are not kept. Today, the union wants to start by tackling social issues: permanent positions for journalists working as freelancers for a long period, a social security plan and so on. We haven't even begun to talk about freedoms". It is however in this area that the independence and effectiveness of this new professional body should be measured. The existence of an independent privately-owned press, boosted by the appearance of new titles, could also be considered a sign of openness. Except that, in

practice, permissions to publish are only distributed to a small, very closed, circle. Soukaina Abdelssamad, secretary general of the SJT explained; “Licences are not granted to people in the profession, but those close to the government”. Independent journalists like Tahar Ben Hassine, Rachid Khechana and Sihem Bensedrine, all waiting for licences for several years, would not be ones to contradict her.

Mustapha Ben Jaafar, secretary general of the legal opposition party, the Democratic Forum for Labour and Freedoms (FDTL) and editor of the party organ, the weekly *Mouwatinoun* (Citizens), talks about “a facade of pluralism”. International pressure exerted on the Tunisian regime has allowed the birth of an opposition press, but “the government ends up by taking back what it has given”, he said. The Reporters Without Borders’ delegation was unable to buy *Mouwatinoun* at newsstands in the Tunisian capital. It was only available at the airport. “We live almost as if we were a clandestine party. We get no public funding for our newspaper. We are invisible to the Tunisian Agency for External Communications (ATCE), the body responsible for distribution of advertising by public companies, dubbed the ‘Tunisian Censorship Agency’ by the opposition press”. Since its launch in 2007, *Mouwatinoun* has seen its circulation constantly tumble, and is now printing only about 1,000 copies a week, which are distributed by FDTL activists. Advertising from privately-owned companies is not in fact distributed by ATCE, but Mustapha Ben Jaafar explained that it was unofficially managed according to the same criteria, i.e. degree of allegiance of media towards the government. There is no independent body in Tunisia responsible for certifying newspaper sales figures. Distribution of advertising is therefore carried out arbitrarily by ATCE. For their part, businessmen do not take out advertising space in the opposition press, for fear of being accused of financing it.

But not everyone follows the same line. Blogger and former judge, Mokhtar Yahyawi, said, “privately-owned radio and television have managed to marginalise the official channels. *Hannibal TV* and *Mosaic FM*, for example, have pushed the envelope on social issues”, he said. These media have become forums for

debate, dealing with issues of identity, sexuality, and unemployment. Broadcasts are often devoted to emigration or nepotism in the business world. But there is no question of tackling political issues head-on. “News bulletins on these media are modelled on official channels. Everyone has to be in step with the TAP [government news agency *Tunis Afrique Presse*]”, said Rachid Khechana, editor of the weekly *al-Maoukif*, organ of the legal opposition Progressive Democratic Party (PDP), which has been waiting for a licence to launch a radio station for the past four years.

Social conflict in the Gafsa mining basin: Evidence on film

It is however thanks to the independent press that Tunisians were informed about unrest in the Gafsa mining basin (350 kms south of Tunis) during the first six months of 2008, while the state media confined themselves to relaying TAP reports, presenting the demonstrators as “troublemakers”. Hundreds of people joined street protests after prominent people close to the government benefited from cheating in the results of a recruitment competition at the Gafsa phosphates company (CPG), the leading employer in a region hit by a jobless rate twice the national average. Security forces in June fired live ammunition to disperse a crowd that continued to demonstrate their frustration. Two weeks before announcing he was standing for a sixth term as head of state, Zine el-Abidine Ben Ali made a speech, on 16 July 2008, promising an investment plan for the region, thus providing headlines on Gafsa for the national press.



Fahem Boukadous, correspondent for satellite television *al-Hiwar Ettounsi* in Gafsa, did not wait for that to happen. On the second

day of the demonstrations on 6 January 2008, he filmed the protests, allowing demonstrators and union leaders to get their voices heard and to express their grievances. He shot more than 40 hours of film, shown by the Tunisian satellite channel that had been launched in 2002, and his footage was picked up by many foreign TV stations. Boukadous was also a source of regular information to the Arabic and western media, providing them with film and frequent updates. The result of the defiance of the government-imposed media blackout was that road blocks were set up on roads leading to Gafsa and Boukadous found himself facing legal proceedings, no doubt as “an intruder into the profession (...) trying to undermine the country’s higher interests”. The correspondent for *al-Hiwar Ettounsi* was sentenced in absentia, on 11 December 2008, to six years in prison for “creation of a criminal association likely to harm persons and property” and “diffusion of information likely to disturb public order”. The Gafsa appeal court on 4 February 2009 upheld the six-year prison sentence against Fahem Boukadous. He has

been in hiding since 5 July 2008, following a tip-off from his lawyer.

Zakia Dhifaoui, a member of the FDTL and occasional contributor to *Mouwatinoun*, went to prison for having covered and joined a march in support of the Gafsa protests. She was arrested on 29 July in Redeyef (main town of Gafsa), and sentenced to eight months for “insubordination, disturbing public order, obstructing an official in the exercise of his duties and indecent behaviour”. She spent 102 days in custody before being pardoned on the occasion of the “21st anniversary of the Change”. Quite symbolic! Zakia Dhifaoui was deeply affected by the conditions of her arrest and stay in prison, which she termed “inhumane”. “I was interrogated for several hours about my political activism and the reasons for my presence in Redeyef. The agents wanted to know how I got into the city. Even if I hadn’t taken part in the support march, I would have been arrested anyway. It gave the authorities an excuse for it”, she told Reporters Without Borders, in an interview. Since she left prison, Zakia Dhifaoui has not been able to resume her teaching job in Kairouan, central Tunisia.

“Free speech is the essence of a free state” - *Al-Hiwar Ettounsi*



Privately-owned satellite television *Al-Hiwar Ettounsi* was launched from France in 2002. Subjected to the same treatment as other independent media, its premises in Tunis are under constant surveillance and police harass its correspondents. Since the channel set up again in the Tunisian capital, in October 2006, after a gap of two years, no fewer than 11 cameras were seized by the authorities during abusive arrests.

“I no longer keep count of the number of times my colleagues and I have been assaulted in the street. We are not authorised to cover official events, for lack of the required accreditation. The week before your arrival, three of our journalists were arrested. One was going, with a member of the Tunisian Human Rights League, to the home of someone who had suffered police brutality to hear their story. The second was arrested after covering a press conference at the PDP headquarters. I was myself arrested when I was preparing to cover a ceremony in tribute to Georges Adda [Tunisian politician and trade unionist who died in September 2008] held at a hotel in the capital. That gives you an idea of how we live our daily lives”, Aymen Rezgui, correspondent for *al-Hiwar Ettounsi*, told Reporters Without Borders.

Al-Hiwar Ettounsi broadcasts for one hour a day on the Hotbird satellite, with the help of Italian television. The channel’s frequency and hours it broadcasts are published weekly in opposition newspapers.

“What happened in the south of the country is very indicative of the problems of poverty and corruption in our society. “It is unbelievable what Tunisians have to put up with”, said Radhia Nasraoui, lawyer and president of the Association against Torture in Tunisia (ALTT). “There has not been one fair trial. It is commonplace for criminal procedure rules to be broken. Periods in custody exceeded, ill-treatment, lack of medical supervision and so on. And when detainees lay complaints against their torturers, the authorities just close the file on the case”. Journalists and media taken before the courts all complain that justice is rigged. Nasraoui said the judges themselves do not escape the control of the regime. Some of them have, in the past, tried to show their independence, but they were very quickly sidelined and appointed far away from their families. The lawyer said she would like to see many foreign observers attending trials.

Reasons of state are the strongest

The protests in Gafsa have not been the only sensitive subject for the Tunisian press. “In the light of the importance to Tunisia of tourism, even the weather forecast is taboo” said Rachid Khechana without a hint of irony. The activities of opposition parties and organisations of civil society are subjected to selective treatment and are still very few and far between. “Just a few paragraphs here and there”, says Mokhtar Trifi, president of the Tunisian League for Human Rights (TDH), whose offices were shut down after a legal ruling in 2005 and which has had no fewer than 34 proceedings launched against it since 2000.



On the eve of the arrival of the Reporters Without Borders’ delegation in Tunisia, a press conference given by the Democratic Progressive Party was halted by intelligence agents who stopped party activists and journalists from entering the building.

Khadija Chérif, president of the Tunisian Association of Democratic Women (ATFD) says that only the opposition press covers the association’s activities. “As soon as we contest anything, we are necessarily lumped in with the opposition. The official press does not cover what we do. Yet women have serious problems in this country. With the rise of Islam, even more is now at stake”, she said. ATFD attracted a lot of media attention when French president, Nicolas Sarkozy, visited Tunisia in April 2008. His human rights minister, Rama Yade, cancelled a visit to the organisation’s offices at the last moment, citing a “busy programme”. The French minister only saw the president of the Tunisian Human Rights League at a meeting in her hotel.

The independent press and human rights activists however need a real commitment to be made to them on the part of western democracies and media. Refusing to “set myself up as someone who gives lessons”, President Sarkozy went so far as to congratulate his Tunisian counterpart on “progress in the field of freedoms”, risking encouraging President Zine el-Abidine Ben Ali in his authoritarian and illiberal policies. “What was the reason for that?” protested blogger Mokhtar Yahyaoui, “if it’s not for base interests”. “France and Tunisia must develop new relationships. If France no longer symbolises freedom, we will no longer have any attachment to its language, nor its values” he said. Finally, on 10 December 2008, Rama Yade presented ATFD with France’s human rights prize for its struggle “against violence and the social and financial vulnerability of Tunisia’s women”.

Mokhtar Yahyaoui posts a daily column on his blog (<http://tunisiawatch.rsfblog.org/>), since he was dismissed as a judge in December 2001 because of his militant campaign for the independence of the judiciary. Since then he has several times gone on hunger strike and used the Internet to expose the regime’s abuses. And this despite suffering several sabotage

attempts. His website - inaccessible in Tunisia without the aid of a proxy – has been hacked into several times and his entire database destroyed. “It is hard to live in a country where you are excluded from everything. It ends up wearing you down. But I am encouraged by the success of the blog. Since the start of the summer, I’ve never dropped below 2,000 hits a day. If access was allowed, I could triple that number. Despite the evidence of the effectiveness of state censorship, our struggle for free expression remains no less vital. If we win, we could perhaps salvage something. If we lose, we will have lost everything. It is not only a struggle against the regime, it is above all a fight against obscurantism”, Yahyaoui told Reporters Without Borders. The blogger, like all those organisations interviewed, has also been hit by electronic censorship. “Our email addresses are blocked, which can cause numerous problems with our partners abroad. Messages sent to us don’t arrive, or their content gets changed and replaced by spam”, several ATFD activists reported. Three civil society organisations including ATFD and LTDH, released a joint statement in September 2008, condemning these attacks.

Further, Reporters Without Borders’ website is still censored in Tunisia, along with those of opposition parties and independent media. Anyone wanting to use a computer in a public cybercafé must produce an identity document. Each user has to fill out a form for the Tunisian Internet Agency (ATI) which directly manages users’ access accounts.

The news gamble

Behind the appearance of pluralism and transparency, the difficulties experienced by the independent press are real. The Tunisian authorities do not even bother to inform media of its seizure decisions. The weekly *al-Maoukif*, affiliated to the PDP, has had several experiences of this. “We are never informed about administrative decisions. We only find out about seizures from the newsstands when they do not receive the censored edition. Distributors come under pressure and have no choice but to cancel distribution”, said journalist Rachid Khechana. *Al-Maoukif* is currently the subject of eight separate legal pro-

ceedings, similar to the one launched by six oil production companies after it published an article about the sale of contaminated oil in Tunisia. None of the companies was named in the article in *al-Maoukif* that followed up on a report that had already appeared in the Algerian press. The five companies nevertheless demanded damages of 500,000 dinars (274,000 euros), a sum that the paper, which sells 10,000 copies a week, would be unable to pay if convicted. The paper has suffered other unjustified seizures as a result of its investigations into corruption scandals.

Against this testing background, journalists on the independent web-magazine *Kalima* nevertheless took the gamble of launching a new media ahead of 2009 presidential elections. A team of experienced journalists and young graduates launched a radio of the same name. “It is hell working for the official press because they don’t give you any room for manoeuvre. But it is also hell to work for the opposition press, because of the pressure you can come under”, one of the journalists in this new team told Reporters Without Borders. Radio *Kalima* aims to give a voice to Tunisians and not just on social issues but it has met with every imaginable difficulty in trying to interview people in the street in a country where silence is the rule... The radio began life online but quickly came under government censorship. The day after it began broadcasting by satellite, on 27 January 2009, its studios were surrounded by plain-clothes police. The building was then sealed and its broadcast and computer equipment confiscated. Within a matter of days, the Tunisian authorities put an end to the country’s sole independent radio.

Breaking taboos was what put Slim Boukhdhir in prison for most of 2008. The correspondent for several foreign media was thrown in prison from one day to the next, sentenced on absurd charges by a corrupt justice system, and maltreated by his warders who were told to make his life in prison as difficult as they could. Despite this, Slim Boukhdhir said that he “found himself” in prison: “For 240 days, I was short of air and short of water. I lived in a filthy cell where I caught diseases and I thought I was going to die. However it was in that place that I toughened up and I

realised my capacity to endure the worst”, he said. Since his release, on 21 July 2008, Boukhdir has been unable to resume normal life. Several media didn't want to renew his contract, for fear of attracting the ire of Tunis, or getting the label of “dissident”. He now fears for his physical wellbeing. The journalist was on 20 September 2008, arrested by plainclothes police, who took him to a deserted spot and threatened that he would be imprisoned again if he did not stop publishing. “The regime made me suffer a lot but it never denied my investigations”, said Boukhdir with pride. He is still working as an activist journalist in Tunisia.

In 1991, Moncef Ben M'Rad published an editorial headlined, “the courage to inform the public”, condemning the seizure of his publication. “Number 87 of *Réalités*, which was due to go on sale this Thursday 10 October, has been seized. The official reason given was: ‘defamation of an official authority’. (...) We can only protest in the strongest terms against this latest seizure; we continue to believe that Tunisia is our right and objective information is our duty”, he wrote at the time. Our struggle goes on in an every-day manner because we are not heroes but citizens who want our country to be free, more prosperous, more just and more democratic”. Nothing has changed since then, except perhaps that the outspokenness shown by Moncef Ben M'Rad has become an expensive luxury.

In 20 years in power, the political stability vaunted by the president Ben Ali has not been synonymous with democratic openness. Over the past two decades, the regime has reinforced its security apparatus, giving it every

method of controlling and restricting the activities of the independent press and civil society. The rhetoric of “Change” tirelessly repeated by the government, most definitely does not apply to human rights.

Recommandations

Reporters Without Borders calls on the Tunisian authorities to put an end to police, judicial and administrative harassment aimed at the opposition press, whether legal or otherwise. Freedom to inform the public is a right that should be accessible to all and should never be curbed by the lack of permission.

The organisation calls on foreign diplomats posted in Tunis to renew or strengthen their support for journalists, lawyers and human rights defenders who are only exercising their right to express themselves freely. Foreign governments should make the issue of free expression one of their priorities in their contacts with the Tunisian authorities.

Reporters Without Borders wishes particularly to draw the attention of the international community to the case of journalist Fahem Boukhadous, who is in hiding somewhere in the country, to avoid being jailed for six years. He only did his job as a journalist and nothing can justify his being sent to prison.

Finally, Reporters Without Borders calls on Nicolas Sarkozy to publicly express his concern about the state of freedoms in Tunisia. His remarks in April 2008 only encouraged his Tunisian counterpart to pursue the same course, that of gagging his critics.