

URGENT ACTION

FILM DIRECTOR JAILED FOR 'INSULTING OFFICIAL'

Film director Ines Ben Othman has been sentenced to two months in prison for insulting a public official.

Ines Ben Othman was sentenced to two months' imprisonment on 7 January, for "verbally insulting a public official while carrying out their duties" under Article 125 of the Tunisian Penal Code. Her lawyers claimed that while they were allowed to present their defence in court, they felt the judges showed no real interest in listening. They plan to appeal the court's decision.

Ines Ben Othman had been detained on 19 December 2014 after going to Ariana police station in the suburbs of Tunis to complain about months of harassment by the deputy head of the station on Facebook. Instead, following an argument with the deputy head, she was charged and detained.

Amnesty International believes that a prison sentence for insulting an official is a disproportionate restriction on freedom of expression and that charges of insult or defamation should be treated as a matter for civil litigation. The organization has repeatedly criticized the Tunisian authorities' use of such charges against government critics, journalists, bloggers and artists and has called on them to review Tunisian laws, including the Penal Code, that stifle freedom of expression.

Please write immediately in Arabic, French, English or your own language:

- Urging the Tunisian authorities to quash Ines Ben Othman's conviction;
- Calling on them to release Ines Ben Othman;
- Calling on them to review and reform Tunisian laws that are used to arbitrarily restrict freedom of expression.

PLEASE SEND APPEALS BEFORE 19 FEBRUARY 2015 TO:

Minister of Interior

Lotfi Ben Jeddou
Avenue Habib Bourguiba, 1000,
Tunis, Tunisia
Fax: +216 71 340 888

Email: interieur.gov.tn@gmail.com

Salutation: Your Excellency

Minister of Justice and Human Rights

Hafedh Ben Salah
31, Boulevard Bab Benat, 1006 La
Kasbah
Tunis, Tunisia

Fax: +216 71 568 106

Email: mju@ministeres.tn

Salutation: Your Excellency

And copies to:

Prime Minister

Mehdi Jomaa
Place du Gouvernement, 1020 La
Kasbah
Tunis, Tunisia

Fax: +216 71 570 842

Email: webmaster@pm.gov.tn

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 3/15. Further information:

<http://amnesty.org/en/library/info/MDE30/001/2015/en>

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Ines Ben Othman, who is Secretary General of the Union for Cinema and Audiovisual Technicians within the General Union of Tunisian Workers (UGTT), was charged with “verbally insulting a public official while carrying out their duties” under Article 125 of the Penal Code, which carries a punishment of one year’s imprisonment and a fine of 120 Tunisian Dinar (US\$64). Her lawyers’ suspect that she has been targeted because of her activism and that of her fiancé, Walid Zarrouk, a former prison officer and founder of the organization Mourakeb, which monitors police compliance with human rights.

The right to freedom of expression, enshrined in Article 31 of Tunisia’s new Constitution and in Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Tunisia is a state party, includes the right to publicly criticize officials and institutions. According to the UN Human Rights Committee, the body which monitors compliance with the ICCPR, public figures and institutions should tolerate a greater degree of criticism than people generally. This means that criminal or other laws which provide special protection against criticism for public officials are not consistent with respect for freedom of expression.

Name: Ines Ben Othman

Gender m/f: f

Further information on UA: 3/15 Index: MDE 30/002/2015 Issue Date: 8 January 2015