

URGENT ACTION

JAILED FOR COMPLAINING OF POLICE HARASSMENT

Film director Ines Ben Othman was arrested on 19 December 2014 after lodging a complaint for harassment by a police officer. She is in custody, facing one year in prison for insulting that police officer.

Film director **Ines Ben Othman** went to the Ariana police station, in the suburbs of the capital, Tunis, to file a complaint, on 19 December 2014. Ines Ben Othman claimed the deputy head of that police station had been harassing her for several months by posting slanderous comments about her on Facebook. When she arrived at the station she had an argument with the deputy head and 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).

Ines Ben Othman, who is Secretary General of the Union for Cinema and Audiovisual Technicians within the General Union of Tunisian Workers (UGTT), was detained that day and transferred to the women’s prison in the city of Manouba, west of Tunis. Her lawyers asked for her to be released on bail but were refused. On 31 December, the Ariana Court of First Instance postponed making a decision on her release until 7 January. Her lawyers have argued that Ines Ben Othman should not have been detained at all on such a charge and should be released on bail while her case proceeds.

Ines Ben Othman’s lawyers believe 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. Walid Zarrouk has openly criticized the authorities and certain police officers and was himself previously arrested and accused of insulting a public official and of defamation.

Amnesty International opposes the use of laws criminalizing insults or defamation, which should be treated as a matter for civil litigation. Any prison sentence for insulting an official would be a disproportionate restriction on freedom of expression. The organization has criticized the repeated use of such charges by the Tunisian authorities against journalists, activists and those critical of the authorities in the past four years since the 2010/2011 uprising that ousted former president Zine el Abidine Ben Ali.

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

- Urging the Tunisian authorities to drop the criminal charges against Ines Ben Othman;
- 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 17 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
Habib Essid
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.

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ADDITIONAL INFORMATION

Amnesty International has repeatedly criticized the Tunisian authorities' use of laws that criminalise insult and defamation against government critics, journalists, bloggers and artists and has called on the them to review Tunisian laws, including the Penal Code, that stifle freedom of expression.

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

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