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Middle East/North Africa - Tunisia

Judicial zeal

Over-eager court violates procedure to order TV chief's detention

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[Read in Arabic \(بالعربية\)](#)

Reporters Without Borders is disturbed by the procedural violations that occurred when a Tunis criminal court last week ordered the detention of **Sami Fehri**, the head of the new privately-owned TV station *Attounissia TV*, and calls on the courts to give him a fair trial, free of political interference.

Issued on 24 August, the detention order stems from allegations that state-owned *Télévision Nationale* suffered major financial losses as a result of improper implementation by an independent TV production company, Cactus Production, of contracts it received from the national TV broadcaster.

Cactus Production's alleged impropriety occurred before President Zine el-Abidine Ben Ali's overthrow, when the company was controlled by its two leading shareholders, Fehri and Belhassen Trabelsi, the then First Lady's brother. It is now under judicial control.

Fehri, who is facing a possible 10-year jail sentence, has yet to be detained because he is still awaiting a summons to present himself to a police station.

On the eve of the 24 August ruling, defence lawyers learned that a 3,000-page expert report had still not been sent to the criminal court although the judge issued his ruling on the basis of this report 24 hours later, after the 24 defendants had been presented in court.

Furthermore, under article 114 of the criminal procedure code, the defence lawyers should have been notified of the prosecutions findings and should have been able to submit their own findings to the court before the hearing. In the event, the defence was not even notified that the hearing was going to take place.

The fact that Fehri is only an alleged "accomplice" and that no detention order was issued for the main defendants constitutes yet another irregularity.

"The criminal court's sudden haste to deal with a case that began a year and a half ago and the flagrant procedural violations are at the very least surprising and raise questions about the motives of its judges," Reporters Without Borders said.

On the eve of the ruling, the National Union of Tunisian Journalists (SNJT) issued a statement claiming that *Attounissia TV*'s decision to suspend its satirical programme "*Ellogique Essiyassi*" was the result of "indirect" pressure from the authorities. There had been concern for the programme's future ever since leading officials had expressed outrage about the way they were being mocked.

In a further development, *Attounissia TV* cameraman **Selim Trabelsi** was assaulted last night in Tunis by four individuals who hit him with a stick and threatened him with a knife. His assailant's mentioned Fehri's name several times and, in an apparent threat to all of *Attounissia TV*'s journalists and technicians, said: "We will catch you one by one."

"The attacks and threats against media personnel must be taken seriously and those responsible must be punished," Reporters Without Borders said. "The authorities have a duty to guarantee the safety of all Tunisians living in Tunisia, including journalists. The current violence, a cause of media self-censorship, poses a major threat to freedom of information in Tunisia."
