

Tunisian Human Rights League

The Press: A Disaster Victim

**Report on the Freedom of Information
in Tunisia**

May 2003

PREAMBLE

On the occasion of the international day of the press freedom, the Tunisian League for the Human Rights Defence puts at the hand of the public opinion this report about information and press freedom in Tunisia after it issued in 1999 under the title of “Press freedom in Tunisia” a complete study relevant to the press reality in Tunisia.

The League insisted in its report, articles and activities on its interest in the press reality in Tunisia because this area knew a serious decline during the last years, which let the Tunisian citizens abandon it and appeal to the foreign press, since the Union is aware that the press is the reflective mirror of any progress that the country is likely to record and since it also realized that the freedom of expression is the way to issue general freedoms.

This report focused on clinging to the recorded events and happenings that the last century had known and which show by themselves the decline that this field has known through hamper and pressure on journalists as well as the excessive similitude made between all mass media, which led to a national agreement about requiring the improvement of this field. This report is not limited to the various harms which affected the journalists and newspapers resulting from the authority control, but this report concerns every citizen who tries to put his rights of expression into practice mainly through the internet, but who also faced arrest and trial. The report did not make any distinction between press freedom, the Journalists freedom and the expression freedom.

It was useful to make this report through following continually and precisely the information reality in our country, and through the study made by the Tunisian League for the Human Rights Defence in 1999 as well as the two reports made by the League in 2001 and 2002 (this latter being prepared now) and the report of the press freedoms concerning the Tunisian Journalists Association for the year 2002, and the report made by the special reporter which is relevant to the information freedom in the Human Rights Commission included in the United Nations. This latter visited Tunisia in 1999, as well as the reports made by the organization “Correspondents without frontiers” and the academic and informative studies made during the last years.

The managing Committee of the League wants to be grateful for the League Commission to achieve the first project of this report. The managing Committee reviewed and amended this project in order to enrich it and make its content more accurate. This Committee was composed of Mr Souheir Belhassen, Mr Slaheddine Jouchi, Mr Rachid Khachana, Mr Larbi Chouikha and Mr Lotfi Hajji.

In publishing this report, the League wanted that to be a yearly tradition on the occasion of the International Day of Press Freedom held on May 3rd every year.

INTRODUCTION

The outstanding feature of the Tunisian information became harmony and similitude between all its written, oral or visual media, mainly in the field of national events which are broadcast in the same way with all these means and which are presented continually based on their positive sides. The Tunisian mass media do not include an analysis or critic of the government policy, and it lacks non official information and analysis, and it avoids to speak about the violations in the field of human rights for long years; which are commonly shown in the announcements made by many non-government Tunisian Organizations and which are only broadcast in sites through the internet.

Tunisian information was also characterized during the last few years by the absence of articles concerning opinions about future processes relevant to the society, the reality of the country and their future. Previously, many newspapers were full of these articles such as “Erraay” (opinion), “Elmostakbel” (the future), “Elmanar”, “Democracy”, “Ech-chaab” (people), “Tarik Eljedid” (the New Way)”, “ElMaghreb Elarabi”, “Reality”, “Elouehda” (the Union) “Elmawkif” (the attitude), all these being newspapers and magazines which were created in the spring of the Tunisian information since 1977 until the end of the eighties.

This situation lets the citizen look for other information exits especially with the appearance of new data in the information space, and above all by the appearance and spreading of the satellites and the internet, and that is why Tunisian television channels have been settled and broadcast from abroad and absorbed many citizens –although the broadcast time was limited - those channels display national matters in different ways which are not similar to the official points of view and enabled the activists, the opposers and Independants to express and be interested in the news which do not find any area in the Tunisian information (“Elmostakilla” channel in 2001 and before breaking down, channel 3 “Zeitouna” in 2002, before it stopped the broadcast and channel “Dialogue” which has started its broadcast recently in 2003).

This situation in which Tunisian information is getting and its regression from one year to another in the same way as the comparison between its different contents since 1989 so far, all this preoccupies many professional, civil, political, parliamentary and legal institutions, it also lets many non-governmental organizations find it queer to choose Tunisia to organize the second part of the International Summit about the world of data in November 2003, the first part was held in Genova (Switzerland) in December 2003.

- The professional level : the General Assembly does not avoid the meetings held by the Tunisian journalists Association to deal with the prevailing bad situation of the Tunisian information..... and many manifests were issued in this matter.... And among the recommendations coming from the last Congress of the Association which was held in April 2002 was the publication of a guide-book about information freedoms, whereas this guide has not been published so far, the Association office emerging from the quoted congress issued a report about the conditions of press freedoms on May 3rd 2002.
- The civil institutions : the expression freedom, information and the promotion of the information field are considered among the continual and insisting requirements coming from civil Associations. In 1999, the Tunisian League for the Human Rights Defence published a complete report about press freedom in Tunisia. The reports of the League as well as those of the National freedom Committee, about the conditions of freedoms in Tunisia are dealing with the reality of press freedoms and the abuses occurring in this are added to this many international reports made by specialized organizations such as the

report made by the United Nations special reporter about the development of the right in information and expression freedom. It proved that this latter visited Tunisia in April 1999 and prepared a complete report about the information reality in Tunisia from all sides and also “ The Correspondents without frontiers” and the International Committee of the Journalists defence.

- The political Associations : The Tunisian parties declaration are full of requirements aiming to improve the information field, which lets it be more open to the political and civil Associations. Among these parties there are some which suffer from an information blockade ranging from a temporary one for a few parties to a continual one, for a few other parties, the blockade is reinforced when their declarations and attitudes include a critic of the Government policy or other official practices. Many parties, organized in the last century symposiums and discussion debates about the reality of information in Tunisia and the ways used for improving it.
- The parliament : The discussions of the State budget taking place in December every year cannot help the deputies of information interfering, and commonly, it is the most criticized subject among them and between the Government members particularly after the opposition became represented in parliament since 1994.
- The legal Associations : The National Committee of Solicitors and the Association of young Solicitors required in many occasions to improve particularly information and they were faced to an information blockade in the last period, which led to articles criticizing them after their relationships with the Justice Ministry were worsened, since it is considered as the authority.

After the failure of the legislative elections taking place in April 1989, the decline of the information sector started following a stage lying on promises during two years, from November 1987 to April 1989. The decline of information was linked to two important events known by the country :

- The first event was the second Gulf war of 1991 : Tunisia experienced a unique event in its history on the information side which was the direct control of newspapers, the political authority obliged all Tunisian newspapers to deliver their subjects before publishing them to the Secretary of State of Information in order to let the department be informed about them and determine the subjects allowed to be published, according to the Secretary of State’s decisions, in addition to the repressive character which stands in opposition to the freedom in that decision, which caused professional difficulties concerning the executive side, this obliged.
- A few newspapers to insert white blanks, thus, the Secretary of State of information decided to forbid white blanks on Tunisian newspapers.

As far as the professionals are concerned, the direct control over newspapers was abolished due to the lack of efficiency of the executive side, it was replaced by other strict and effective measures, as we will see it later.

The second event was the opposition of the authority with the prohibited “Nahdha movement” : in that time, they started to insist on a unique source of information.... And

many “specialized newspapers” started to publish news, unsigned articles and analyses, articles which are not attributed to their sources, and which are in opposition to the press professional manners. They took notice of that measure until it became a general rule in all Tunisian newspapers, since the news concerned with important political events are extracted only from one source, and many Tunisian newspapers dare not publish something different from the official event even if they possess definite news.

LEGISLATION

Since the creation of the Human Rights movement in Tunisia, among its main requirements, we can quote the cancellation of the preventive press law, and it was replaced by a law which met more the professionals requirements as well as the political and legal movement in general, because the 1975 quote law led to the trial of many Journalists and other political fighters and Association supporters who were tried for their wrong opinions, which led to the sacrifice of many newspapers.

And since November 7th 1987, the 1975 law was amended three times, first on August 2nd, 1988, secondly on August 2nd; 1993, and the third time on May 3rd 2001. Every amendment was followed by an information campaign, conceived as a qualitative move in the information field, the presentation of the last amendment was achieved as a fruit in order to ask the consultation of the concerned parties, such as the journalists, literates, experts in information and university Professors. It was also presented on the basis that it will discharge the journalists from self-control, seen by the authority as a big obstacle facing the improvement of the information field.

Whereas, after being informed about the articles amended in the press code, the Tunisian journalists did not rejoice at the amendment and regarded it in a motion emanating from a general Assembly of the journalists Association, held after its amendment, as “ a support to the decisions of the Government President, declared in his speech on November 7th, 2000”. he cancelled the crime of the public order defamation ; whereas he kept the public order with its main components, since those are considered as crimes leading to punishment by jail, such is the case for the Judicial circles, land, sea and air army, the official bodies and public institutions.

The Tunisian journalists Association considered that this amendment moved the articles depriving freedom from the press Code to the public law, without cancelling them. In this regard, the articles 35, 37, 38, 39, 45, 61 and 62 were withdrawn from the press Code and were inserted in the penal code, as they concern repressive judgements, and the article 56 was also with drawn from the press Code and was inserted in the post code under n° 29 (repeated), as it is concerned with crimes committed through the post office.

The amendment did not change the registration of copyright process which represented during some years a means for an anticipated censorship, moreover, the Article 2 of the Press Code states :

– **Are submitted to the measures of copyright registration :**

1. All kinds of literary works such as books, periodical publications, leather-bound books, drawings, drawn paintings, illustrated postcards, posters, geographical maps, publications, valuations, magazines and others,
2. the following literary works : musical, vocal and visual recordings, photos, data programs put at the disposal of the public free of charge or not, or those which are delivered in order to be published.

– **Permission to information companies :**

Among the main requirements of the Tunisian informers in Tunisia, the amendment of article 13 of the Press Code, which attributes to the Home Ministry only the right for allowing to anyone who wants to create a press company, and the article 13 of the Press Code states that an application must be delivered to the Home Office on a stamped paper and signed by the periodical publication Manager, before the appearance of any periodical, a receipt is given and the Home Office submits to the Secretary of State of Information office and to the State Prosecutor office copies of the information stating all documents provided with by the concerned party.

Article 14 completing article 13 states :

Before printing any periodical publication, the printer has to require the receipt given by the Home Office and which has to be handed within one year, the receipt indicates : a dilemma attributed to the Tunisian Press Code. The special reporter who depends on the United Nations Human Rights Commission, described about information and expression freedom in a report concerning the expression freedom in Tunisia, which appeared in the year 2000. (during his visit in Tunisia in April 2000). That article described the greatest defect in the Tunisian Press Code because the Home Office does not deliver the mentioned receipt to the concerned parties although they presented applications to settle information companies meeting the legal requirements, which made it impossible to issue these receipts so long as legislation requires from the printer to print any periodical on obtaining that receipt, in accordance with the article 14.

In return, and as they did not receive any permit, the parties cannot take any legal sue with the Administration because they are deprived from the right of creating information companies

Unofficial statistics show that about one hundred applications were presented by candidates to the Home Office and did not receive any answer, there are some who made their applications more than ten years ago such as the journalist Noura Borsali, who presented an application for creating a magazine with the title “Maghrebian Women” (=“Maghrebiets”), and Professor Mohamed TALBI who made an application for publishing an intellectual magazine with the title “Intentions” (=“Makasid”), and the journalist Sihem BEN SEDRINE who asked for launching a magazine under the title “a word” (=“kilma”). The ignorance of the administration urged her to publish it through the internet.

In addition to the legal dimension, the applicants and informers are complaining about the absence of subjective norms in order to grant licenses for creating information companies, most of which are granted to the non-professionals and specialists.... And the Tunisian journalists in their Congress and continual Assemblies required the setting of subjective norms used for delivering permissions taking into account the professional dimensions.

The professional and legal parties agree upon the necessity of cancelling the condition of the receipt enclosed in the article 14 of the Press Code and taking into account the declaration sent by registered mail for instance, which is the real license, as it is the case in some Arabic countries.

– **False news:**

The Press Code remained with the amended article 49 concerning the false news. This article : “The publication and circulation or re-publication of false news, papers or falsified papers attributed to others by any means, lead to the punishment of those who commit them, by jail ranging from two up to three years, or by a penalty of 100 up to 200 dinars, or by both punishments if the commitment is made in bad faith or turbidity, and this is likely to trouble the public order and the legislator was kept in an ambiguous situation since he did not determine the concept of false news as well as that of the public order. Due to that, the professionals and specialists in legislation consider this article as an obstacle against the diversity of news and their multiplicity in the Tunisian information.

The 2001 amendment of the Press Code did not reach the Tunisian informers’ ambitions as well as those of specialists in law ; and this was declared by the Tunisian journalists frankly during their National Assembly which took place on May 11th 2001, when they considered through a general motion that “the last amendment of Press legislation did not come up to the journalists expectations and in this matter did not take the proposals of the Association into account”. The Tunisian League for the Human Rights Defence ascertained in its 2001 report that it was sticking to all the requests representing a real guarantee for the credibility and earnestness of the Press and Tunisian journalists through the amendment of the legislation, the cancellation of punishment by jail, the provisional arrest due to penalties concerning opinion and also the replacement of the real previous licences by simple information before every publishing action, and release the Government from the burden of the information field which is the main obstacle against the expression freedom, and also by stopping the Government in speculating from the sources of news and its proceeding in order to ensure the independence of the press and information companies, and also by stopping to appeal to the judicial body to abuse of the expression freedom and curtailing the journalists freedom and by putting an end to the political segregation and enabling the public institutions to launch their advertising –now monopolized by the Tunisian Agency for Foreign Communication (T.A.F.C.)- on the newspapers according to pure technical norms which do not have any relation with articles published by these newspapers, and the extent to which they are devoted to the authority. The League is considering that the expression freedom represents the basis for the guarantee of all democratic freedoms.

CENSORSHIP

The information legislation in Tunisia does not state any form of censorship whereas the Tunisian journalists are complaining about the variety in the censorship methods and their diversity through attitudes which became the highest authority in legislation, they are represented by the following measures :

Closing the sources of events before the journalists and the move from “Tunis African Press” Agency, the only official Agency in Tunisia to a single source of news connected with the official events, in addition to the absence of official Spokesmen in the Tunisian Ministries or responsible executives who are able to supply journalists with declarations and provide them with answers to their requests.

The Tunisian Government invented some years ago regular meetings between Ministers and Journalists, which does not reply to the journalists curiosity in opening the springs of the news, then they were transformed into so-called collective news published in the same way and form in all newspapers.

The Tunisian journalists think that this method enables to eliminate basic press concepts such as “Press anticipation”, diversity and special dialogues, etc...

- **Publicity** : The newspapers investment through advertising becomes one of the main means of organized censorship since the creation of the Tunisian Agency for Foreign Communications which monopolizes the distribution of public advertising reaching a very high rate and which newspapers publishing subjects, not in harmony with the official line, are deprived from, or they are diversified in the official circles in this way.

The newspapers Managers realized therefore this mission, they tried to avoid publishing articles which are likely to hide advertising, that is why, carefulness and advertising circles were enlarged, and advertising became an effective means for “preventive censorship”, far from any legislation or control.

In addition to the Agency for Foreign Communications authority, the specialized authorities insist on another means for financial pressure on newspapers and magazines which consists of the public subscriptions resulting commonly in the financial crisis, which is difficult to solve when the rate of subscription is high.

- **Plaguing** : The specialists in information were complaining about the absence of legislation in the last century – to its restraint – it separates the co-ordination between the supervising authority and the information companies. The legislation was replaced by the direct contact with the supervisors of public and private information companies in order to provide them with instructions which are not subject to discussion, these new methods considered by the Tunisian journalists as a form of continual plaguing are fruitful, more than the insistence on legislation, as it was the case previously ; it focuses on three methods :

The first method is to urge to cover a few events particularly important for the authority, that is why there are most of the time several preambles and also articles of similar subjects, the supervisors of information companies cannot refuse these requests for fear that they are controlled over their honour or their negative interaction.

The second method is to prohibit writing on subjects or events that the authority does not agree upon, and there are several examples in this context, the closest example being the

ignorance of the Tunisian mass media about the Press conference in which the General Secretary of the Democratic Progressist Party, Professor Ahmed Nejib Chebbi declared that he was a candidate for the Government presidency in March 2003 ; the Tunisian television intended on purpose not to cover the demonstrations of the Civil Associations, as well as the demonstration held by the Tunisian General Labour Union supporting the Iraqi people on March 24 and 25, 2003, whereas it covered widely only the demonstration advocated by the Democratic Destourian Regrouping Party.

The third method is that a few newspapers supervisors or Chief-Editors are used to consulting specialized areas about the publication of a few subjects, and they usually send articles “ subject to contest” to these regions in order to let them be informed about them and decide firmly on their matter, these methods took part in controlling in depth and competing for the publication of articles which come up to the authority expectations more than others.

CONSTRAINTS

The journalists are complaining about the great number of constraints facing them and the diversity of their techniques, which is an obstacle faced in their tasks according to the known press norms.

A. Professional and institutional techniques :

1. The clear separation between the management and the edition in the Tunisian Press Companies, as it is in use in most countries including the Arab countries according to the proceeding of the information work requirements, since the management is specialized in the financial and administrative activities, the edition management supervises in fixing the edition regulations of the company and in following their execution.
The management became in fact the highest authority in the Tunisian information firms during the last century, it interferes in the edition matters and it has its last word in fixing the edition lines. This is available in the case of public and private companies where managers act in the same way as in any private trading company denying the peculiarity of the press work and also that of the journalist who is held responsible towards his readers and is managed by the Charter of this honourable profession. This attitude has a bad incidence on the edition on the account of the administration.
2. The absence of the edition boards in the press companies. Two information firms preserved this tradition and the edition boards were missing in all other companies, there are somewhere meetings which have not been organized for more than two years, this makes the role of the Tunisian journalist marginal in tracing the edition policy of the company, and this lets him be satisfied by receiving the instructions and carrying them out, and in case he reveals his opinion he may face a punishment.
3. The regular journalists' following, which takes various forms according to the persons and companies through the articles censorship, and this is common to everyone, the management inquiry, the disabling by various methods such as time scheduling, when it is not in conformity with the collective agreement, such as what happened in March 2003 in Dar "Es-sabah" where both journalists Dalenda Touil and Melika Daghfous were in charge of working from four o'clock p.m. until ten p.m., after their disagreement with the newspaper management, later, they both required their professional rights with their colleagues.
The following may reach the blockade level in the company, this blockade is no longer applied in the public institutions but becomes also common in the private companies, like what happened in April 2003 to both journalists Salem Boulifa and Abdelhamid Elksibi in "Dar Es-sabah". Such a treatment is not limited to "Dar Es-Sabeh" only but it is shared commonly by all press institutions.
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Deprivation from the civil rights as defined by the collective agreement organizing this field. Many Tunisian journalists are earning small wages which are not in accordance with their educational level, functional rank or years of experience. This is considered as an effective form of pressure on the Tunisian journalists, which led them to complain in many general Assemblies. After violating the law, a great number of press institutions persisted against the silence of the authorities whereas legislation is clear in this matter. Since the article 407 of the labour code defines that “ don't benefit” of money devoted to advertising expenses, necessary for public interest by the Government, Associations and companies, on credit request from the public, only the companies registered on the drawn list in accordance with the article 406” which defines in its turn the necessity for respecting completely the collective agreement requirements concerned with the written press as well as the memorandum and articles on Association by the information companies. In this matter, among the main requirements, among the general requirements put in the agenda of the Tunisian Journalists General Assembly held in November 2002, there was the demand to put the Articles of Association into practice.

The Tunisian journalists's persistent request is quoted among the general requests for achieving the Tunisian journalist's honour, which is the main condition in order to promote the information field.

5. The wrong lay-off :

A great deal of Tunisian official, public information companies relied on laying The journalists off as a temporary solution to get rid of the undesired elements on the Political and professional level. There were various cases for dismissal ranging from A dismissal as being dictated by the authority and other cases due to professional Reasons. It was decided to dismiss both journalists Taoufik Ben Brik and Azza Zarrad in 1990 from “La Presse” newspaper after writing articles about the press Situation in Tunisia.

The journalist Kamel Labidi was laid off in 1994 from “Tunis Afrique Press” Agency after writing a series of articles about the Tunisian policy in “La Croix” French Newspaper where he was a correspondent in Tunisia, this exasperated the Tunisian Authorities which made a pressure, after a little, on the company management due to That dismissal, after the conversation he held with Doctor Moncef Marzouki , in the Quality of one of the candidates for the Republic President in 1994.

The journalist Slaheddine Jourchi was dismissed from the “Realites” magazine In 1997 where he was holding the position of Chief editor in the Arabic department of The magazine, following the authorities pressure made on the manager of the Magazine in order to dismiss him, due to the negative incidence of his activities and His attitudes in the Tunisian League for Human Rights Defence.

The “Es-Sabah” newspaper management also dismissed the journalist Hechmi Nouira, at the beginning of the present year as he was accused for violating the Labour legislation after he appeared in the disciplinary Committee, and the newsPaper management blamed him because he interfered in the journalists Association by giving a speech about the Palestinian process, during a Ramadan. Evening, when he was absent from his work by a sick leave.

There are various cases for dismissal (see the enclosed paper stating the Dismissal dates in the end of the report). All these cases tend to achieve two aims :

- The first aim is political : Journalists are generally followed in the case they have a human activity concerned with the defence of rights, and stick to write articles about subjects dictated by their conscience and their professional morals.
- The various cases for dismissal were pronounced under the pressure of the political Authorities and on their request.
- The second aim : whereas the companies management insist on dismissing the Journalists who claim for putting the statutes as well as the collective agreement into practice for fear that their colleagues would be informed by contagion.

The study of the reality in this field shows that dismissal and threaten for dismissal in other cases was a repressive weapon on one hand and took part in weakening this field from many qualified journalists who left this business, emigrated or changed their positions and became correspondents to foreign and Arabic companies since they were facing closed horizons.

6. The planned resignations :

Following the spiritual and material pressure made upon the journalists, a part of them is bound to resign. The case of the journalist Hédi Yahmed embodies an example. The “Réalites” magazine published on December 12th 2002, on the occasion of the Human Rights International Day, an inquiry about the conditions of prisons in Tunisia, prepared by the journalist Hédi Yahmed. Whereas he did not tackle the conditions of politicians put in jail, and was limited in describing the negative aspects spread in jail such as the crowded prisons, contagious diseases, sexual intercourse, in spite of all this, he put the authorities into trouble; this led the magazine manager and the article writer to appear in front of the Attorney General Assistant who inquired about their matter on December 14; 2002. All public subscriptions of the magazine were stopped (they were sent back nearly after two months following that event). This induced the magazine management to suggest to Hédi Yahmed to get a leave with an unlimited period, this made him see a sort of pressure through this attitude, that is why he presented an application for dismissal to the magazine management which was granted.

By ignoring the inside aspects of the “Réalites” magazine, Hédi Yahmed is considered as a new case among the information sacrifices. He faced what he recorded after he wrote the quoted article, and he engaged to cling to the professional norms and insisted on expressing his various opinions including the official point of view since the justice Ministry enabled him to receive documents in this regard through its Press Attaché to receive documents in this regard.

B. INTERDICTIONS AND DIRECT PLAGUING :

3. Preventing the Tunisian journalists from covering a number of important news :

In the press field, the supervision authority insists on preventing the Tunisian journalists from Covering events and entrusts the police authorities with the execution of this prevention, sometimes these authorities abuse of this interdiction to the extent of humiliating the journalists. Among the outstanding situations during the previous years, we quote as follows :

Depriving the Tunisian journalists from covering Bousalem floods in May 2000, and the Delegate of that area refused to meet the journalists and provided them with the necessary explanations. Bousalem population considered that the journalists did not do their task in Informing about their tragedy, this led them to become very angry towards the press and The journalists.

The Tunisian League for the defence of Human Rights branch in Jendouba prepared a detailed report about the events, this report was the only one which described what happened. But it did not find its way to be published in any Tunisian newspaper. This scene was repeated. In the present year “2003” floods, it included in addition to Bousalem a number of other cities and towns such as Medjez-El-Bab, Jdaida, Tebourba and other delegations located in Kef Governorate, where many citizens were victims. The Tunisian newspapers were prevented from publishing the details of what happened. There are some newspapers which sent a few journalists to cities like Bousalem or Jdaida to cover completely the flood situation, whereas they were ordered on the same day to go back immediately to their offices although they Insisted on searching information from official sources.

- Depriving the Tunisian journalists from covering the events about Mr Hamma Hammami trial on two occasions, the first one on March 9th, 2002 and the second on March 30th 2002, when a number of foreign journalists were allowed to cover the trial through the Agency of Foreign Communications. The police authorities did not limit to the deprivation but rely on a few police agents to insult the present Tunisian journalists who claimed for their equality with foreign journalists, because they saw a sort of contempt on their rights through the segregation to which they were submitted.
- The journalists were not allowed to cover Djebel Bourkornine fire and the Tunisia journalists Association mentioned the press freedoms in its report published on May 3rd 2002 that the authorities were not limited to deprive the journalists but they were investigated and deprived from their identity which was retained for a period of time. They were removed away from the place of the incident and from the surrounding areas where the extinction operations took place and were threatened in case they published events about the fire on their newspapers apart from recording their names as another means of spiritual pressure.
- Depriving the journalists from covering the terrorist aggression at the Ghriba jewish Synagogue in Djerba on April 11th 2002, and among the journalists there are some who prepared inquiries on that matter in spite of the official and informative overcast whereas they did not publish that event. The Tunisian newspapers started to publish the details of that Aggression after the German press was concerned with it, published many events and raised an objection to the Tunisian authorities about the role of information in analyzing that event.
The German press was interested in the event because most of the aggression victims were German tourists who were visiting the synagogue during that event.

These examples show that this matter was not limited to the Tunisian journalists Constraint and censorship about political events only but they concern many events including the natural calamities, terrorist events and various news for which the authority Is not held responsible.

4. The security plaguing:

In the previous years, the security constraints on Tunisian journalists multiplied in the view of preventing them from doing their professional tasks so that they would be an Example to the other journalists.

- On October 14th 1994, Mr Slaheddine Jouchi, the Arabic department Chief Editor in the "Realites" magazine was faced to investigation in Tunis-Carthage airport when he travelled back from Beirut, after he took part in a national Congress where many Tunisian opposition figures were present. He was inquired in the Home Office and his passport was seized during six months.
- The journalist Taoufik Ben Brik was faced for six years to a security blockade, which led once to the civil security agents abuse of violence in the street and the breaking of his car.
- Kidnapping the "Realites" magazine journalist Mr Hedi Yahmed recently in front of the Court of the first Instance on the day of Mr Hamma Hammami trial on February 2nd 2002, and this arrest during half an hour at the Bab Souika police station in Tunis ; then he was released after it turned out that " he was not the demanded person".
- The abuse of violence towards Souheir Belhassen after her flight back to Tunisia on April 14th 2001. one of the police agents insisted on reaching her after she went out of Tunis-Carthage airport lobby and he abused of violence towards her until she fell on the Floor and was given immoral attributes.
- Murder trial : The journalist Mr Riadh Ben Fadhl was faced to a murder trial on May 2001 after he published an article on "Le Monde" French newspaper including a critic of the Government policy, and he tackled the subject of turning against the power in Tunisia, and nobody has known so far the result of the inquiry held in that matter.

3. THE TRIALS :

The last decade recorded trials to a certain number of Tunisian journalists and newspapers resulting from their published articles, at the same time a lot of journalists were tried to have exercised their civil and political rights included in the - -13- International charters, the destour, the Tunisian law and also the right for organization and the right of expression, it was proceeded to the trial of citizens and activists because they exercised the right of expression, sought for information through the internet, and any process dealing with opinion or any political matter scarcely lacks accusation or convictions in accordance with the press legislation. This report will be limited to the trials connected with articles published in written newspapers or in the internet sites, it is possible to notice in this context the authority appeal to the courts so as to dominate the press space and to familiarize with newspapers in the beginning of the nineties, which explains the intensification of trials between 1990 and 1994. Immediately after; they appealed to judicial techniques (economical, political and security reasons) in order to ensure the framing of the mass media, which enabled the authority to reach the same goal efficiently without appealing to trials. But, with the appearance of a new datum which is the internet, and by creating laws to this information space, and by the dispossession of the techniques in order to master its users, once again there was an appeal to the judicial means in addition to the improvement in the technology control, the interdiction and the master.

In March 1990, a judgement appeared stating a penalty levied on both the manager of “El-ilane” newspaper and its Chief Editor, and the trial of both by two months jail after publishing an article including the accusation of the previous executive of bribery. On May 24 1990, a judgement appeared on Master Moncef Ben Salem, stating three years jail with the accusation of “publishing false news and the defamation of the Republic President in an article published in an Algerian newspaper.

On June 23rd 1990, the “El-Fejr” newspaper manager, Mr Hamadi Jebali was tried, and on October 6th, a judgement appeared stating six months jail and a penalty amounting to 500 dinars with the accusation for “inciting the law violation”. On October 2nd 1990, Mr Hama Hammami, the newspaper “El-badil” manager was tried together with the writer of the opening newspaper, issue n° 20 of September 20th 1990, which appeared under the title : “We are moving on the way to fight”, in accordance with the magazine “Es-Sahafa” legislation and with the accusation “the defamation of the political order and launching false news by trouble disturb, which led to the turbidity of the public order in the country (case n° 490/33764), the newspaper “El-Badil” Manager was tried with the same accusation on the same date, under the title “The Algerian Government took the place of a political police, when will it be in Tunisia ?”. He was tried by the Court of the first Instance and the Court of Appeal by two months jail, with the adjournment of the execution and with a penalty amounting to 100 dinars in all cases, by adding the judgements by jail, Mr Mohamed Kilani, the Chief Editor of the newspaper was tried by two months jail by the Court of the first Instance and the Court of Appeal, with the adjournment of the execution, and with a penalty of 100 dinars, with the same accusation, due to his article published in the issue n° 21 of the same newspaper, under the title “About the Press legislation”.

On October 20th, a judgement appeared on the manager of “El-Iilan” newspaper and Its Chief Editor, with a penalty amounting to 600 dinars, by penalizing the magazine with one symbolic dinar due to an article where it considered that a little business made by the Tunisian Embassy in Paris was suspected”

On December 14th, 1990, a judgement appeared penalizing the manager of “Tunis Hebdo” magazine as well as its journalists with 300 dinars and with two months’ jail, by Adjourning the execution, after publishing an article on July 30th, criticizing the absence of Members in the Chamber of Deputies.

On December 15th 1990, Mr Moncef Ben Mrad, the “Realites” magazine Manager was tried and penalized with 500 dinars because his magazine published an article accusing the Tunisian police for failing in its task during “Abou Jihad” ‘s murder.

On January 30th 1991, a judgement appeared on Mr Amor Shabou, “El Madhreb” Magazine Manager, with fifteen months’ trial, with the accusation “publishing false events “Likely to threaten the public order”.

And on January 31st 1991, the Court martial in Tunis issued a judgement of one year Jail to Mr Hamadi Jebali, the “El Fajr” newspaper Manager, and six months’ jail to the Attorney Mr Mohamed Nouri with the accusation “defamation of a judicial institution” due to the publication of a legal article about the Court martial, it is known that Mr Jebali is still in the jail under severe conditions, and also Mr Abdallah Zouaoui, who worked in the same newspaper, was submitted to an administrative control, after he spent eleven years In jail following his trial, this is in the framework of trying “Ennahdha” movement in 1991.

And on March 23rd 1991, the judgement of Mr Amor Shabou appeared with a penalty amounting to 800 dinars, because she wrote an article where the Court discovered a defamation to one of the Government members.

On April 27th : The trial of Mr Hamma Hammami, “El-Badil” newspaper Manager by jail for a period of two years and a half, with the adjournment of the execution and a penalty amounting to one thousand five hundred dinars, with the accusation of “launching false news the defamation of judicial circles and official bodies” after the court had judged in a previous meeting to stop the publication of the newspaper during six months”.

On August 26th 1994, the “Realites” magazine Chief Editor was called by the Attorney General after he published a series of articles about sexual culture.

On June 5th 2001, the Journalist Mrs Sihem Ben Sedrine “The electronic world” magazine newspaper Manager was put in prison in Manouba women jail after she came back from London following her participation in a television conversation in “El-Mostakilla” channel which broadcast its programs from London, and she was released after more than two months following her arrest.

On June 13th 2002, Mr Zouheir Yahiaoui, known by his name “Tounsi” and who was animating the Tunisian mocking monetary site, was submitted in front of the 4th Criminal Commission in the Court of the first Instance in Tunis, in accordance with the article 306, n° 3 from the Penal Code and concerned with the punishment of any one who informed or spread a piece of news which is known previously as being false, so as to let others believe in the existence of criminal acts against persons or properties, “will be attributed penal punishment” and the article 84 of the Communication code concerns the stealing of telephone lines...;

On June 20th 2002, this section issued a judgement of two years and four months’ jail for the accused who was absent, and with the hearing of his defence lawyer who abandoned by objection. On July 11th 2002, at the Court of the first Instance in Tunis, the 14th section judged definitely Mr Zouheir Yahiaoui with two months’ jail in a trial where common rules of fair courts were not respected. Mr Zouheir Yahiaoui was arrested on June 4th 2002 after six peace agents broke into the internet premises where he was working, they arrested him without showing him their identity and without any order from the concerned authorities. They investigated the premises as well as the equipments before they moved to his family’s house in order to make investigations and confiscate his private computer, he was arrested after months of security and technical pressure on the site and its connections. Yet, the Court of appeal has not analyzed yet the request presented by the solicitors to appeal on the verdict given by the Court of Appeal. Mr Zouheir Yahiaoui is still kept in Borj-El-Amri jail, he took part in hunger strikes many times protesting about the prison conditions and claiming for being released..

On december13th 2002,after he published an article about the jail conditions in Tunisia in the issue n° 885 of “Truths” magazine, which appeared on December 12th 2002, Mr Hedi Yahmed together with Mr Taieb Zahar the newspaper Manager, were called to appear in front of the Attorney General Assistant at the Court of the first Instance in Tunis, and after that, Mr Yahiaoui resigned from the quoted magazine. In a manifesto that he

published before his immigration abroad, he justified his resignation with the pressure which did not let him make any other choice.

Between February 5th and 12th 2003; a group of young people from Zarzis delegation in Medenine Governorate was arrested, being accused for sailing in prohibited sites through the Internet, they are still arrested in “April 9” jail in Tunis. The date of their trial has not yet been determined till the writing of this report, during the same month, a group of young people from Lariana Governorate and Menzel Bourguiba were put in jail when they tried to travel to the Middle -East across Algeria, they had sailed in internet sites, considered as being prohibited by the Authority; and liable to legal sue, they are still in arrestation and the date of their trial has not yet been determined.

THE RESTRAINTS ON THE INTERNET AND ITS CONTROL

Since its appearance in Tunisia in 1996, the internet is submitted to control made by the Tunisian Internet agency which works under the authority of the Ministry of Communication Technologies. There are 12 suppliers in Tunisia among whom are included 7 public suppliers (for supplying Government bodies, public and private companies) and 5 private suppliers who are holding a license in order to sell subscriptions for private people, the internet users in the country are still less than other countries like Turkey, Lebanon ; nowadays, the number of users does not exceed about five hundred thousands, distributed according to the following rate : public centres 7.5 / , families and private companies 21.5 / , education, offices, companies, health and farming 71 / , the use of the electronic mail doubled clearly.

The authority is trying to harmonize between two facts which are impossible to harmonize :

The development and extension of the users' network on one hand, and the police control of the network on the other hand, that is why a legislation appeared and was not limited to organize this field, but it included clearly the control and the interdiction sides, and after, law n° 88 – 89 of August 2nd 1999, amended and completed a few articles of the penal law and the schedule of conditions concerning the internet public centres (1998), this is in addition to improving technical means for controlling and increasing the number of experts and technicians in the control field and the intervention towards the concerned police authorities, estimated to a few hundreds, those controllers are cutting the communication, they are stopping the lines, closing the connection methods, interfering in the electronic mail and are prohibiting it in the same way as when they prohibit the connection with a certain number of sites.

Control was carried out through invented methods consisting of :

- Controlling the electronic mail particularly the mail concerning the political fighters and activists in the human rights, the matter is not limited to the control but goes beyond up to transforming or
- Filling the aimed electronic mail boxes with fictitious letters, which does not enable those boxes to get new letters, which disturbs the electronic correspondence between aimed people.
- Cutting the way in front of many international and national sites so that the users of the network would not reach them. This cutting aims the Tunisian sites used for Independent Associations and opposition parties as well as people characterized by their different opinions and Young Associations sites, critical and subject to mockery, and sites used for International and non-Governmental organizations, which are different in covering the national news, such as the sites of the Tunisian for Human Rights defense and the National Council of Freedoms in Tunisia and “RAD/ATAC –
- Tunisia” and the offices of “Tunizine” and “TAKRIZ”, as well as the “Zitouna” site used for the
- Prohibited “Ennahdha” movement and “Afak Tunisia” (=“Tunisian horizons”) of the Tunisian Opposer Mr Tahar Belhassine and the “International Federation for Human Rights” sites as well as those of “the International Amnesty Organization” in Tunisia, those of “Human Rights Watch”, “Correspondents without frontiers”

sites, those of “El-Jazira” channel, the site of “Liberation” French newspaper and a large number of international and Arabic newspapers .sites.

- Sending viruses to Independent Associations, which leads to damage the programs and Equipments, this happened to a few Independent Associations such as the League and the Tunisian Democratic Women Association during the year 2002, and also the demolition and Destruction of many sites such as what happened to “Tunisia 2000” sites, “Zitouna” and “Tunis News” sites during a temporal period in 2003.
- Closing a number of internet public Centres during safety control campaigns during June and July 2002 on the pretext that they are not able to control their customers. This concerns Centres where internet sites were established, or through which the young people chat with each other –through the internet- in subjects prohibited by the authority, this led the number of the internet public centres to decrease from 340 in 2002 to about 260 in 2003, at the same time, the licenses to open public internet Centres stopped to be delivered, and regular control was intensified by the security departments and office bodies under the authority of the Ministry which is responsible for this field. The list of interdictions was extended such as the prohibition of using floppy disks, which bounds a certain number of Internet public Centres to close down.

THE PROFESSIONAL MORALS

In return to intensifying the control over the mass media, the analysis, the articles of opinion, the competent authority resorts to neglect spreading a declining information type lying on the transgression of the press professional morals and the honour charter. The newspapers "El-Hadeth" and "El-ilan" are particularly specialized in this degrading information mode, is added "Ech-Chourouk" newspaper which publishes from time to time articles in order to attack the Tunisian Human Rights Activists and opposers.

The transgression of professional morals lies on proves that the specialized newspapers mentioned previously are used to following :

1. Honour transgression :

It is a method followed by those newspapers in the beginning of the nineties when they published detailed sexual and invented video tapes belonging to both Ali Laridhi the leader of the prohibited Ennahdha movement, who was put in jail for his whole life, the previous Islamist activist, the Advocate Abdelfattah Mourou and the previous Prime Minister Mr Mohamed Mzali.

The moral decline continues in order to cover political opposers and Human rights activists due to the influence of their cases by their private life, and due to their relationships in the framework of the International Human Rights network, this is also the case of many independent associations and their leaders.

In spite of the multiple lawsuits against specialized newspapers made by people who were dishonoured, they are still carrying on actions contrary to the professional morals and they are enjoying this protection since they are defended by law. Every week we cannot avoid facing cases of officials with the complete silence of the judicial and official circles which are allowed legally to Interfere in order to stop those actions standing in opposition to the country legislation, the conventional customs and the professional morals, the press informers themselves complained about these actions and they saw through them a degradation in the level of the Tunisian press. As examples, the Tunisian Democratic Women Association as well as its fighters and supervisors faced a series of outstanding articles characterized with crudeness and defamation, dishonour and rape in "El-Hadeth" newspaper in February and March 1998. During November and December 2000, not less than 10 articles appeared about defamation, hurting, accusation of betrayal in newspapers like "El-Hadeth", "Es-sarih", "El-ilan", "Ech-chourouk", "Es-sabah" and "El-Arab".

Those articles are exposed to the managing Council emerging from the League of the Congress as well as a number of national personalities, prominent lawyers and the opposition in Tunisia and abroad. During 2001, more than 100 articles were published about defamation, hurting and accusation of betrayal, in the average of about two articles a week, a few newspapers are hardly specialized in this field like "El-hadeth" newspaper, the Manager of which is Mr Abdelaziz Jridi, "Ech-chourouk" and other newspapers such as "Dar-El-Anouar", "Es-sarih" the Manager Of which is Mr Salah El-Haja, "El-Ilan" the Manager of which is Mohamed Nejib Azouz, the Governmental newspaper "La Presse", also "El-Ahd" magazine belonging to Mr Nabil Bradii,

“El-Arab” belonging to Mr Ahmed El Houni and “El-Horria” emanating from the Democratic Destourian Regrouping party, they aimed next to the personalities and Activists and a number of independent Associations such as the Tunisian League for Human Rights Defence, the Democratic Women Tunisian Association, the Tunisian Association of young solicitors, a number of television channels, Press agencies and newspapers which cover the national news in a way different from that of official information, or cover news about activists and Opposers, or opened the field for expression. There are long information campaigns of

International legal Organizations which united jointly with activists and were exposed to freedom situation in Tunisia.

The complaints made by the activists against the journalists and newspapers facing defamation, hurting and accusations for betrayal were unanswered, and these journalists and newspapers are still enjoying non punishment, which encourages them to carry on treading the press professional morals.

2. The unsigned articles :

It is a method which has been spread in the previous years in the Tunisian newspapers. This kind of articles is characterized with the attack on the Personalities of the Civil society. According to the declarations made by the journalists and information supervisors, these articles are commonly delivered ready and prepared from parties in the Authority to the newspapers which are content to publish news, we can find one article in more than one newspaper on the same day. Those articles multiply in the case a few professional organizations and bodies are in conflict with the authority such as the Tunisian League for Human Rights Defence, the National Freedom Council, the Solicitors National body and a number of opposing Personalities, active abroad, in spite of the Tunisian journalists’ protest in many occasions to publish these articles in their newspapers, and in spite of the denial made by the bodies of the Civil society, they are carrying on publishing them. The official authorities do not provide with any explanation to that.

3. Satisfactory advertising :

Most Tunisian newspapers are used to publishing advertising articles in the form of written articles. If this stands essentially in opposition to the professional morals, it has an influence on the writing line of newspapers and lets them be dependent on the announcing parties, it limits in its turn the margin of freedom in the Tunisian press in general.

4. Floating of the sector with non-specialists :

In the previous years, the Tunisian journalists have been complaining about the increase of non-specialists who engaged in the profession and integrated this area from other fields or from official bodies in a campaign taking an organized dimension in the previous years, which aims to empty this field in general from its employees and from its information contents.

The Tunisian journalists see that most non-specialists in the press profession execute what is required from them even if this stands in opposition to the professional morals. This method is used in order to press on the Tunisian journalists and make them marginal. The supervising Authority managed to do this action with the agreement of most information company offices.

INFORMING THE OPPOSITION

Since the early seventies and during the eighties, the information platform recorded the appearance of a number of newspapers and various independent periodicals which represent political, intellectual and ideological groups as well as opposition parties. In this regard, we quote the newspaper “Er-rai” (=”opinion”), “Dimocratia” (=”Democracy”), “l’ouvert” (=”The opening”), “Elmostakbel” (=”The future”), “l’Avenir” (=”The future”) in French ; both are published by the Socialist Democratic Movement and “Et-tarik El-jedid” (=”The new way”) : (which was published by the Tunisian Communist Party which was transformed into the Renewal movement), “El-Ouehda” (“The Union”) published by the Socialist Liberal Party, “Elmawkif” (=”the Attitude”) : (published by the Progressist Socialist Regrouping Party and which was transformed into the Progressist Democratic Party now), “El-watan” (=”the Nation”) : (published by the Unionist Democratic Party, “El-Oufok” (=”the Horizon”) (published by the Socialist Liberal Party), “El-Fajr” (=”Dawn”) : (which used to be published by En-nahdha movement), and “El-badil” (which used to be published by the Tunisian Communist Labour Party) in addition to “El-maarifa” (=”knowledge”) magazine which used to be published by the Islamic movement (which was converted into En-nahdha movement), “15/21” which used to be published by the Progressist Muslim Trend, “Otrouhat” (=”Theses”) and “Ech-chahria” (=”Monthly”) which were both published by the left parties, and in addition to the independent “Elmaghreb Elarabi” (=”Arab Maghreb”), which included

In its consultative Council Representatives from opposition parties, Independent Associations and ideological trends.

Most of these titles were hid either due to the interdiction after trials (“Elbadil” and “El-Fejr”) or by obligation due to the constraints or by the effect of techniques aiming to oppressing the Information space. Among all those newspapers nowadays, the weekly “El-Ouehda” newspaper appears in a similarly regular way and “Et-tarik Eljedid” which was transformed from a weekly newspaper to a monthly magazine, published regularly, and “El-Oufok” which appears irregularly in 4 pages. The party leaders justify the reasons for stopping their newspapers with their weak financial standing (in spite of the indemnity relevant to parliamentary opposition newspapers : “El-Ouatan”, “El-Mostakbel”).

The newspaper “Elmawkif”, which is deprived from public advertising in addition its privation from the yearly indemnity and from official re-inforced paper, suffered last year from a financial Insolvency and a hard control over its articles during the printing which obliged them to stop their appearance, at the same time, “Et-tarik El-jedid” newspaper has faced this year the confiscation of one of its issues (March 2003).

In addition to the general methods used for control, censorship and pressure, the opposition newspapers which are selective in their attitudes different from the official ones, are facing pressure, control and interdiction through many means, this is shown clearly when parties took political positions which are different from the authority attitudes.

A. METHODS USED FOR CONTROLLING, FORBIDDING AND PRESSING THE OPPOSITION NEWSPAPERS :

1. Use of the Governmental financial indemnity devoted to those newspapers and official re-inforced paper in addition to public advertising used as pressure punishment and directing means :

The authorities devoted a yearly indemnity amounting to fifty thousand dinars for every weekly newspaper coming from the parliamentary opposition which appears regularly, and a yearly indemnity amounting to thirty thousand dinars for every monthly magazine or newspaper which appears regularly from the parliamentary opposition.

The opposition, which is not represented in Parliament, is moreover deprived from those indemnities, the authorities use the yearly indemnity as a means to make a pressure on every opposition newspaper or magazine which does not comply with the instructions, in order to punish them and deprive them from their publications. The "Ettarik Eljedid" magazine was faced to trouble its needs used for public advertising ; the newspaper "Elmawkif" (= "the Attitude") was deprived from all kinds of material support (public advertising, official re-inforced paper, moreover it is deprived from the financial indemnity devoted to the opposition newspapers.

2. Pressure on printing works :

The printing works are afraid of "vengeance measures" in case they are encouraged to print opposition newspapers for that purpose. They "are requiring the green light" from the authorities and the various newspapers, selective in their attitudes towards the authorities, faced this situation, and in 1989, all printing works refused to print "El-Fejr" (= "Dawn") newspaper, and after they received the order to print, the "Dar-El-Anouar" administration got in touch with the newspaper suggesting the service of printing, after it had refused. Both newspapers "Elbadil" and "Elmawkif" suffered from the same situation during the period of their appearance.

3. Hindering the appearance on time :

It uses the system of delaying the legal measures for the registration of copyright, the "Mawkif" newspaper is facing the delay in the printing works provided their contents are agreed upon before distribution.

B. THE SATISFYING INTERDICTION, THIS IS MADE BY MANY VARIOUS METHODS AMONG WHICH:

1. "The purchase" of all issues distributed through the distributing company from "unknown" areas :

During April 2002, all copies of the issue n°6 of April 2002 of the "Tarik-El-Jedid" (= "the New Way") magazine, distributed through "Sotupresse" company, resorted to buy from "an unknown area", and consequently, the quoted number was not distributed in stands and sales outlets.

The " loss and damage" of the distributed issues through the post :

During May 2002, all copies of "Tarik Eljedid" issue n° 7 distributed by mail and which are designed for the subscribers and the branches of "Et-tejdid movement" as well as

the sales outlets located beyond the “Sotupresse” company distribution network, faced their “damage and loss”.

“The non-supply and non-distribution in the sales outlets :

In May, the issue n° 213 of “Elmawkif” newspaper was forbidden in a satisfactory way since it was displayed for sale only in a unique stand located near the office of Master Ahmed Nejib Chebbi, the newspaper Manager.

THE CONSTRAINT AND DELAY IN THE DISTRIBUTION:

Pressure on the salesmen and the non-display of a few opposition newspapers in a few sales outlets :

A few opposition newspapers are suffering from distribution difficulties since the authorities, especially the regional authorities as well as the regional and local bodies of the party on power interfere inside the country in order to make a pressure on the salesmen and distribution channels, due to the non-display of those newspapers to the public, whereas quantities of newspapers were kept, then they were sent back on the pretext that they were not sold, most of the opposition newspapers knew this situation, which led a few of them to appeal to “ a fighting distribution”.

Delaying the distribution by mail :

Since May 2002, the “Tarik El-jedid” magazine has faced an intended delay in the arrival of the distributed issues by mail or the loss of some issues among them.

So long the low pressure of the opposition newspapers is reflecting the dryness and the Intensity of the information platform, the absence of these newspapers and the non-playing of their natural role participated in increasing the poor condition of the Tunisian press, as far as diversification, courage and the revolt against the law are concerned, many of these ewspapers Such as “El-mostakbel” (=”the Future”), “El-ouehda” (=” The Union”); “Et-tarik Eljedid” (=”The New way”), and “Elmawkif” (=”the Attitude”) are considered as an important belt for Tunisian Information in the late seventies and during all the eighties decade.

The interdiction and prevention policy led to the appearance of similar written or electronical newspapers, a few resorted to un-licensed publications and which are distributed secretly such as”Kaus El-Karama”, “Saout ech-chaab” (=”the Voice of people”) published by the Tunisian Communist Labour Party, after stopping its newspaper “El-badil”, although this latter granted the registration of the copyright receipt and appeared during many months, a few others appealed to launch computer sites in the internet or the electronic newspapers such as “Kilma” (=” A word”), “Akhbar Tunis” (=”Tunis News”) and “Badail El-Mouatana” (=”Citizens alternatives”, etc... These similar newspapers are considered by the authority as prohibited in accordance with the press legislation.

CHRONOLOGY

* 1987

- **December** : Fixing a maximum of four thousand copies to all “Jeune Afrique” magazine issue which was considered as “a political punishment”, which continues until November 1989.

* 1988

- **January 1988** : Stopping the newspaper “Er-Rai” (=”Opinion”) (which was re-published) due to an article under the title “Nichaz” written by Mrs Nezih Rjiba (Om-Zied), and since then this newspaper stopped to be published.
- **March** : decision to cancel all penalties which appeared on the right of the newspapers “Er-Rai” and “El-Mouaradha” during the period of Bourguiba President’s rule. Providing both ewspapers “El-Mostakbel” and “El-Mawkiif” with an assistance amounting to 50 thousand inars, and also 25 thousand dinars to both newspapers “Et-Tarik Eljedid” and “El-Ouehda”.
During 1988, stopping of the “Realites” magazine and the submitting of Master Hichem Jait to the court due to the publishing of an article written in this weekly magazine, his file was conserved.

* 1989

- **January**: The non-appearance of “Et-Tarik Eljedid” magazine due to financial difficulties and political reasons according to the insistence of executives there.
- **February** : The non-appearance of “El-Ouehda” newspaper due to financial reasons. The appearance of “El-Fejr” newspaper of “En-nahdha” movement after the legislative elections, After enabling it to get the legal receipt and fixing the withdrawal of 40 000 issues.

* 1990

- **January** : Enabling “El-badil” newspaper to get a legal receipt.
- **January 13th** : The League is indebted in an announcement to “settle again control over newspapers.
- **March 3rd** : Penalizing both “El-ilan” newspaper Manager and its Chief Editor with 500 dinars and the trial of each of two months’ jail after publishing an article including the accusation of a former executive of bribery.
- **March 8th** : the first appearance of “El-badil” newspaper first issue
- **March** : A group of University Professors and journalists sent a call to require the respect of expression freedom in the Arab countries.

- **April 15th** : The journalists Association office criticized the authorities decision to prevent an issue of “El-mawkif” newspaper.
- **April 21st** :The appearance of “El-Fejr” newspaper, which appeared on behalf of “Enahdha” movement, which is bound by the authorities to withdraw not more than 40,000 copies at the maximum.
- **May 24th** : Master Moncef Ben Salem’s judgement by 3 years’ jail with the accusation of “publishing wrong news and defamation of the Republic President” in an article published in an Algerian newspaper.
- **June 7th** : Forbidding the distribution of “Le monde” newspaper which included an article under the title “The Rupture with the opposition for the town hall elections and the break of the agreement”.
- **June 16th** : Seize of “El-Fejr” newspaper.
- **June 19th** : The Journalists Association office expresses its regret for seizing “El-Fejr” newspaper speaking in the name of “En-nahdha” movement.
- **June 23rd** : Seize of “El-Fejr” newspaper, suspension of its publication during three months, the interruption of the phone line for its management and the appearance of its Chief Editor Mr Hamadi Jebali in the court.
- **June 29th** : The Journalists Association office is requiring to organize an assembly with the Minister of Social affairs and the Secretary General of the Tunisian General Labour Union in order to be informed about the decline of the journalists in the Radio and Television company.
- **August 9th** : Mr Ahmed Ben Brahim El-Afli arrest (journalist in “El-Fejr” newspaper) at the newspaper head office.
- **August 16th** : Seize of a newspaper as well as “El-Ilan” newspaper” due to its criticizing the official attitude of the Gulf war, and tackling the subject of wealth owned by the ruling family in Koweit, and other articles considered as likely to cause” the trouble of the public order and bring damages to the diplomatic departments in Tunisia”.
- **August 30th** : The seize of “El-Watan” newspaper after it wrote an article speaking about the King FAHD of Saudi Arabia.
- **September** : During one week, three television programs of the French channel 2 were forbidden to broadcast.
- **September 20th 1990** : The issue n° 20 of “El-badil” newspaper was seized because it contained an opening article under the title “We are moving on the way to fight”, written by Mr Hamma Hammami.

- **September 27th 1990** : The issue n° 21 of “El-badil” newspaper was seized because it included two articles, the first under the title “The Algerian Government plays the role of a political police, when will it be in Tunisia ?”, written by Hamma Hammami, the second article under the title “About the press legislation”, written by Mr Mohamed Kilani, Chief Editor.
- **September 22nd** : “El-Fejr” newspaper re-started to be published.
- **September** : The “Correspondents without frontiers” organization and “El Madda 19” Association required in a common manifesto from the Tunisian Government to cancel the condition of anticipated license to launch newspapers and to abandon the obligation of copyright registration, except the case of the archives and the amendment of the press legislation concerning the accusation for defamation, and the integration of journalists and writers who were laid off in their former jobs, and enabling the political and cultural bodies and Organizations to have the freedom of appealing to audio-visual mass media.
- **October 2nd 1990** : Mr Hamma Hammami, the “El-badil” newspaper Manager was brought to the court for two cases in accordance with the press code clauses and with the accusation of “defamation of the political order and spreading false news in bad faith, which leads to trouble the public order of the country” due to the articles published, the first in the issue n° 20 of “El-badil” newspaper, the second article was published in the issue n° 21, he was tried by both the Court of the first Instance and the Court of Appeal by two months’ jail, with the adjournment of the execution and a penalty amounting to one hundred dinars for every case, by adding the trials by jail, Mr Mohamed Kilani, the newspaper Chief Editor was tried by the Court of the first Instance and the Court of Appeal of two months’ jail and a penalty amounting to one hundred dinars, with the same accusation, because he published an article in the issue n° 21 of the same newspaper.
- **October 5th** : Suspension in publishing “El-badil” newspaper during six months, after it was seized three times.
- **October 6th** :Mr Hamadi Jebali, the “El-Fejr” newspaper Manager was tried for six months’ jail, with a penalty of 500 dinars with the accusation “inciting the violation of law”.
- **October 20th** : The Manager of “El-ilan” newspaper and the Chief Editor were tried with a penalty amounting to 600 dinars, by penalizing the newspaper with one symbolic dinar, due to an article where it considered that business made by the Tunisian Embassy in Paris were “suspected”.
- **October 24th**: The seize of “El-Mawkif” newspaper after it published deliberations in a debate circle about the evaluation of three years of change, made by unrecognized political parties.
- **November 10th**: The seize of “El-Fejr” newspaper because it published a manifesto coming from a certain number of opposition parties.

- **November 11th**: On the occasion of celebrating the three years birthday of the beginning of President Ben Ali's rule, more than 100 journalists signed a petition where they insisted that the conditions of the journalists profession are not in accordance with the journalists ambitions and do not meet their requirements, they also went on criticizing "the meddling with the press and journalists affairs" and the increase in the operations of seizing newspapers and their suspensions.
- **November** :The seize of "El-mawkif" magazine because it published an article about the Gulf war. ewspaper after they published a series of articles about the November : The lay of both Mr Taoufik Ben Brik and Mrs Aziza Zarraa fom 'La Presse" after they published a series of articles about the situation of information in Tunisia.
- **November 15th** : The League expresses in its manifesto its disappointment due to the excessive violations recorded in the pres field, such as the successive seizes for independent and opposition newspapers.
- **December 14th** : Penalizing the "Tunis Hebdo" newspaper Manager as well as one of the journalists of three hundred dinars and two months' jail, by adjourning the execution, after publishing an article on July 30th, criticizing the absence aspect concerning the Chamber of Deputies members.
- **December 15th** : Mr Moncef Ben M'rad, the "Realites" magazine Manager was tried and penalized of 500 dinars, because his magazine published an article accusing the Tunisian police for failing in their task during "Abou Jihad"s murder.
- **December 26th** : The journalists Association is protesting against the increase of obstacles facing the press and journalists.

*** 1991**

- **January** : "El-Maghreb" magazine was obliged to stop publishing for the fourth time since its creation in 1981. An announcement published by the edition team states that the responsible employees in the SAGEP printing works, depending on the ruling party, decided to stop printing the newspaper due to technical reasons, after the magazine published a table including the evaluation of the Ministers during deliberations held at the Chamber of Deputies.
- **January 17th** : The seize of "Ech-chourouk" newspaper because it published articles onsidered as being "preparatory" about the Gulf war.
- **In January 17th 1991**, the issue n° 22 of "El-badil" newspaper was stopped due to a call sent by forces and democratical personalities exposing the general situation in the country, "El-badil" newspaper stopped to be published since that date.
- **January 22nd** : The lay off of a television team of journalists of TF1 French channel, who were recording the reactions of the Tunisian public about the Gulf war.

- **January 24th** : “El-Fejr” newspaper stopped its publishing after the issue n° 24 appeared since it was granted the receipt, three issues were stopped during the newspaper appearance.
- **January 25th** : For the first time since 1956, one of the “Ech-chourouk” newspapers issued blank spaces due to articles or news cancelled by the control committee, the same operation was repeated on the next day for “Es-sabah”, “Le Temps” and “Es-sada” newspapers.
- **January 30th** : The trial of the “Maghreb” magazine Manager, Mr Amor Shabou of 15 months’ jail, with the charge :”publishing false news likely to threaten the public order”.
- **January 31st** : The Court-Martial rendered a judgement of one year jail to Mr Hamadi Jebali, the “El-Fejr” newspaper Manager, and six months jail to the solicitor Mohamed Nouri with the charge “defamation of a judicial body”.
- **January** : The “Mawkif” magazine disappearance due to financial reasons.
- **February 8th** : “El-ilan” newspaper was seized because it left a blank space after informing that it will not publish any news.
- **February 13th** :”Jeune Afrique” magazine was seized after it published a dialogue with Rached Ghannouchi, the leader of the forbidden “En-nahdha” movement.
- **March 20th** :”Dar El-Anouar” printing works faced a fire made by unknown persons, an inquiry was opened in this matter, and its results have not been published so far.
- **March 22nd** : Preventing the “Chark-El-Ausat” (= “Middle-East”) newspaper, because it published an article written by Mr Mohamed Mzali, under the title “A program in order to solve the crisis in Tunisia”.
- **March 23rd** : The trial of Amor Shabou of a financial penalty amounting to 800 dinars because the Court considered that the article included a defamation to one of the Government members.
- **April 11th 1991** : The lay off of the “Roiters” Agency Manager on the proof that he published wrong news (Faxes described the torturing cases faced by Islamists and mentioning the report written by the International Amnesty Organization).
- **April 20th** : Eighty journalists signed a call where they required to respect the citizen’s right for information, and claimed for eliminating barriers hindering the journalist profession.
- **April 24th** : The “Batal” (“=”The Hero”) ,newspaper interdiction because it published an article written by Mohamed Tahar Chaieb, a member of the Executive Committee in the Tunisian General Labour Union, about the social situation in the country.

- **April 27th 1991** : Mr Hamma Hammami, the “El-badil” newspaper Manager was tried of two months and a half jail by adjourning the execution and a financial penalty amounting to one thousand five hundred dinars with the charge of “spreading false news and defamation of judicial circles as well as official bodies”. After, a judgement was rendered in a last meeting to stop publishing the newspaper during six months.
- **April** : The Government decided to strengthen the parties, by subsidizing each of them with eighty thousand dinars, among which 30 thousand dinars will be devoted to start publishing their newspapers.
- **May 23rd** : Stopping the television programs broadcast in the 2nd French channel, so that the viewers could follow the events of the Press Conference held by the Minister of Interior, who announced the details about “En-nahdha movement plot” which was broadcast on the Tunisian channel.
- **From May 24 until May 29th** : Prohibiting the entrance of “Le Monde” French newspaper issues, which included the reaction given by the “En-nahdha” movement leaders, who were living abroad due to charges sent to their movement. This is what let the Authorities accuse the newspaper to be transformed into “a spokesman to the terrorists”.
- **June 14th** : The League expressed in an announcement “its big concern about the serious and quick decline of the information situation” and required to put an end to any form of control.
- **July** : “El-badil” newspaper announced to stop publishing due to “the various pressures that it faced”.
- **July 19th** : “El-ilan” newspaper published the content of a video tape which was sold intentionally in order to affect the honour of Ali El-Aridh, one of “En-nahdha” movement leaders, who was in jail. The President communicated to the Secretary of State of Information his insistence on the obligation of “avoiding such special actions by the non-publishing of such events in order to preserve the information credibility”.
- **July 20th**: The Tunisian Journalists Association criticized the article published in “El-Ilan” newspaper. It announced in its manifesto that it happened more than once to grant the newspaper Chief Editor a professional card.
- **July 26th** : The League renewed on the occasion of the Press commemoration to express its indignation towards the decline in the information situation, stating especially that many independent and opposition newspapers were stopped, and it also criticized what it called “the disgraced press”.
- **July 31st** : The League organized a symposium about the conditions of press freedom.
- **August** : “El-Madda19” (=”the Substance 19”) quoted in its periodical that journalists, men of law and political figures were “oppressed” in Tunisia and that hundreds of people were put in jail because they expressed their opinions.

- **August 6th** : President Ben Ali called in a Council of Ministers to improve the means for managing the information companies especially the Radio and Television institution.
- **August 16th** : The Prime Minister Mr Hamed Elkaroui insisted on “the important role played by the information field in order to strengthen plurality and materialize the responsible democracy”. He also called for respecting the professional morals.
- **September 24th** :The Tunisian Journalists Association quoted in an article that its management tackled, in a meeting held with the Secretary of State, many issues such as the amendment of the Press Code, purifying the environment inside this sector after seizing a series of newspapers and reviewing the conditions organizing the delivery of the professional card, in the view of constituting a national committee composed of the Associations Representatives and newspapers Managers, this committee has to be ruled by a Judge, and also improving the journalists moral and material situation by insisting on the importance of centralizing the edition committees and strengthening the training and recycling programs.
- **September 25th** : The “Jeune Afrique” magazine quoted “that the Tunisian Authorities imposed on it a maximum, this concerns the distribution which must not exceed 4 thousand copies concerning all its publications, after it used to distribute 8 thousand copies in the proof of saving the foreign currency, this is considered by the magazine as a punishment that it faced previously.
- **October 2nd**: The newspapers refused to publish an article written by five parties after declaring that an “Islamist terrorist planning” was discovered. These parties expressed “their deep concern about the danger threatening the country” and said that, in order to face that, “the Civil society including parties and Associations, had to defend itself, by eliminating all obstacles from the democratic process , especially in the information field”..
- **Also on October 2nd** : “Jeune Afrique” issue n° 1605 was seized due to publishing a piece of news about the appearance of a new book written by Mr Mohamed Mzali
- **October 23rd** : “la Presse” newspaper replied to the Algerian newspapers and charged them for making an intended campaign about Tunisia. That is what a number of Algerian newspapers explained, among “Ech-Chaab” newspaper speaking in the name of the ruling liberation Front.
- **October 28th** : “El-Madda 19” Organization Manager met in London the Republic President Counsellor in charge of the Human rights, he evoked the issue of a number of people put in jail, among whom Mr Amor Shabou, the “Maghreb” magazine Manager. A reaction of an inquiry commission was made positively with the Organization desire in the direction of an inquiry Commission held in Tunis.
- **November 1st** : The “Realites” magazine announced on its cover a dialogue held with Mr Mohamed Mouada, the Secretary General of the Socialist Democratic movement ; but the text of the conversation was not published in the magazine.

- **November 7th** : The two regional companies of Kef and Gafsa started to broadcast their programs.
- **November 8th** : Five parties announced in a common manifesto that their supervisors tackled the information file in a meeting with the President of the Republic.
- **November 17th** : Forbidding the distribution of “La Croix” French newspaper issue due to an article about the Islamists.
- **December 9th** : Official sources deny that the “Correspondents without Frontiers” Organization published about the existence of five journalists in jail due to their opinions.
- **December 10th** : More than 300 Intellectuals and journalists sent a call to the President of the Republic requiring to put an end in the press freedom decline and the violation of the right for expression.
- **December 12th** : The League announced in a manifesto that the fourth of its articles written during the last six months were not printed.
- **December 18th** : The Secretary of State of information is suspicious about the exactitude in the existence of a call sent to the President of the Republic by more than 300 Intellectuals and journalists, especially after a number of signing parties did not agree about the text of the call.
- **December 19th** : The “Sabah” newspaper which published an article about the call previously quoted, published an article saying that the call was not signed and that a few persons whose names were indicated denied their knowledge about the text existence through a connection with the newspaper.
- From December 15th until December 30th : Interdiction of distributing many Arabic newspapers because they published the League announcement and the Intellectuals’ call about information.
- **December 31st** : The President of the Republic insisted in the Chamber of Deputies the obligation for developing the information field in accordance with the professional standards.

*** 1992**

- **January 31st** : Questioning Dr Moncef Marzouki, the League President by the police about a press declaration broadcast in a foreign Radio about the situations of general freedom in the country.
- **June 12th** : The arrest of the journalist Ferida Ayari in the International France Television, when she got off the plane in Tunis-Carthage airport, because she tackled the situations of freedoms in Tunisia many times in her programs.
- **July 26th** : President forgiveness including Mr Amor Shabou, the “El-Maghreb El-Arabi” (=”Arabic Maghreb”) newspaper Manager.

- **September 7th** : The Secretary of State of information declared that the opposition parties will benefit from a wider space in the official mass media in the future.
- **November 16th/17th/19th** : Re-publishing of “Liberation” French newspaper which appeared these days, coming through the same plane. A decision was taken later to prevent publishing it definitely .

*** 1993**

- **March 9th** : interdiction of selling “Le Monde” newspaper in the Tunisian market..
- **April 9th** : Appearance of an article bearing the signature of two hundred Intellectuals condemning “ the observed regression of freedoms in Tunisia”
- **April 11th & 12th** : Interdiction of distributing “Le Monde” newspaper
- **July 23rd** : The Government announced the amendment of 15 articles from the Press Code, especially article 13 which attributes to the Minister of Interior the absolute rights to deliver licenses for publishing newspapers or forbidding them.
- **July 21st**: The Journalist Kamel Labidi, the newspaper “La Croix” Correspondent will appear in the disciplinary Committee in “Tunis Afrique Presse” with the accusation “Undermining the country reputation” after an article was written by the University Professor Mr Chouikha in “Le Monde Diplomatique » French newspaper for which a decision was taken to forbid its distribution in Tunisia.
- **July**: The “Liberation” newspaper was allowed to be re-sold and re-distributed, at the same time, the programs of the 2nd French channel were allowed to be broadcast.
- **August 26th**: “Correspondents without frontiers” Organization announced its cooperation with the journalist Kamel Labidi.

*** 1994**

- **February** : The arrest of two journalists from work during three days in “Tunis Afrique Press “ Agency because they published a false event which consisted of Mr Moncef Marzouki candidacy for the presidential elections.
- **February 10th** : The League former President, Mr Moncef Marzouki sent a letter to the Tunisian Journalists Association in which he condemned the silence of local mass media in announcing his candidacy for presidential elections. Tunisians can hear about this event only through the foreign mass media.
- **February 18th** : The BBC Correspondent-Journalist Alfred Hermida was dismissed. On the same day, the Kuwait Press Agency (Kouna) telephone line was cut. The two correspondents published information about the arrest of candidates for Presidential elections Moncef Marzouki and Abdurrahman El Heni.

- **February 28th** : “Tunis Afrique Presse” Agency office accused the journalist Kamel Labidi for “the non-respect of the Agency internal law”, after he published a dialogue with Mr Moncef Marzouki, and an article under the title “the Press under control” in “La Croix” newspaper of which he was a correspondent.
- **March 1st** : Prohibiting the distribution of “Jeune Afrique Economique” magazine due to an inquiry published about the channels used for distribution in Tunis wholesale market.
- **March 18th** : Informing the newspaper “Le Monde” Correspondent (Mr Jacques Dibaran) that he is not required to work in Tunis. The newspaper correspondent was informed to take an official decision to prohibit its distribution.
- **March 19th** : It was impossible for the Tunisians including those who own satellites to follow the television news journal “Geopolis” which devoted that day program to seek political guarantees in Tunisia before the Presidential and legislative elections.
- **March 31st** : Informing the Representative of the “Correspondents without Frontiers” Organization, the Advocate “François Raw” that he was not required to work in Tunisia.
- **April 2nd** : “La Presse” newspaper informed to “prohibit the distribution of “Liberation” French newspaper. It happened for that French newspaper to publish in its issue appearing on March 23rd –which was not distributed- an article written by Mezri Haddad, where he criticized the absence of a democratic way in Tunisia. The Authorities criticized “Liberation” newspaper that it was refused to engage in the right to answer.
- **April 6th** : Prohibiting to distribute “Science and Nature” magazine.
- **April 9th** : The authorities sent a message to “France Press” Agency where they criticized what was considered as repeated systematic mistakes.
- **April 11th** : The League protested in a report about the prohibition of both newspapers “Le Monde” and “Liberation”. This interdiction lasted about one year.
- **April 12th** : The newspaper received phone calls from the Secretary of State of Information department requiring not to publish the announcement written by the Tunisian League for Human Rights Defence.
- **April 27th** : “Courrier International” newspaper withdrawal from the market.
- **April** : The “Election Code” made by the League ended its report which devoted long paragraphs about the role played by mass media on the occasion of the electoral campaign, the report insisted that the information system remains fundamental in the service of the unique party.
- **May 14th** : The newspaper journalist and the former journalist Association President Rachida Naifer from “Frederich Newmann” Company was laid off, after a pressure made on this German Company office. The journalist protested previously on the principle of constituting The Journalists Association by issuing a supporting announcement to confirm the President Ben Ali for the Presidential Elections, considering that a professional Association, like the Journalists Association, is not liable to take a position in any general elections, in the framework of its functions.

- **June 8th** : The Secretary of State of Information sent a message to the Journalist Kamel Labidi in which he is required to give back his professional card after his lay off from the “Tunis Afrique Presse” Agency where he was working, before a judgement is passed upon him.
- **June 28th** : The Secretary of State protested about one of the telegrams sent by “France Presse” Agency.
- **August 26th** : The “Realites” magazine Chief Editor was called by the Attorney General after publishing a series of articles about sexual culture.
- **October 14th** : The journalist Slaheddine Jourchi, Chief Editor in the Arabic department of “Realites” magazine – his passport was seized, he was interrogated by the State Security departments for many hours, after his arrival from an Arabic Congress in Beirut, in which a number of opposers, who were residents abroad, took part ; all books and documents under his hands were completely confiscated and his passport was seized for about six months.
- **October 25th** : In an article, the League national council required from the authorities to respect the right of the citizen for free information, the plurality and protection of information companies as well as the journalists against any interference from the administrative authorities, this announcement was published only by “El-Mostakbel” newspaper, speaking in the name of the Socialist Democratic movement, which published in a coming issue an amendment where the newspaper expressed its reservation to what was said in the article.
- **November 30th** : In reply to the protests concerning the non-publishing of the League articles, the Prime Minister, Mr Hamed Karoui, insisted, during the Chamber of deputies deliberations about the budget, that it is the right of the newspaper Manager and it is his duty not to publish any article which affects Tunisia reputation with a previous reservation.
- **December** : The Prime Minister Mr Hamed Karoui decided, during the budget deliberations in the Chamber of Deputies that reading a newspaper is a substitute for reading other issues.
- **December 6th** : Mr Habib Lazrak, the Communications Minister insisted during a press symposium that the delivery of licenses for buying television aerials and selling them was temporarily stopped.
- **December 16th** : The journalist Kamel Labidi complained to the Administrative Court against the Secretary of State for information accusing him for the “abuse of power”.
- **December 26th** : The arrest of “France Presse” Agency Correspondent, his accusation for “attempt for rape” and his repatriation.

* 1995

- **January 29th** : The arrest of Mr Mohamed Kilani, “El-Badil” newspaper Chief Editor.
- **March 7th** : The authorities officially informed “Le Monde” and “Liberation” newspapers about cancelling the decision of prohibiting their distribution in Tunisia.
- **March 27th** : The trial of Mr Mohamed Kilani, “El-badil” newspaper Chief Editor of five years jail, with the charge of holding a circular written by “En-nahdha” movement, considering that he is likely to threaten the public order, in addition to the defamation of a political figure, Mr Kilani did not have any right for defence during the trial.
- **April 27th** : A group of former executives in the Tunisian Journalists Association sent a call to the Journalists International Federation Congress, held in Santandir, in Spain, criticizing the decline faced by the information situation in Tunisia, and they insisted that “the Tunisian press is suffering too much due to the profession choking”.
- **July 18th** : the Chamber of Deputies voice to benefit from a law imposing on each citizen who wanted to acquire a television aerial to get an anticipated license from the Communications Ministry and pay an annual tax, the Minister justified this law saying that it aimed “the preservation of the environment”.
- **September 16th** : Prohibiting a group from “Correspondents without frontiers” Association to come to Tunisia in order to inquire about the press situation.
- **Beginning of October** : Interdiction of “Le Monde” newspaper Representative to come to Tunisia in order to cover the official visit made by the French President Jacques Chirac (October 5th and 6th). But, after the cooperation of all his colleagues accompanying him, who refused to leave the airport, he was allowed to come to Tunisia and not to stay more than 48 hours.
- **Form October 4th until October 10th** : Prohibiting the distribution of about 10 French newspapers.
- **November** : Presidential forgiveness concerned Mr Hamma Hammami, “El-badil” newspaper Manager and its Chief Editor Mr Mohamed Kilani.

*** 1996**

- **January 1st** : Forbidding the distribution of Morocco newspapers in Tunisia.
- **January 6th** : Preventing the journalist Kamel Labidi from leaving the country in order to take part in a symposium organized in Yemen about “Improving the independence of Arabic mass media and thie plurality”.
- The journalist Sihem Ben Sedrine (from “El-Mawkif” newspaper) could not take part in the same Congress because she was not able to obtain a passport.

- **May 10th** :The Tunisian Consulate in Paris refused to renew the passport of the Tunisian journalist Salah Bechir, contractual in “El-Hayet” newspaper.
- **August 3rd** : Call of Mr “Hink Rouisinar” Radio “Neerland” Correspondent and the German department of BBC Radio, to leave the country.
- **November 13th & 14th** : The authorities refused to allow the group coming with each Representative of “Human Rights Watch”, “Journalists Protection Commission”, “International Press Association” and “Correspondents without frontiers” to move to Tunisia in order to get in touch with the Representatives of the Civil Society.

*** 1997**

- **April 30th** : Lay off of Mr Slaheddine Jouchi, Chief Editor in “Realites” magazine Arabic department and first Deputy for the President of the Tunisian League for Human Rights defence, certain sources quoted that pressures were made on the magazine Manager who tried to justify covering the lay off decision due to economic reasons, this also concerns the journalist in the French department “Mr Mohamed Bou Amoud” who came back to work for the magazine.
- **September 22nd** : The renewal of the journalist “Taoufik Ben Brik’s passport was refused.
- **June 4th** : The public association of the International Press Organization decided “to start in the measures in the dismissal of “the Tunisian Association of the Newspapers Managers” because it did not defend the press freedom in Tunisia.
- **July 23rd** : Forbidding the distribution of the “Canard Enchainé” French magazine
- **October 28th** : Starting to broadcast the Italian Television 1st channel programs

*** 1998**

- February & March : The Democratic Women Tunisian Association supervisors and the fighters faced a series of articles characterized with dishonour, defamation and rape.

*** 1999**

- **April** : Visit of the United Nations special reporter of expression freedom, Mr Abid Houssine to Tunisia.

“Journalists without frontiers” organization classifies Tunisia among the twenty countries which are the most hostile with the internet according to 1999 report

- **October** : Forbidding the distribution of “Le Monde”, “Liberation” and “le Canard Enchainé” newspapers definitely in Tunisia due to publishing articles in the occasion of the legislative and Presidential elections, “Le Monde” newspaper was allowed to start

printing after more than one year of forbiddance, however, both newspapers “Liberation” and “le Canard enchaîné” have remained so far.

- **November 7th** : Declaration of cancelling the Department of State for information.

* 2000

- Appearance of the report written by the United Nations special Reporter about the press and expression freedom in Tunisia..
- **May** : Murder trial of the journalist Riadh Ben Fadhl after publishing an article about the appointment in the high Government Offices.

* 2001

- January : seize of the newspaper “El-Mawkif” issue n° 198, and under the pressure on the printing works, it was not possible to publish and launch the issue n° 199.
- **January 15th** : Appearance of the communications new magazine
- **February** : Mr Robert Minard, the Managing Director of “Journalists without Frontiers” in Tunis was laid off because he took part in the distribution of “Kaws El-Karama” newspaper, supervised by Mr Jalel Zoghلامي.
- **March** : The seize of “Salama”, “l’Express”, “Mariane”, “Hayet” and “El-Kods” magazines. Prohibiting the distribution of “El-Mostakilla” newspaper, appearing in London.
- **March** : since that month, the suspension of connections with many sites in the internet network has been shown, such as the sites of the Tunisian League for Human Rights Defence (before its functioning effectively) and the site of Freedom National Council in Tunis and “Afak Tunisia” (=”Tunisian horizons”) and the Progressist Democratic Party, the Socialist Democratic movement, “Human Rights Maghreb” and “Zeitouna”. We notice also, after the various attacks towards many sites and electronic addresses, which led to the damage of many equipments belonging to a lot of Independent Associations such as the League, the Tunisian Democratic Women Association”.
- **March 16th** : The seize of the printed issue sent to the North-west, issue n° 1359 of “El-Ilan” newspaper.
- **April 6th** : Seize of “Le Monde” newspaper after it published a dialogue with the Minister of Communications, Human Rights and the Relations with Parliament, Mr Slaheddine Maaoui.
- **April 9th** : Seize of “Le Monde” newspaper.
- **April 14th** : Aggression of the journalist Souheir Belhassen in the International Tunis-Carthage Airport.

- **June 5th** : The arrest of the journalist Sihem Ben Sedrine after her participation in a television program broadcast in “El-Mostakilla” channel which broadcasts its programs from London.
- **June 29th** : The television film maker Mr Paul Rontie was arrested when he was covering the Congress held by the Regrouping party due to an International development substitute (RAD)
- **July** : The Algerian journalist Souheila Lahmadi (“El-Watan” newspaper) was seized, her passport was confiscated, then it was given back to her and she was released after the Algerian Authorities interfered.

*** 2002**

- **January** : seize of two successive issues of “El-Mawkif” newspaper in the printing works without presenting any official decision, which led to the disappearance of the newspaper.
- **January 30th** : One of the Edition Committee members of “Kaus-El-Karama” magazine (not licensed) Mr Loumamba Mohsini faced an aggression during a conference held by the magazine.
- **February 1st** : A video tape belonging to French Television 2nd channel was seized. It was presented to cover Mr Hamma Hammami trial, and on February 2nd and during the trial meeting, a television Cameraman of ART channel was faced to violence and his video tape as seized, a Camerawoman of the French channel 3 was faced to a constraint and her video tape was seized.
- **February 2nd** : The journalist Hedi Yahmed (from “Realites” magazine) was faced to aggression, kidnapping and arrest by police agents when he was covering in his work the events of Mr Hamma Hammami and his companions’ trial. Then, he was released on the same day. The journalist “Laurence Bizaghit” from “le Tourbillon de Geneve” newspaper was prevented from going into the meeting room.
- In the night between Saturday **March 16th** and Sunday **March 17th**, the Ministry of Interior intended to arrest the pair issue n° 4-5 of “Et-tarik El-jedid” magazine, published by the Renewal movement, by seizing all withdrawn copies from the printing works head office, which are in charge of printing the magazine, this seize was carried out without any legal information to the “Et-tarik El-jedid” management from the Ministry.
- **April 2002** : After about 11 days of delay and information mistakes and under French and German pressures, the Authorities and official information refused to speak about the “regretting event faced by the Ghriba Jewish Synagogue in Djerba on April 11th 2002, it consisted of gas bottles loaded on the lorry which exploded”, the reality of the event was declared officially, which consisted of an aggressist attack faced by that building, and the Tunisian journalists Association stated that the journalists could get near the synagogue and write reports to their newspapers, there was an interference with their institutional Managers in order to prevent them from publishing their inquiries and articles.
- **April 2002** : The non-distribution of “Et-tarik El-jedid” magazine issue n° 6, due to the purchase of all its issues distributed through (Sotupresse) Company from “unknown parties”.

- **May 1st** : The Algerian journalist Mohamed Lanankan of “El-khabar El ousboui” (=”weekly event”) newspaper and who was present to cover the conference called by “Kaus El-Karama” magazine, about the Palestinian fighting, was kidnapped by security agents whereas he was led to an unknown area, he was aggressed then released and was brought at last to the Algerian Diplomatic Authorities.
- **May 3rd** : The Tunisian Journalists Association published its first report about the press freedoms in Tunisia, in the execution of the decision made in its las Congress, which was held in April of the same year, it recommended to create a National Press Freedom Code, which makes a yearly report about the press situations. This report includes details about the violation of the press freedom and the forms of constraints. The Tunisian Journalists and their depriving from exercising their profession in accordance with what is imposed by their honour Charter. The report was distributed in a Congress held in this regard at the Association Head Office. It was understood that the Association office approved of the report before its distribution.
- **May 12th** : “Ech-chourouk” newspaper published an unsigned dialogue with the Tunisian Journalist Association President Mr Mohamed Ben Salah, in which he said that the report project is a first effort and that it is still under review and is not necessary for the Association in its present form, and a few informed sources explained the refusal of the Association President about the report due to pressures made upon him by special high authorities, and that May 3rd 2002 Congress, which was held at the Association head office, included a conference delivered by a specialist in law, Master Mohamed Mahfoudh, about the electoral legislation and the referendum, considered as harsh in its tune.
- **May 16th** : The Tunisian Authorities dismissed the journalist “John Biyar Turquois” from “Le Monde” newspaper.
- **May 26th** : The security agents seized the equipments belonging a number of foreign journalists from the French channel 3, ART and BBC channels in Boulevard 9 Avril in Tunis, when they were covering the Destour Referendum operation, and during a solidarity gathering with Hamma Hammami in front of “Boulevard 9 Avril” jail, and all journalists were ordered to leave the area immediately, and in the evening of the same day, the peace agents encircled the journalists from entering it.
- **May 2002** : All “Et-tarik El-jadid” issues n° 7, distributed by mail, and which were sent to the subscribers, the Renewal movement branches and sale outlets located outside “Sotupresse” Company distribution network, faced their “loss and damage”, and since this date, “Et-tarik El-jedid” magazine is still facing, until the writing of this report, an intended delay in the arrival of the distributed issues by mail and “a loss” of some issues among them.
- **May 2002** : Interdiction of the “Mawkif” newspaper issue n° 213 in a satisfactory way, if it was displayed for sale only in one stand located near the newspaper Manager, Master Ahmed Chebbi’s office qnd in June 13th 2002, Mr Zouheir Yahiaoui (known by the name of “Tounsi” who was animating the “Tunizine” Monetary and mocking site, was brought to the Court in front of the 4th criminal section in the Court of the first Instance, in

conformity with the article N° 306 & 3 of the penal Code concerning the punishment of anyone who informed or spread a piece of news which is known in advance as being false, in order to let the others believe in the existence of criminal acts against persons or properties, will be attributed a penal punishment, the article n° 84 of the Communications Code concerns the stealing of phone lines...

And on June 20th 2002, this section rendered a judgement of two years and 4 months jail for the accused by objection. On July 11th 2002, the section n° 14 in the first Instance court in Tunis, rendered a final judgement of 2 months jail on Mr Zouheir Yahiaoui in a trial where common rules of fair courts were not respected. Mr Zouheir Yahiaoui was arrested on June 4th 2002, after 6 police agents broke out into the internet premises where he was working, they arrested him without showing him their identity and without any order from the concerned authorities. They investigated the premises as well as the equipments before they moved to his family's house in order to make investigations and seize his private computer ; he was arrested after six months of security and technical pressure on the site and its connections. The Jurisdictional Court has not analyzed yet the request presented by his solicitors in order to appeal on the verdict given by the Court of Appeal. Mr Zouheir Yahiaoui is still kept in Borj El-Amri jail, he took part many times in hunger strikes protesting about the jail conditions and claiming for being released.

- **June** : withdrawal of June/July issue (outside the series) of "le courrier international" (= "International mail") after its distribution in the market.
- **July** : A campaign over the internet Public centres and their supervisors, the intensification of viruses attacks on many sites and electronic magazines, which led to the damage of many sites such as "Tunisia News" and many sites owned by Independent Associations such as the League and the Democratic Women Tunisian Association.
- **September 4th** : The Court of the first Instance in Medenine rendered a judgement of 8 months jail for Mr abdallah Zouaoui, the former journalist in "El-Fejr" newspaper and who was forgiven in June 4th 2002, after he spent 14 years as a punishment in the jail.
- **September 4th** : The cancellation of the Ministry of Communications, Human Rights and Relations with the Chamber of Deputies and the integration of the Human Rights in the Ministry of Justice, Administrative and computerized functions to the General Information Administration depending on the Prime Ministry.
- **September** : Preventing the issues "Et-tarik El-jedid" magazine from reaching their subscribers and collection of the remaining issues from the stands without any official decision.
- **December 13th** : After he published an article about the jail situation in Tunisia in the "Hakaik" (= "Realities") magazine issue n° 885 appearing on December 12th 2002, a judgement as rendered on Mr Hedi Yahmed in front of the Attorney General Assistant in the Court of the first Instance in Tunis, and after he presented his resignation from the quoted magazine and an article that he published, before his immigration abroad, he justified his resignation with the pressures made on him, from which he cannot make any other choice

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