



Smear campaign against Ms. Sihem Bensedrine

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Defamation campaign / Harassment

Tunisia

January 6, 2009

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in Tunisia.

Brief description of the situation:

The Observatory has been informed by reliable sources of acts of harassment and a smear campaign launched against Ms. Sihem Bensedrine, Spokesperson of the National Council for Freedoms in Tunisia (Conseil national pour les libertés en Tunisie - CNLT) and Editor-in-chief of the on-line newspaper Kalima.

According to the information received, on December 11, 2008, United Press International published accusations carried out by a former journalist of Kalima, who would have been subjected to pressures to join a destabilization campaign launched against Kalima and CNLT and that would be orchestrated and financed by the Tunisian External Communication Agency (Agence tunisienne de communication extérieure - ATCE). In particular, the journalist accuses Ms. Bensedrine of “extortion and speculation on human rights”, to receive amounts of money exceeding the amount of half a million Euros from various foreign parties and to lead a “group of opportunists infecting the human rights environment in Tunisia”. These accusations were then relayed in several Tunisian newspapers (Quotidien, Al Chourouq, Al Hadeth, Likollennas, Assarih, Al Mulahedh, etc.), Arab media (Al Charq in Lebanon, La Gazette du Maroc, Rose El Youssef in Egypt, etc.) and European media (TDG blog in Switzerland, Middle East Online in London, Africa live in Germany, etc.), as well as by some Lebanese television channels.

The Observatory fears that this new campaign of defamation against Ms. Bensedrine be carried out as a reprisal following her participation as a witness in the trial before the Cour d'assises of Bas Rhin (First Instance Criminal Court responsible for crimes in the Bas Rhin, France) against Mr. Khaled Ben Said, former Vice-Consul in Strasburg and former police commissioner in Jendouba, convicted of giving instruction to commit crimes of torture and barbarous acts and sentenced on December 15, 2008 to eight years in prison in absentia.

The Observatory also recalls that Kalima and its staff have regularly been subjected to acts of harassment. However, these acts have intensified since October 2008. On October 8, 2008, Kalima website hosted in Europe was hijacked and emptied of its contents. On October 27, 2008, Ms. Néziha Rjiba, also Editor-in-chief of Kalima, was summonsed before the Prosecutor after having written a paper accusing the Tunisian services of being behind the destruction of Kalima website. Mr. Dhafer Otaï, Coordinator of Radio Kalima, and Ms. Faten Hamdi, a journalist at Radio Kalima, were also arrested and assaulted by the police in November 2008. Mr. Omar Mestiri, the Managing Editor of Kalima, has also received an injunction in November to enforce a tax adjustment of 33,000 Tunisian Dinars. This tax adjustment covers a period during which Mr. Mestiri had no income, having been subjected to house arrest in the Tunis district over a period of two years following a judge's decision issued in May 1999, in connection with his activities as CNLT Secretary General. Finally, on December 10, 2008, Mr. Lotfi Hidouri, Editorial Secretary of the written edition of the newspaper, was arrested at the Tunis airport on his way to the Forum of the Arab press held in Beirut.

The Observatory reiterates its concern about the ongoing repression exercised by the Tunisian authorities of anyone who promotes and defends human rights, and recalls that according to Article 1 of the Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, “everyone has the right, individually and in association with others, to promote the protection and implementation of human rights and fundamental freedoms at nationally and internationally levels”.

Actions requested:

Please write to the authorities in Tunisia, urging them to:

0. Guarantee in all circumstances the physical and psychological integrity of Ms. Sihem Bensedrine and of all of Kalima's collaborators;
0. Put an end to all forms of harassment, including at the judicial level, against Ms. Sihem Bensedrine, Kalima's collaborators as well as against all human rights defenders in Tunisia;
0. Conform with the provisions of the UN Declaration on Human Rights Defenders, especially its above-mentioned Article 1 and Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
0. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Tunisia.

Addresses:

- Mr. Zine el-Abidine Ben Ali, President of the Republic, Palais de Carthage, 2016 Carthage, Tunisia, Fax : +216 71 744 721 / +216 71 731 009
- Mr. Mohamed Ghannouchi, Prime Minister, Secrétariat Général du Gouvernement, Rue de la

Kasbah, 1008 Tunis, Tunisia, Fax : +216 71 562 378

- Mr. Rafik Belhaj Kacem, Ministry of Home Affairs and Development, Avenue Habib Bourguiba, 1001 Tunis, Tunisia, Fax : ++ 216 71 340 888 ; Email : mint@ministeres.tn
- Mr. Kamel Morjane, Ministry of National Defence, Avenue Bab Mnara, La Kasbah, 1008 Tunis, Tunisia, Fax : +216 71 561 804
- Mr. Bechir Tekkari, Ministry of Justice and Human Rights, 57, Boulevard Bab Benat, 1006 Tunis, Tunisie, Fax : +216 71 568 106 ; Email : mju@ministeres.tn
- Permanent Mission of Tunisia to the United Nations in Geneva, 58 Rue Moillebeau, Case postale 272, 1211 Genève 19, Switzerland, Fax : +41 22 734 06 63 ; Email : mission.tunisia@ties.itu.int
- Embassy of Tunisia in Brussels, 278 avenue de Tervueren, 1150 Woluwe-Saint-Pierre, Belgium, Fax : + 32 2 771 94 33 ; Email : amb.detenusie@brutele.be

Paris - Geneva, January 6, 2009

Please also write to the diplomatic mission or embassy of Tunisia in your respective country.

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

E-mail: Appeals@fidh-omct.org

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L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

Contact : omct@omct.org