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Human rights situations that require the Council's attention

Written statement* submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Tunisia: Human rights during the transition phase**

The Cairo Institute for Human Rights Studies (CIHRS) and the Tunisian League for Human Rights (LTDH) would like to emphasize the importance of the support of the international community and the UN Human Rights Council during the transitional period in the Republic of Tunisia. What should be of primary concern is placing human rights values at the core of reform efforts in this period. While the human rights situation in Tunisia has without a doubt improved since the fall of President Ben Ali, various human rights violations have been committed by government institutions that follow the ways of the deposed regime. The Human Rights Council has a responsibility to provide continuous monitoring and sustained efforts towards empowering Tunisian civil society during the transition.

The revolution in Tunisia and the ouster of President Ben Ali has directly sparked the monumental changes and events that have unfolded in the Middle East & North Africa region as a whole. There is no doubt that the wave of uprisings that is sweeping through most of the region has proved false the old paradigm that equates authoritarianism with stability. Indeed, the revolution in Tunisia has demonstrated that a lack of respect for human rights and dignity is unsustainable, and has given hope to the populations of Egypt, Libya, Syria, Bahrain, Yemen, and other populations living under oppressive governments, that even the strongest of decades-old police states can be dismantled in less than a month.

The revolution in Tunisia, although it appeared sudden to some observers, was in fact the logical consequence of the deep lack of respect for human rights over the preceding years, characterized by systematic violations against citizens, varying from great restrictions on civil society, political opposition, and media, to an arsenal of repressive laws and arbitrary practices deployed to stifle freedom of opinion and calls for democracy and reform. The international community shares the responsibility for the repression and abuses that the authoritarian regime committed for decades against the Tunisian population, and has helped bring about an environment of complete and institutionalized impunity. We strongly believe that the international community and relevant UN human rights bodies must be fully engaged in this sensitive transitional period in Tunisia and must play a role in the building of an institutional framework that is deeply rooted in, and guided by, human rights and democratic values.

6 May, 2011, witnessed the largest anti-government demonstrations in Tunisia since January 14, calling for the removal of the transitional national unity government headed by Prime Minister Mohamed Ghannouchi - a long-time ally of Ben Ali, in which a number of key ministries are led by members of the old ruling party. In the notable absence of civil society organizations and monitoring groups, Tunisian security forces dealt violently with protesters and plain clothed police reappeared in demonstrations, physically assaulting a number of protesters and journalists. Over 15 local and international journalists covering the demonstrations were attacked and chased down the streets, and the offices of the newspapers "Al-Sahafa" and "La Presse" were raided. The National Syndicate of Tunisian Journalists has stated that "scores of plainclothes police brutally beat the journalists, in spite of knowing that they were in fact journalists, and destroyed their cameras." Despite the fact that the Ministry of Interior has issued an official apology for the incident and declared that an investigation will be opened, the reoccurrence of such incidents in Tunisia should not go unnoticed.

** Tunisian League for Human Rights (LTDH), an NGO without consultative status, also shares the views expressed in this statement.

Human rights reports also confirm that the political police remains active after the revolution, with accounts confirming the continuation of compiling information on activists and, in some cases, arrests and detentions for participating in anti government demonstrations. Recently, over 150 activists were arrested from protests or from cafes. These worrying developments notwithstanding, it is important to mention that the judiciary in the country has demonstrated a high degree of independence in dealing with certain issues – all detainees in the abovementioned cases were released briefly after their arrest.

Additionally, the familiar practice of searching activists' homes and tapping their phone calls has not disappeared from post-Ben Ali Tunisia. As late as 11 May, activist and human rights defender Khamees Kaseela of the Tunisian League for Human Rights reported that political police searched his house and personal belongings. Furthermore, restrictions on social media, although they have drastically decreased, have not stopped. Certain websites continue to be blocked and others hacked and monitored by Tunisian authorities, particularly the Tunisian External Communication Agency. On April 15, Abdallah Saeed was arrested for 24 hours by authorities for his online activities on Facebook. Moreover, torture and ill treatment in detention facilities, although having decreased, still continue. Finally, we are concerned about security conditions in Tunisia, especially ahead of legislative elections. With a curfew still in place and the lack of security, there have been many documented incidents, especially by journalists who fear harassment by street gangs.

It is against such a background that legislative elections are scheduled to take place on 24 July. Thus, priority needs to be placed on aiding civil society groups and stakeholders in Tunisia to protect the basic human rights of Tunisians, especially during the current transitional phase which will determine the future of Tunisia. The drafting of Tunisia's new constitution by the newly elected national assembly, will indicate whether or not Tunisia will take substantial steps towards achieving democracy and the rule of law.

We call for continued international support and monitoring of the current situation in Tunisia. We strongly believe that the upcoming historic elections should be closely monitored, with international observers and local civil society groups playing a leading role in ensuring that the process remains free and fair and that the choices of Tunisians are protected. Furthermore, support needs to be given to civil society groups and journalists who continue to be captives of decaying institutions that limit their ability to fulfil their much needed role in society at the moment. Such support needs to be coupled with strong assurances from the current transitional government that it will work on rebuilding institutions to accommodate aspirations for democracy and refrain from any attempts to further hinder the progress of human rights in the country.
