TUNISIA

	2009	2011
INTERNET FREEDOM STATUS	Not Free	Not Free
Obstacles to Access	21	21
Limits on Content	25	28
Violations of User Rights	30	32
Total	76	81

POPULATION: 10.5 million
INTERNET PENETRATION: 34 percent
WEB 2.0 APPLICATIONS BLOCKED: Yes
SUBSTANTIAL POLITICAL CENSORSHIP: Yes
BLOGGERS/ONLINE USERS ARRESTED: Yes
PRESS FREEDOM STATUS: Not Free

EDITOR'S NOTE:

The report covers developments in Tunisia up to December 31, 2010. However, events that have occurred since the end of the coverage period have significantly altered the country's political and internet freedom landscape. In response to widespread protests against President Zine El Abidine Ben Ali and his government, the leader pledged in a speech to the nation on January 13, 2011 to, among other things, free access to the internet. Within a few hours, reports emerged that previously inaccessible websites such as the video-sharing services YouTube and Daily Motion, as well as the independent collective blog Nawaat.org, had been unblocked.

However, protests continued, and on January 14, 2011, Ben Ali fled the country. The new transitional government has generally eased restrictions on internet access. Nevertheless, the mechanism that enabled the government to block websites remains in existence. The Tunisian Internet Agency (ATI) has insisted it will only be used to block websites that "are against decency, contain violent elements, or incite hate". The ATI has also pledged to include judicial oversight in filtering decisions, though it is too early to judge whether this has been implemented.

INTRODUCTION

The internet was first launched for public use in Tunisia in 1996, and the first broadband connections were made available in 2005. Since traditional media are censored and tightly controlled by the government, the internet has been used as a comparatively open forum for airing political and social opinions, and as an alternative field for public debates on serious political issues. As the internet penetration continued to grow, the regime responded by creating an extensive online censorship and filtering system. In 2009 and especially in 2010, censorship expanded and became increasingly arbitrary. Even websites with no political or pornographic content have been censored. About 100 blogs as well as several online

applications like the photo-sharing site Flickr were blocked at least temporarily in 2010.

In an extraordinary series of events that started unfolding on December 17, 2010, an unemployed fruit vendor, Mohamed Bouazizi, set himself on fire to protest joblessness, which sparked country-wide protests and calls for political reform and greater employment opportunities. Social media sites such as Twitter, YouTube, and Facebook, as well as various blogs, have played an important role in providing independent information and analysis, spreading the protesters' demands, and showing videos of demonstrations in cities across the country. This, in turn, has resulted in the government's increased efforts to dismantle networks of online activists, hack into their social networking and blogging accounts, conduct extensive online surveillance, and disable activists' online profiles and blogs.

OBSTACLES TO ACCESS

Internet usage in Tunisia has grown rapidly in recent years, even as access remains restricted. According to the International Telecommunications Union, there were 3.5 million internet users in the country at the end of 2009, for a penetration rate of 34 percent, and reported 414,000 broadband subscriptions.[1] Although the government has actively sought to improve the country's information and communication technologies (ICTs), access is still difficult for most Tunisians due to high prices and underdeveloped infrastructure.

Tunisia has only one landline telephone provider, the state-controlled Tunisie Télécom, and every internet subscriber has to buy a landline package before choosing an internet-service provider (ISP). Tunisie Télécom's internet subscription prices range from 20 dinars (US$15) a month for a connection speed of 1 Mbps, to 50 dinars (US$38) for a connection speed of 4 megabits per second. The prices offered by other ISPs for the same speeds range from 15 to 25 dinars. Although there are no legal limits on the data capacity that ISPs supply, the bandwidth remains very low, and connectivity is highly dependent on physical proximity to the existing infrastructure.

The popularity of mobile phones is on the rise: there were over 10.7 million mobile-phone subscriptions as of June 2010, nearly double the figure from 2005.[2] Nonetheless,

[1] International Telecommunications Union (ITU), "ICT Statistics 2009—Intenret," http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx. More recent statistics were provided by the Tunisian Internet Agency (ATI), "Statistiques du mois de Mars 2010 sur l'Internet en Tunisie" [Statistics of March 2010 on the Internet in Tunisia], http://www.ati.tn/fr/index.php?id=90&rub=27, accessed August 2010.

[2] Ministry of Communication Technologies (Mincom), "Indicateurs et données statistiques TIC—Accés et infrastructure TIC: Nombre d'abonnements aux réseaux téléphoniques fixe et mobiles" [ICT Indicators and Statistical Data—ICT Access and Infrastructure: Number of Subscriptions to Fixed and Mobile Telephone Networks], http://www.mincom.tn/index.php?id=295&L=3, accessed August 2010.

mobile internet connections are rarely used, since mobile-phone companies purchase internet access from existing ISPs and the cost remains beyond the reach of most Tunisians. The country's third mobile-phone company, which launched in May 2010, provides internet service through a plug-in device that enables laptops to connect to the mobile network. The device, in the form of a USB key, costs 129 dinars, and the service costs 30 dinars per month.

In 2004, the government set up an initiative to encourage widespread computer use by removing customs fees and creating the Family PC concept, according to which each family should own a personal computer. Authorities set a price ceiling for computer hardware and arranged loans at low interest rates for families to purchase the necessary equipment. The program also provided an internet subscription with every computer sold. Unfortunately, the project did not achieve the intended results, and computer prices remained prohibitively high—about 700 dinars, or three times the minimum monthly salary—even with the government incentives. Still, the number of computers per 100 inhabitants rose from 9.6 in 2008 to 12.3 in 2010, and more banks are granting Tunisians special loans to buy computers.[3] The government has also attempted to increase access to ICTs by rebuilding infrastructure to improve connectivity, and promoting competition among ISPs to lower prices.

Although many people are unable to connect at home, the government claims that universities, research centers, laboratories, and high schools have a 100 percent connectivity rate, and that 70 percent of primary schools are connected.[4] Most Tunisian users access the internet at privately owned cybercafes known as publinets.[5] According to government statistics, the number of publinets across the country reached 248 in 2009, and fell slightly to 240 in 2010. This method of access is also quite expensive for most residents, as one hour of connection may cost up to 1.50 dinars.

Tunisian users enjoy access to various internet services and applications, including free blog-hosting websites. However, a growing number of applications like the video-sharing sites Dailymotion and YouTube, and more recently Flickr and Wat TV,[6] have been systematically blocked by the government. Systems that allow voice calls over the internet are prohibited, but web-based applications like Skype and Google Talk, which provide voice and other such services, are nevertheless accessible. The social-networking site Facebook

[3] Mincom, "Indicateurs et données statistiques TIC—Accés et infrastructure TIC: Le nombre d'ordinateurs pour 100 habitants" [ICT Indicators and Statistical Data—ICT Access and Infrastructure: Number of Computers per 100 Inhabitants], http://www.mincom.tn/index.php?id=315, accessed September 22, 2010.
[4] ATI, "Statistiques du mois de Mars 2010 sur l'Internet en Tunisie."
[5] Mincom, "Indicateurs et données statistiques TIC—Accés et infrastructure TIC: Nombre de publinets" [ICT Indicators and Statistical Data—ICT Access and Infrastructure: Number of Publinets], http://www.mincom.tn/index.php?id=1062&L=3, accessed September 12, 2010.
[6] Sami Ben Gharbia, "Tunisia: Flickr, Video-Sharing Websites, Blog Aggregators and Critical Blogs Are Not Welcome," Global Voices Advocacy, April 28, 2010, http://advocacy.globalvoicesonline.org/2010/04/28/tunisia-flickr-video-sharing-websites-blogs-aggregators-and-critial-blogs-are-not-welcome/.

was temporarily blocked in 2008, and some groups, profiles, and video links within the application remain inaccessible. The private internet connections of some journalists, activists, and political bloggers are often cut, ostensibly due to "technical problems," or the speed is reduced to hamper their ability to view sites and post information. In addition, certain accounts on the Twitter microblogging service are blocked.[7]

Tunisia has 13 ISPs. Planet Tunisie, 3S Globalnet, Hexabyte, Topnet, Orange, and Tunet are privately owned, while the remaining seven are wholly or partially owned by the government and tasked with providing internet service to public institutions. The Ministry of Communication Technologies is the main government body responsible for ICTs, and its Tunisian Internet Agency (ATI) is the regulator for all internet-related activities. The law requires ISPs to obtain a license from the ministry and purchase their bandwidth from the ATI.

LIMITS ON CONTENT

Tunisia's multilayered internet censorship apparatus is one of the world's most repressive. The government employs three main techniques as part of its internet control strategy: technical filtering, postpublication censorship, and proactive manipulation. Users have increasingly complained about the expansion of this system, and the year 2010 featured an unprecedented wave of censorship that affected general blogs, photo-sharing sites, and other applications.

The government issues directives to ISPs concerning four types of content that are deemed undesirable: pornography or sexually explicit material, expressions of political opposition to the government, discussions of human rights in Tunisia (including on the websites of many nongovernmental organizations), and tools or technology that enable users to circumvent the government's controls. Directives are not issued to address specific events, since ISPs—along with online news outlets, journalists, and bloggers—are expected to be aware of the standing taboos and deal with new developments accordingly. In late 2010, the authorities also blocked access to news outlets that posted confidential cables from the U.S. Embassy, originally published by the whistle-blowing website WikiLeaks, which described deeply-rooted corruption and excessive lifestyle by President Zine El Abidine Bin Ali, his wife, and their inner circle.[8]

All of Tunisia's internet traffic flows through a single gateway controlled by the ATI, which employs SmartFilter software to limit access to specified content. URLs are blocked selectively in some cases, affecting certain pages on Wikipedia or particular videos on

[7] Jillian York, "Tunisia and Bahrain Block Individual Twitter Pages," Global Voices Advocacy, January 4, 2010, http://advocacy.globalvoicesonline.org/2010/01/04/tunisia-and-bahrain-block-individual-twitter-pages/.

[8] Ian Black, "WikiLeaks Cables: Tunisia Blocks Site Reporting Hatred of First Lady," Guardian.co.uk, December 7, 2010, http://www.guardian.co.uk/world/2010/dec/07/wikileaks-tunisia-first-lady.

YouTube, for example. The authorities can also block an entire domain and the subdomains attached to it. This is the most common filtering technique, used especially to block blogs and pages on Facebook and Twitter. The third technique targets the internet protocol (IP) addresses of websites, and has been used to block YouTube and Dailymotion. Finally, censors can employ keyword filtering, blocking access to any URL path containing a given keyword.[9] Tunisians who wish to explore the internet and visit censored websites are forced to use proxies and anonymizers. However, proxies are themselves continuously "blacklisted" by the Tunisian government, and users risk repercussions if they are caught searching for or using this technology.

Postpublication censorship can take a number of forms. Individual blog entries may be deleted, in most instances within 24 to 48 hours of their posting. In other cases, entire blogs may be shut down by service providers or through hacking. The blog *Mawtini* (My Homeland), for instance, was shut down in March 2010, just after the publication of a post denouncing the censorship of another blog, *A Tunisian Girl*.[10] Search engines filter results to exclude those that are censored or that do not favor the Tunisian government's perspective.

In addition to preventing certain content from appearing on the internet in Tunisia, the government three years ago began to proactively shape public opinion online. In 2007 it organized a small group of people to visit websites and guide discussions in a progovernment direction. This group has progressively enlarged its activities, and many blogs are created specifically to insult dissident bloggers or praise the government. Several videos promoting the idea that Tunisians enjoy political freedom and freedom of speech have been uploaded to Facebook and other websites. The authorities have also extended their control over traditional media to online news outlets by strongly encouraging them to obtain their articles from Tunisia Africa Press, the state news agency. Even independent bloggers and internet users practice varying degrees of self-censorship to avoid criminal sanctions.

The Tunisian blogosphere is still young, having taken root only in 2006, and comparatively small, with about 500 active blogs in 2010, partly due to heavy government censorship. Nevertheless, it serves as a dynamic alternative forum for the practice of free speech. Blogs have begun to play an important role in addressing issues and events that are considered to lie beyond the "red lines" observed by traditional media, such as the labor riots that took place in the Gafsa mining area in early 2008. Videos and press reports were published online on a daily basis, and a blog was created to gather all the information related to this event. In 2010, bloggers mounted a campaign against the imprisonment of a group of students after their participation in a sit-in asserting the rights of female students. Blogs covering red-line issues always find themselves censored eventually, but the deterrent effect is negligible, as bloggers simply move to another site. Some bloggers have started as many as

[9] Sami Ben Gharbia, "A First Glimpse at the Internet Filtering in Tunisia," Global Voices Advocacy, August 18, 2010, http://advocacy.globalvoicesonline.org/2010/08/18/a-first-glimpse-on-the-internet-filtering-in-tunisia/.

[10] *Mawtini* is located at http://unsimplemec.blogspot.com; *A Tunisian Girl* is located at http://www.atunisiangirl.blogspot.com.

nine blogs in an attempt to maintain their outlet for expression in the face of persistent censorship. Others have developed more creative techniques. The blog *NormalLand* discusses Tunisian politics by using a virtual country with a virtual leader, and with various government positions assigned to other Tunisian bloggers. *NormalLand* even has its own flag and national anthem modeled after the actual Tunisian versions.

Various social networking and new media sites have played an important role in the December 2010 protests, which were still ongoing at the end of the year. Activists' tweets, blogging entries, videos, and Facebook posts became key sources of information for audiences inside and outside of Tunisia, particularly given the government's tight grip on the traditional media. Bloggers, for example, wrote accounts of violence used by the police against the protestors,[11] articulated dissatisfaction felt by the Tunisian youth, and posted photos of protests from across the country. Likewise, Twitter and Facebook users posted up-to-minute developments in their home cities. And despite the official blocking of YouTube, videos of protests and the security forces' efforts to suppress them were circulated online.

VIOLATIONS OF USER RIGHTS

Tunisian law allows the government to block or censor internet content that is deemed obscene or threatening to public order, or is defined as "incitement to hate, violence, terrorism, and all forms of discrimination and bigoted behavior that violate the integrity and dignity of the human person, or are prejudicial to children and adolescents." A 2003 antiterrorism law created summary procedures for bringing terrorism suspects to trial, and stipulated that these procedures would also apply to those accused of "inciting hate or racial or religious fanaticism whatever the means used." In June 2010, the Chamber of Deputies adopted an amendment to Article 61 bis of the penal code that will punish any Tunisian who establishes deliberate contacts with foreign parties that instigate harm to Tunisia's vital interests and economic security. The existing article already punished "anyone who has undertaken, by any means whatsoever, to undermine the integrity of the Tunisian territory or has met agents of a foreign power, the purpose of the result of which is to undermine the military or diplomatic situation of Tunisia." The new law erects an added barrier against freedom of speech as well as civic activism and advocacy.

The government also uses ordinary criminal charges, such as sexual harassment and defamation, to oppress online journalists and bloggers. Between 2005 and 2007, multiple activists were prosecuted and sentenced for up to one year in prison on charges ranging from defamation to violations of public morality standards. In 2008, blogger Ziad el-Heni

[11] For example, see the post on A Tunisian Girl, http://atunisiangirl.blogspot.com/2010/12/une-journee-horrible-pour-les-avocats.html.

filed the first-ever lawsuit against the ATI, claiming that the agency practiced illegal censorship and violated his right to free expression by blocking Facebook in August of that year, but a court quickly dismissed the case.

More recently, in October 2009, the dissident journalist Taoufik Ben Brik was arrested and sentenced to six months in jail on trumped-up charges asserting that he had assaulted a woman after a traffic incident. Also that month, Zouhair Makhlouf, a human rights activist and correspondent for Assabil Online was arrested for posting a video report about environmental pollution in Nabeul, a coastal town in northeastern Tunisia. He was tried in November 2009 and sentenced to four months in jail.[12] Similarly, in another politically motivated case, online journalist Mouldi Zouabi was charged in 2010 with aggravating assault against a ruling party member. [13]

In addition to long-term imprisonment, some internet users have been arbitrarily detained and questioned. In September 2009, blogger and former political prisoner Abdallah Zouari was detained for eight hours and questioned about his contributions on the banned website Tunisia Online. Zouari spent 11 years in prison before being released in 2002, but he is constantly harassed and monitored by the police, and deprived of access to the internet.[14] Blogger and theater teacher Fatma Riahi, known online as Fatma Arabicca, was detained for five days in November 2009 and questioned about her online activities, and her computer was confiscated.[15]

The authorities have also taken measures to suppress civil society efforts to protest against online censorship. In May 2010, grassroots activists requested a permit for a peaceful rally against censorship, but on the day before the event, police detained two of the organizers who signed the request, Slim Amamou and Yassine Ayari. The two were held for more than 12 hours and forced to make videos announcing the cancelation of the rally. In August, activists against censorship decided to organize a flash mob—a sudden, unannounced public protest that is typically organized using social media. However, participants were surprised by the presence of plainclothes policemen in the secretly agreed-upon location, who forced them to leave.

Anonymity and the right to privacy are nonexistent in Tunisia. While the government does not expressly forbid anonymity and users can post anonymous comments on websites, the government has access to user information through ISPs and can trace a

[12] Sami Ben Gharbia, "Tunisia: Prominent Activist Arrested for Environmental Video Report Published Online," Global Voices Advocacy, October 27, 2009, http://advocacy.globalvoicesonline.org/2009/10/27/tunisia-prominent-activist-arrested-for-environmental-video-report-published-online/.

[13] "Tunisia Should Drop Charges Again Mouldi Zouabi," Committee to Protect Journalists (CPJ), December 6, 2010, http://cpj.org/2010/12/tunisia-should-drop-charges-against-mouldi-zouabi.php.

[14] Sami Ben Gharbia, "Tunisia: Journalist and Blogger Abdallah Zouari Rearrested," Global Voices Advocacy, September 17, 2009, http://advocacy.globalvoicesonline.org/2009/09/17/tunisia-journalist-and-bloggger-abdallah-zouari-rearrested/.

[15] Sami Ben Gharbia, "Tunisia: Blogger Fatma Riahi Arrested and Could Face Criminal Libel Charge," Global Voices Advocacy, November 6, 2009, http://advocacy.globalvoicesonline.org/2009/11/06/tunisia-blogger-fatma-riahi-arrested-and-could-face-criminal-libel-charge/.

comment to its author. Each ISP is required to submit a list of its subscribers to the ATI on a monthly basis. Publinets are also monitored, and the managers are legally responsible for customers' online activities. Owners commonly ask customers not to visit certain sites, displaying posters to remind users that pornographic and other objectionable sites are prohibited. Customers must present their identity cards to use publinet facilities, and the managers have the right to access anything saved to disk by their customers. Individuals are also required to present personal information prior to purchasing a mobile phone or SIM card, and text messaging is monitored for taboo topics in much the same way as the internet.

Online journalists and bloggers are commonly targeted with extralegal intimidation and physical violence. Sihem Bensedrine, editor in chief of the online news site Kalima, has been menaced for years with physical intimidation and smear campaigns; the site itself has been blocked since 1999. El-Heni, the journalist and blogger, has been censored more than 50 times and faces frequent intimidation and occasional physical aggression. Slim Boukhdhir, in addition to having been jailed for his writings in 2007-2008, has been repeatedly harassed by state officials. This reportedly included abuse and threats by prison guards during his seven months behind bars.

Targeted technical attacks have become a popular tool for intimidating and silencing ICT users. In 2007, Boukhdhir's blog was hacked and deleted. In 2008, an attack on Kalimatunisie.com destroyed all content on the site, forcing it to be entirely rebuilt. The administrators of Nawaat.org reported the destruction of their website several times between 2009 and 2010. E-mail hacking is also common. Accounts that have no secured access are monitored, and important information may suddenly disappear. In 2010, many cases of phishing targeting users of Google's Gmail service were reported.[16] Similarly, during the protests at the year's end, digital activists and online users reported widespread government hacking into their digital media accounts, sometimes deleting their profiles and blog entries. Apart from disrupting the networks of online activists and the free flow of information, the government's goal has been to use these methods to conduct surveillance and obtain information about the people involved in protests and digital activism.[17]

[16] Slim Amamou, "Mass Gmail Phishing in Tunisia," Global Voices Advocacy, July 5, 2010, http://advocacy.globalvoicesonline.org/2010/07/05/mass-gmail-phishing-in-tunisia/.

[17] For more information see, for example, posts by a Tunisian blogger called Astrubal found here : http://nawaat.org/portail/2011/01/03/tunisie-campagne-de-piratage-des-comptes-facebook-par-la-police-tunisienne/.