Tunisia

Although Tunisia has actively sought to develop its information and communications technology (ICT) infrastructure, the government blocks a range of Web content and has used nontechnical means to impede journalists and human rights activists from doing their work. This pervasive filtering of political content and restrictions on online activity has prompted frequent criticism from foreign governments and human rights organizations.[1]

Background

The Tunisian government curtails dissent, free expression, and the flow of information into and out of the country. The government relies on legal and economic means to maintain effective control over the press and the broadcast media.[2] State interference in assemblies is commonplace. In 2005 the government banned the first congress of the Union of Tunisian Journalists and shut down the offices of the Association of Tunisian Judges.[3] The government has dispatched the police to surround and disrupt meetings of the National Council for Liberties 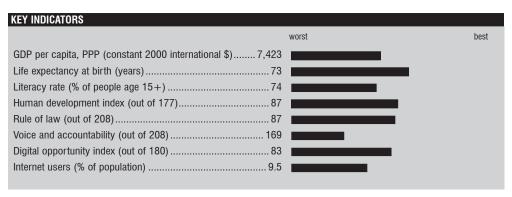in Tunisia,[4] and leveraged the courts to enjoin the Tunisian Human Rights League from preparing for its national congress.[5] The government has also reportedly threatened judges with assignments to remote locations; tortured prisoners; and arrested, harassed, and intimidated human rights activists.[6] In March 2005, for instance, lawyer and human rights activist Radhia Nasraoui was beaten by police on the way to a demonstration.[7] Despite the release of eighty political prisoners in March 2006, more than two hundred are believed to remain in custody.[8]

Internet in Tunisia

The Tunisian Ministry of Communications established the Tunisian Internet Agency (ATI)

RESULTS AT A GLANCE					
Filtering	No evidence of filtering	Suspected filtering	Selective filtering	Substantial filtering	Pervasive filtering
Political					●
Social					●
Conflict/security			●		
Internet tools				●	

Other factors	Low	Medium	High	Not applicable
Transparency	●			
Consistency			●	

to regulate the country's Internet and domain name system (DNS) services, which had formerly fallen under the Regional Institute for Computer Sciences and Telecommunications (IRSIT)'s purview.[9] The ATI is the gateway from which all of Tunisia's twelve Internet service providers (ISPs) lease their bandwidth.[10] Seven of these ISPs are publicly operated; the other five—Planet Tunisie, 3S Global Net, Hexabyte, Tunet, and Topnet—are private.[11] These ISPs offer a range of options, including hourly dialup access,[12] broadband access (with prices starting at less than USD25 per month),[13] and satellite-based Internet.[14]

The government has energetically sought to spread access to the Internet. The ATI reports connectivity of 100 percent for universities, research laboratories, and secondary schools, and 70 percent for primary schools.[15] Government-brokered "Free Internet" programs that provide Web access for the price of a local telephone call and increased competition among ISPs have significantly reduced the economic barriers to Internet access. Those Tunisians for whom personal computers remain prohibitively expensive may also access the Internet from more than 300 cybercafés set up by the authorities.[16]

Tunisia's rapid growth in Internet capacity is reflected in an increase in Internet use. In just five years, Tunisia's Internet penetration rate rose from 1 percent (2001) to 9.3 percent (2006),[17] and today there are roughly one million Internet users in the country.[18]

Legal and regulatory frameworks

In addition to filtering Web content, the government of Tunisia utilizes laws, regulations, and surveillance to achieve strict control over the Internet.

The Tunisian External Communication Agency (ATCE), the government body responsible for media regulation, contends that fewer than 10 percent of newspapers are under state ownership and editorial control.[19] However, the ATCE uses its regulatory powers to help government supporters and hamper detractors seeking advertising space in the print media.[20] The state maintains direct ownership of all three of the country's television stations and all but one radio station (which does not air news). Although the Internet has unquestionably made it easier for Tunisians to read news and opinions not found in the country's monolithic press and broadcast

media, legal threats exert pressures on content providers operating within the country.

In 2001 President Zine el-Abidine Ben Ali removed prison sentences from the Press Law, which criminalizes criticism of the government.[21] However, rights groups have pointed out that imprisonment and other harsh penalties are preserved in the Penal Code.[22]

ISPs are required to send the Ministry of Telecommunications a current list of their subscribers each month. [23] ISPs, Internet service subscribers, Web page owners, and Web server owners are responsible for ensuring that the content of the pages and Web servers that they host conform to the Press Code's prohibitions against publications "likely to upset public order."[24] In addition, these parties are "obliged to constantly monitor the content of web servers operated by the service provider so as to not allow any information contrary to public order and good morals to remain on the system."[25]

These regulations also apply to Publinets, government-sponsored Internet cafés. Café owners are responsible for the activities of their patrons.[26] Computer monitors in Publinet cafés visited by an ONI researcher were angled so that the café owner could see the screens, and in one case, the café owner commented when the researcher attempted to access blocked sites.[27]

Tunisia achieves its filtering through the use of a commercial software program, SmartFilter, sold by the U.S. company Secure Computing. Because all fixed-line Internet traffic passes through facilities controlled by ATI, the government is able to load the software onto its servers and filter content consistently across Tunisia's twelve ISPs. Tunisia purposefully hides its filtering from Internet users. SmartFilter is designed to display a 403 "Forbidden" error message when a user attempts to access a blocked site; the Tunisian government has replaced this message with a standard 404 "File Not Found" error message, which gives no hint that the requested site is actively blocked.[28]

ONI testing results

ONI testing in Tunisia revealed pervasive filtering of Web sites of political opposition groups such as the Al-Nadha Movement (www.nahdha.info) and Tunisian Workers' Communist Party (www.al badil.org). Web sites that contain oppositional news and politics were also blocked. Examples include www.perspectivestunisiennes.net, www. nawaat.org, www.tunisnews.com, and www.tune zine.com.

Web sites that publish oppositional articles by Tunisian journalists were also blocked. For example, ONI verified the blocking of the French daily *Libération* Web site in February 2007 because articles by Tunisian journalist Taoufik Ben Brik critical of President Zine el-Abidine Ben Ali appeared on the site.[29]

Also blocked are Web sites that criticize Tunisia's human rights records. For example, the Web sites of the League for the Defense of Human Rights (www.ltdh.org) and the Congrés Pour la République (www.cprtunisie.net) were blocked, along with the Web sites of Reporters Without Borders (www.rsf.org), the International Freedom of Expression eXchange (www.ifex.org), the Islamic Human Rights Commission (www. ihrc.org), and the Arabic Network for Human Rights Information (www.hrinfo.org). Although the home page of Human Rights Watch (HRW) was accessible, the Arabic- and French-language versions of an HRW report on Internet repression in Tunisia were blocked.

Pornographic sites and anonymizers and circumvention tools, such as Anonymizer (www. anonymizer.com) and Guardster (www.guardster. com), were filtered extensively. Indeed, almost all of the tested sites belonging to these categories were blocked.

A few sites that criticize the Quran (www. thequran.com) and Islam (www.islameyat.com) or encouraging Muslims and others to convert to Christianity (www.biblicalchristianity.freeserve. co.uk) were blocked, though their small number

points to limited filtering of religious content in Tunisia.

Other blocked sites included several gay and lesbian information or dating pages, sites containing provocative attire, hacking Web sites, and several online translation services.

Conclusion

Tunisia's government continues to suppress critical speech and oppositional activity, both in real space and in cyberspace. Unlike other states that employ filtering software, Tunisia endeavors to conceal instances of filtering by supplying a fake error page when a blocked site is requested. This makes filtering more opaque and clouds users' understanding of the boundaries of permissible content. Tunisia maintains a focused, effective system of Internet control that blends content filtering with harsh laws to censor objectionable and politically threatening information.

NOTES

1. Tunisia has regularly been labeled an "enemy of the Internet"; see Reporters Without Borders, "List of the 13 enemies of the Internet in 2006 published," November 7, 2006, http://www.rsf.org/article.php3?id_article=19603.
2. Amnesty International, "Tunisia: Human rights abuses in the run up to the WSIS," http://web.amnesty.org/library/index/engmde300192005.
3. Ibid.
4. Human Rights Watch, "Tunisia: Police use force to block rights meeting," http://hrw.org/english/docs/2004/12/14/tunisi9841.htm.
5. Amnesty International, "Tunisia: Fear for safety/Intimidation," http://web.amnesty.org/library/Index/ENGMDE300222005?open&of=ENG-TUN.
6. Amnesty International, "Tunisia: Human rights abuses in the run up to the WSIS," http://web.amnesty.org/library/index/engmde300192005.
7. Amnesty International, Tunisia – Report: 2006, http://web.amnesty.org/report2006/tun-summary-eng#1.
8. afrol News, "Tunisia still holds some 200 political prisoners," March 1, 2006, http://www.afrol.com/articles/18285.
9. Tunisia Online, "Internet in Tunisia: History," June 25, 2002, http://www.tunisiaonline.com/internet/history.html.
10. Network Startup Resource Center, Tunisia and the state of the Internet (e-mail from Lamia Chaffai of ATI to Dolores Lizarzaburu of NSRC), November 14, 2002, http://www.nsrc.org/db/lookup/report.php?id=1037285984211:488846420&fromISO=TN.
11. Tunisian Internet Agency, http://www.ati.tn/Defaulten.htm.
12. See, for example, Hexabyte's Free Internet FAQ, http://www.zerodinar.com/faq.php (French language only).
13. See, for example, Topnet, http://www.topnet.tn/ (French language only).
14. Tunet.tn, "L'accés Internet haut dèbit par satellite (TUNET VSAT)," http://www.tunet.tn/?item=solutions&sp=Satellite (French language only).
15. Tunisian Internet Agency, http://www.ati.tn/Defaulten.htm.
16. Reporters Without Borders, "Tunisia," http://www.rsf.org/article.php3?id_article=7271.
17. Internet World Stats, "Tunisia: Internet usage and population growth," http://www.internetworldstats.com/af/tn.htm, citing data from the International Telecommunication Union.
18. Internet World Stats cites ITU data, which place the number of Internet users in Tunisia at 953,000 (http://www.internetworldstats.com/af/tn.htm). The Tunisian government's estimate of 1.14 million is slightly higher (http://www.ati.tn/Defaulten.htm).
19. International Freedom of Expression eXchange (IFEX), The IFEX Tunisia Monitoring Group: Media Censorship, http://campaigns.ifex.org/tmg/censorship.html.
20. Ibid.
21. Tunisia Online, Government, http://www.tunisiaonline.com/government/index.html.
22. Human Rights Watch, False Freedom: Online Censorship in the Middle East and North Africa: Tunisia, http://hrw.org/reports/2005/mena1105/7.htm, citing Ligue Tunisienne pour la Défense des Droits de l'Homme, Report on the Freedom of Information in Tunisia, http://www.iris.sgdg.org/actions/smsi/hr-wsis/ltdh03-press-en.pdf.
23. Decree of the Ministry of Telecommunications of March 22, 1997, Article 8, translated by Harvard Law School Langdell Library.
24. Decree of the Ministry of Telecommunications of March 22, 1997, Article 9, and Code de la Presse, Article 49, translated by Harvard Law School Langdell Library.
25. Decree of the Ministry of Telecommunications of March 22, 1997, Article 9, translated by Harvard Law School Langdell Library.

26. International Freedom of Expression eXchange (IFEX), The IFEX Tunisia Monitoring Group, http://campaigns.ifex.org/tmg/about.html; IFEX, Tunisia: Freedom of Expression Under Siege, February 2005, http://www.ifex.org/download/en/FreedomofExpressionunderSiege.doc.

27. Human Rights Watch, The Internet in the Mideast and North Africa: Free Expression and Censorship, http://hrw.org/advocacy/internet/mena/tunisia.htm.

28. Internet Censorship Explorer, "Tunisia: Internet filtering," June 7, 2005, http://ice.citizenlab.org/?p=115.

29. Reporters Without Borders, "French media censored in Tunisia because of articles by Tunisian journalist Taoufik Ben Brik," http://www.rsf.org/article.php3?id_article=21119.