

# Tunisia

Although Tunisia has actively sought to develop its information and communication technology (ICT) infrastructure, the government continues to pervasively block a range of Web content and has used nontechnical means, characteristic of second-generation Internet controls, to impede journalists and human rights activists from doing their work. The filtering of political content and restrictions on online activity have prompted frequent criticism from foreign governments and human rights organizations, as well as online protest campaigns from Tunisian Internet users.



## Background

The Tunisian constitution guarantees freedom of the press under “conditions laid down by law,” but the government closely controls the media. Additionally, the Press Law criminalizes defamation, and those who violate it can be imprisoned and fined.<sup>1</sup> Tunisia is considered by media watchdog Reporters Without Borders to be “the region’s most authoritarian regime” in regard to civil liberties. Journalists and human rights activists have been banned from leaving the country and are subject to arrest and

### RESULTS AT A GLANCE

Filtering	No Evidence of Filtering	Suspected Filtering	Selective Filtering	Substantial Filtering	Pervasive Filtering
Political					•
Social					•
Conflict and security			•		
Internet tools					•

Other Factors	Low	Medium	High	Not Applicable
Transparency	•			
Consistency		•		

KEY INDICATORS	
GDP per capita, PPP (constant 2005 international dollars)	7,102
Life expectancy at birth (years)	74
Literacy rate (percent of people age 15+)	78
Human development index (out of 179)	95
Rule of law (out of 211)	84
Voice and accountability (out of 209)	181
Democracy index (out of 167)	141 (Authoritarian regime)
Digital opportunity index (out of 181)	87
Internet users (percent of population)	27.5

Source by indicator: World Bank 2009a, World Bank 2009a, World Bank 2009a, UNDP 2008, World Bank 2009b, World Bank 2009b, Economist Intelligence Unit 2008, ITU 2007, ITU 2008.

imprisonment. The majority of the country's newspapers conform to the official line of the government, and opposition newspapers have been seized.<sup>2</sup> The Internet is also heavily regulated and perceived as a potential threat to the stability and security of the country.<sup>3</sup> There are also instances of banning foreign publications for publishing content that is deemed prejudicial to Islam.<sup>4</sup>

### Internet in Tunisia

Tunisia has one of the most developed telecommunications infrastructures in North Africa, with a high mobile penetration rate and one of the lowest broadband prices in Africa.<sup>5</sup> As of October 2008, the number of GSM subscribers had reached 9 million, while the number of Internet users was 1.7 million, 114,000 of whom have broadband subscriptions.<sup>6</sup> Out of a population of 10.2 million, nine out of ten Tunisians own a cell phone.<sup>7</sup> Of the Internet users, 84 percent access the Internet at home, 75.8 percent use it at work, and 24 percent use Internet cafés.<sup>8</sup>

The Tunisian Ministry of Communications established the Tunisian Internet Agency (ATI) to regulate the country's Internet and DNS services, which had formerly fallen under the purview of the Regional Institute for Computer Sciences and Telecommunications (IRSIT).<sup>9</sup> The ATI is also the gateway from which all of Tunisia's 11 ISPs lease their bandwidth.<sup>10</sup> Six of these ISPs are public (ATI, INBMI, CCK, CIMSP, IRESA, and Defense's ISP); the other five—Planet Tunisie, 3S Global Net, HEXABYTE, TopNet, and TUNET—are private.<sup>11</sup>

The government has made concentrated efforts to spread Internet access. The ATI reports connectivity of 100 percent for the education sector (universities, research laboratories, secondary schools, and primary schools).<sup>12</sup> 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. Tunisians for whom personal computers remain prohibitively expensive may access the Internet from more than 300 Internet cafés set up by the authorities.<sup>13</sup>

### 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.

For example, journalists have been prosecuted by Tunisia's press code, which bans offending the president, disturbing order, and publishing what the government perceives as false news.<sup>14</sup> The government also restricts the media by controlling the registration of print media and licensing of broadcasters, refusing permission to critical outlets, and controlling the distribution of public sector advertisement.<sup>15</sup> Journalists are also charged in court with vague violations of the penal code.<sup>16</sup>

Online dissidents face severe punishment. For example, human rights lawyer Mohamed Abbou was sentenced to three and a half years in prison in 2005 for publishing on a banned Web site a report in which he accused the government of torturing Tunisian prisoners.<sup>17</sup>

In a landmark legal case that challenged the Web-filtering regime in the country, journalist and blogger Ziad El Heni filed a legal suit against the ATI for censoring the social networking site Facebook.<sup>18</sup> The Tunisian Union of Free Radio Stations and the Unionist Freedoms and Rights Observatory joined El Heni in the lawsuit and called for Tunisian President Zine El Abidine Ben Ali to testify.<sup>19</sup> Facebook was blocked on August 18, 2008, and then unblocked on September 2 at the Tunisian president's request.<sup>20</sup> The Third District Court of Tunisia, however, dismissed the case in November 2008 without providing any explanation.<sup>21</sup>

In addition to being blocked in Tunisia, many opposition and dissident Web sites and blogs have been targets of hacking attempts and, in some cases, successful content removal and shutting down of servers.<sup>22</sup> Although it is not clear who is behind these cyber attacks, many Tunisian opposition leaders believe the government is responsible.<sup>23</sup> For example, the independent news site Kalima ([www.kalimatunisie.com](http://www.kalimatunisie.com)) was hacked into and shut down in October 2008. The eight-year Arabic and French archives were completely destroyed. The Web site has been blocked since it was launched in 2000. Its administrator accused the government of being responsible for the attack because, as she told the Committee to Protect Journalists, "The only ones who benefit from this attack are the authorities."<sup>24</sup> She also stated, "I would not rule out the possibility that this act was committed by the secret services, with the aid of hackers or pirates based in Tunisia or abroad." The Web-based newsletter Tunis News ([www.tunisnews.net](http://www.tunisnews.net)) and a blog run by a judge ([tunisiawatch.rsfblog.org](http://tunisiawatch.rsfblog.org)) have been subject to similar attacks.<sup>25</sup>

Tunisia does not have specific laws that regulate online broadcasting. As a result, a group of journalists exploited the lack of legal obstacles to broadcast on the Internet and on December 10, 2007, launched Tunisia's first Internet radio station, Radio 6, to mark the 59th anniversary of the World Declaration of Human Rights.<sup>26</sup>

Web filtering in Tunisia is achieved through the use of a commercial software program, SmartFilter, sold by the U.S.-based company Secure Computing. Since 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 11 ISPs. Tunisia purposefully hides its filtering from Internet users. SmartFilter is designed to display a 403 error message when a user attempts to access a blocked Web site; the Tunisian government has replaced this message with a standard 404 error message, which gives no hint that the requested Web site is actively blocked.<sup>27</sup>

### **Surveillance**

The Tunisian authorities practice various forms of Internet surveillance and request that service providers such as Internet cafés become partners in controlling Internet use. For example, the authorities monitor Internet cafés, instruct Internet users to show identification before they can use the Internet in some regions, and hold Internet café operators responsible by law for their clients' online activities.

There is also technical surveillance, whereby downloading or adding attachments to an e-mail must go through a central server. Under the pretext of protecting public order and national security, a 1998 post and telecommunications law enables the authorities to intercept and check the content of e-mail messages;<sup>28</sup> in fact, electronic surveillance such as the filtering of e-mail messages of government opponents has been reported.<sup>29</sup> Global Voices Advocacy director and Tunisian activist Sami Ben Gharbia conducted a test from the Netherlands with two Tunisia-based activists, and confirmed by logging on to their e-mail accounts from the Netherlands that what he saw was not what the bloggers saw when they logged on from Tunisia, and that the bloggers could not access some of the messages they received.<sup>30</sup>

### **ONI Testing Results**

The OpenNet Initiative carried out tests in Tunisia using the ISPs Planet Tunisie and TopNet. Similar to 2006–2007 test results, 2008–2009 testing revealed pervasive filtering of Web sites of political opposition groups such as the Democratic Forum for Labor and Liberty ([www.fdtl.org](http://www.fdtl.org)), Al-Nadha Movement ([www.nahdha.info](http://www.nahdha.info)), Tunisian Workers' Communist Party ([www.albadil.org](http://www.albadil.org)), and Democratic Progressive Party ([pdpinfo.org](http://pdpinfo.org)).

Also blocked were Web sites run by opposition figures such as activist Moncef Marzouki ([www.moncefmarzouki.net](http://www.moncefmarzouki.net)) and Web sites that contain oppositional news and politics such as [www.nawaat.org](http://www.nawaat.org), [www.perspectivestunisiennes.net](http://www.perspectivestunisiennes.net), [www.tunisnews.com](http://www.tunisnews.com), and [www.tunezine.com](http://www.tunezine.com).

Web sites that publish oppositional articles by Tunisian journalists were also blocked. For example, ONI verified the blocking of the French daily *Libération* in February 2007 because articles by Tunisian journalist Taoufik Ben Brik critical of President Zine el-Abidine Ben Ali appeared on its Web site.<sup>31</sup>

Also blocked are Web sites that criticize Tunisia's human rights record. These include the Web sites of Amnesty International ([www.amnesty.org](http://www.amnesty.org)), Freedom House ([www.freedomhouse.org](http://www.freedomhouse.org)), Reporters Without Borders ([www.rsf.org](http://www.rsf.org) and [www.rsf.fr](http://www.rsf.fr)), the International Freedom of Expression eXchange ([www.ifex.org](http://www.ifex.org)), the Islamic Human Rights Commission ([www.ihrc.org](http://www.ihrc.org)), and the Arabic Network for Human Rights Information ([www.hrinfo.org](http://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.

The prominent video sharing sites YouTube ([www.youtube.com](http://www.youtube.com)) and Dailymotion ([www.dailymotion.com](http://www.dailymotion.com)) were found blocked, apparently because Tunisian activists used them to disseminate content critical of the regime's human rights practices. Interestingly, the Web site of ONI ([opennet.net](http://opennet.net)) was blocked. Also blocked was the Web site of Global Voices ([www.globalvoicesonline.org](http://www.globalvoicesonline.org)), a nonprofit global citizens' media project. Most of the tested Web sites in the anonymizers and circumvention tools category were blocked. These include Psiphon ([psiphon.civisec.org](http://psiphon.civisec.org)), TOR ([tor.eff.org](http://tor.eff.org)), Anonymizer ([www.anonymizer.com](http://www.anonymizer.com)), e-mail privacy service provider Stealth Message ([www.stealthmessage.com](http://www.stealthmessage.com)), Guardster ([www.guardster.com](http://www.guardster.com)), and JAP ([anon.inf.tu-dresden.de](http://anon.inf.tu-dresden.de)).

The filtering regime pervasively filters pornographic content, several gay and lesbian information or dating pages, provocative attire, and several online translation services. Also blocked were a few Web sites that criticize the Quran ([www.thequran.com](http://www.thequran.com)) and Islam ([www.islameyat.com](http://www.islameyat.com)). Although the small number of such sites indicates that there is limited filtering of religious content in Tunisia.

## 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 Web site is requested. This technique 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 characteristic of second-generation controls.

### Notes

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