

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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(New York) - Prime Minister Mohammad Ghannouchi, who declared himself interim president of Tunisia on January 14, 2011, following the departure of President Zine el-Abidine Ben Ali, should immediately order security forces to end the use of unjustifiable lethal force against civilians and bring to justice those responsible for any criminal use of force, Human Rights Watch said today. The interim government should also begin releasing all prisoners held for acts of peaceful expression or peaceful political activities, Human Rights Watch said.

Tunisian police have killed dozens of protesters by firing into crowds in the inland cities of Kasserine, Thala, Regueb, as well as in the capital, Tunis, during political violence that has beset the country since December 17, 2010.

"Nothing can better signal the change that Tunisians have been demanding than concrete steps to end the bloody repression, allowing citizens to exercise their rights peacefully, and freeing political prisoners," said Sarah Leah Whitson, Middle East and North Africa director at Human Rights Watch.

The government has reported that 23 Tunisians have died to date. However, Sadok Mahmoudi of the Kasserine branch of the General Union for Tunisian Labor told Agence France-Presse that 50 civilians had died in protests in the three inland cities between January 8 and 10 alone. Mahmoudi attributed the number to sources in the medical staff in Kasserine's main hospital.

Amnesty International reported that on January 9 police in Kasserine opened fire on demonstrators at the funeral of a 17-year-old boy who had been killed the previous day, resulting in the deaths of nine people.

The government claimed in statements that the police had acted to defend public property after, it said, demonstrators set fire to administrative buildings in Kasserine. However, the number of civilians shot dead, and the lack of allegations that the demonstrators committed acts that would have required lethal force in response, casts grave doubt on the authorities' claim that the use of deadly force was justified, Human Rights Watch said.

On January 10 former president Zine el-Abidine Ben Ali characterized the demonstrators as "terrorists" and vowed to crack down on them. But on January 12 Prime Minister Mohammed Ghannouchi announced that the government would investigate incidents of violence and look into the demonstrators' allegations of government corruption. He also said that people detained during the demonstrations would be released, with the exception of those proven to be involved in acts of extreme violence, destruction, and looting.

The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials allow law enforcement agents to use only that degree of force necessary and proportionate to protect people and property and to use intentional lethal force only when strictly unavoidable, to protect life. The Basic Principles require governments to ensure that arbitrary or abusive use of force or firearms by law enforcement officials is punished as a criminal offense.

The departure of President Ben Ali does not exonerate agents of the security forces who killed citizens unjustifiably. Unless the interim government moves quickly to investigate these incidents and to hold perpetrators accountable, the international community should initiate its own inquiry.

On January 12 thousands of demonstrators took to the streets in Tunis, the capital. The police responded with violence, beating many protesters and arresting dozens. Agence France-Presse reported that police opened fire and killed four people during the night of January 12 to 13.

Scores of people have been arrested since the demonstrations began in December. Many of those arrested have now been released. Authorities should immediately disclose the names, whereabouts, and charges against anyone who may still be in custody in connection with recent events, Human Rights Watch said.

Under Ben Ali, who was president since seizing power in 1987, Tunisian authorities tolerated little dissent, and plainclothes police often subjected activists, independent journalists, and those who spoke out against the government to arrest, beatings, harassment, and surveillance. Human Rights Watch and other organizations have documented police torture of detainees. In all the cases Human Rights Watch documented, no effective investigation into the alleged abuses by the police took place.

In a televised speech on January 13 Ben Ali vowed to step down when his fifth full five-year term ended in 2014. He ordered police to stop using live ammunition except to prevent the loss of life. He promised an "independent" investigation into the deaths and the violations and to determine the responsibilities "of all parties without exception." He also pledged to allow greater freedom of assembly and "total freedom for the media with all its channels and no shutting down Internet sites."

On the morning of January 14 protesters reportedly numbering in the thousands marched in downtown Tunis, some of them openly demanding Ben Ali's departure. Further casualties from police gunfire were reported. Later in the day, Ben Ali dissolved the government and called for legislative elections in six months.

A few hours later he fled the country, and Prime Minister Ghannouchi took over as interim president, basing his action on article 56 of the Tunisian constitution. Ghannouchi vowed to implement economic, social, and political reforms in the country during his time as acting president of Tunisia. Human Rights Watch urged interim President Ghannouchi to order an impartial and credible investigation into the killings and abuses that have occurred in recent weeks and to ensure that perpetrators are held accountable in courts of law.

The demonstrations began four weeks ago to protest unemployment and poverty in inland regions of the country, but the rallying cries broadened to include an end to corruption, police repression and impunity, and state violence against citizens. The demonstrations spread from the small city of Sidi Bouzid to many regions, with lawyers, artists, civil society activists, union members, and high school and university students joining the young and underemployed in the protests.

"Stopping the use of unjustifiable force, holding perpetrators accountable, and freeing those imprisoned for speech or nonviolent politics - this is what the interim government needs to do to reassure Tunisians that real change is coming after decades of authoritarian rule," Whitson said.

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