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COMMUNIQUE DE PRESSE – COMUNICADO DE PRENSA

For immediate release

Geneva, 18 January 2011

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Tunisia: Authorities must protect the civilian population and establish the rule of law

The ICJ today called on the Tunisian authorities to take immediate measures, compliant with human rights, to protect the civilian population against ongoing attacks, including extrajudicial killings. Most of the attacks are believed to have been carried out by the Presidential guard, other services of the Tunisian police, and militia loyal to former President Zine El-Abidine Ben Ali.

Twenty-three years after the *coup* that brought former President Ben Ali to power in November 1987, a popular revolt against repression, corruption, and unemployment began in mid-December 2010 after an unemployed university graduate set himself on fire after police seized his vegetable cart. At least 100 people were reportedly killed during these protests in the cities of Tunis, Sidi Bouzid, Kasserine, Thala, and Regueb. The former President fled to Saudi Arabia on 15 January.

"Tunisian authorities must ensure that those responsible for firing live rounds into crowds and the continuing attacks against the civilian population are held accountable," said Saïd Benarbia ICJ Legal Adviser for the Middle East and North Africa programme. *"Under international standards, law enforcement officers must use force proportionally and may use lethal force only when strictly unavoidable to protect lives,"* Benarbia added.

Under Ben Ali's regime, dissidents, human rights defenders, independent journalists, lawyers and judges were subject to arbitrary arrests, heavy surveillance, harassment, physical assaults and unfair trials. On 10 January, Ben Ali vowed to crack down on the demonstrators calling them *"terrorists"*.

"Tunisian authorities must release all persons detained arbitrarily, including for political reasons, and ensure that those who were forced into exile because of their political activities can freely return to Tunisia," said Benarbia. *"Restrictions on the freedom of expression, association and assembly must immediately be repealed,"* he added.

During the events, many Tunisians have expressed publicly their grievances and their aspirations for a democratic government that guarantees the rule of law and protect the human rights.

"Tunisian authorities bear responsibility for upholding Tunisia's international legal obligations and respecting international human rights and rule of law standards," said Benarbia. *"To this end, they should ensure free, transparent and fair elections with the participation of all political actors and parties, in line with the commitment announced to hold elections within six months. They should also fully investigate all incidences of alleged extrajudicial killings with a view to bringing those responsible to justice in accordance with international fair trials standards,"* Benarbia concluded.

For more information, please contact Saïd Benarbia, Middle East & North Africa Legal Adviser, at +41229793817

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