



Stifling Voices

Semi-Annual Report on violations of
freedom of opinion and expression

(January - June 2024)

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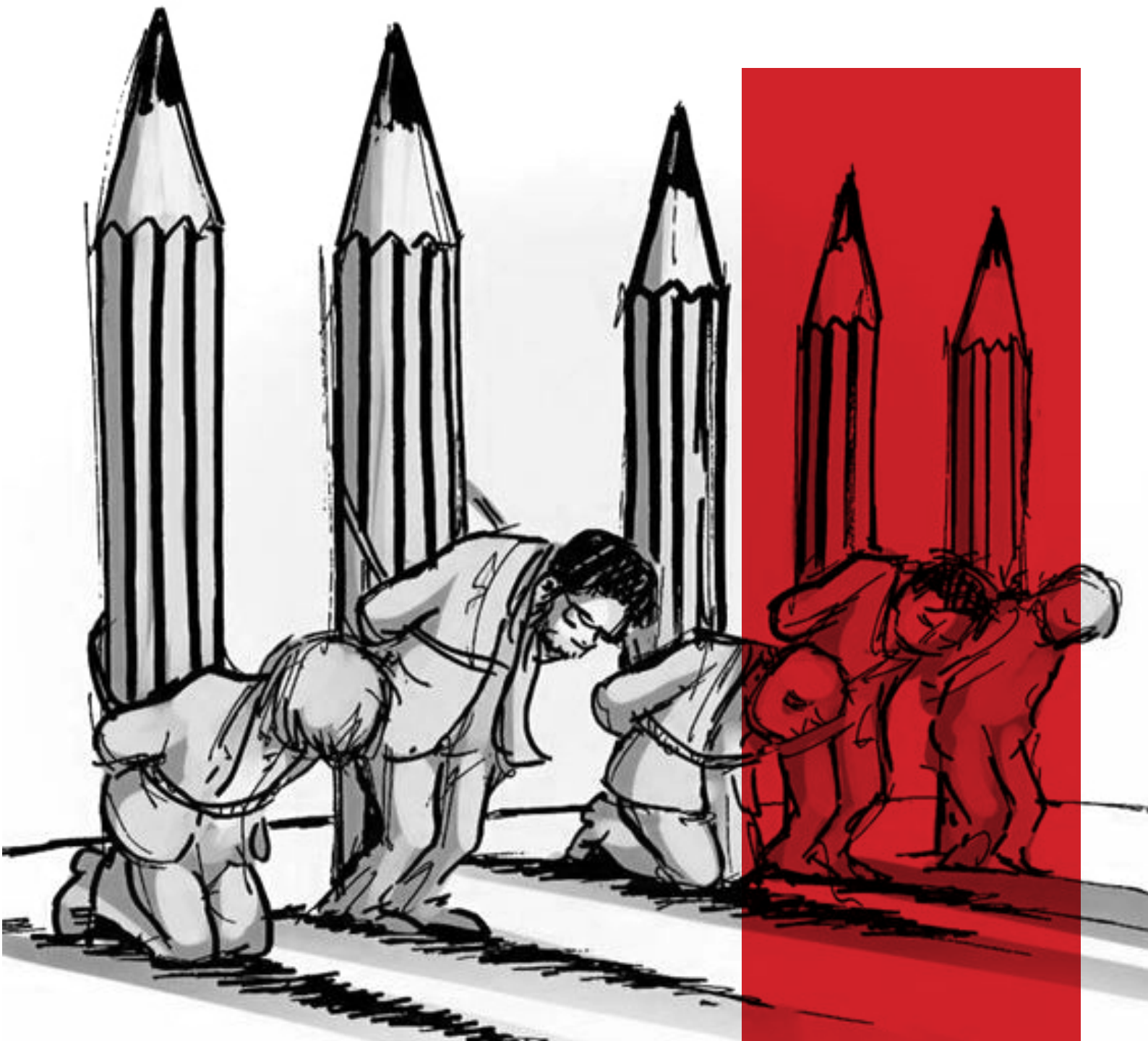
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Executive Summary:

This report highlights a concerning deterioration of Freedom of Opinion and Expression in Tunisia during the first half of 2024. The Observatory of Violations of Freedom of Opinion and Expression monitored and documented 25 cases of violations, in which the Tunisian authorities targeted journalists, politicians, bloggers, lawyers, and ordinary citizens because of their peaceful expression of their opinions.

These violations show a systematic pattern by the authorities to silence critical voices and restrict freedom of the press and online expression. In this regard, loose laws and legislation are used to enable broad interpretation and facilitate the criminalization of peaceful expression of opinion, such as Article 67 of the Penal Code, Article 86 of the Telecommunications Code, and Decree No.54 of 2022.





Introduction:

The right to freedom of opinion and expression is a fundamental component of establishing a democratic state. The protection of this right has been strengthened by its entrenchment in various international and regional charters. Article 19 of the Universal Declaration of Human Rights stipulates that «Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.» This right was also enshrined in the International Covenant on Civil and Political Rights as well as the African Charter on Human and Peoples' Rights, which addressed the same right in Article 9, stating that «Every individual shall have the right to express and disseminate his opinions within the law.» It is worth noting that the signatory states to these international and regional conventions are obliged to respect the human rights enshrined therein and are required to provide an appropriate legal frame for the exercise of these guaranteed rights.

Freedom of opinion and expression marked a turning point over the period from January 1, 2024, to June 2024. This deterioration is the result of the authorities' systematic policies aimed at suppressing and silencing opposing and critical voices. This was a period marked by arrests of state officials, journalists, media professionals, bloggers, and lawyers. Moreover, these arrests and trials included citizens from various governorates across the Republic of Tunisia who had expressed their opinions about the status quo in the country.

In this context, this report is an annual text that covers the period from January 2024 to June 30, 2024. It includes human rights violations committed by the state against its citizens over these 6 months. All of these violations involved arrests and prosecutions following the victims' exercise of their right to freedom of expression, all are bound by their criticism of the political and social conditions. This indicates the current authorities' determination to undermine rights and suppress freedoms through its repressive bodies and several repressive laws that restrict freedom of opinion and expression. Most of these laws contradict the essence of the Tunisian constitution, which is the primary guarantor of these rights, as well as the international agreements to which the Tunisian state is signatory, thus obliged to respect them.

The report tackles the violations witnessed in Tunisia in the first half of 2024, particularly the state's transgressions of the right to freedom of expression and related rights such as freedom of the press and the extent of the Tunisian state's tendency to limit these rights by restricting them through arbitrary trials and imprisoning citizens for extended periods based on malicious charges. The report follows a chronological narrative of the events monitored from the beginning of January 2024 to the end of June 2024.

Methodology:

To prepare this report, the Observatory for Violations of Freedom of Opinion and Expression monitored the arrests over the period from January 1, 2024, to June 31, 2024. The Observatory relied on information such as statements by the victims' lawyers on radio broadcasts and several press articles. The Observatory also contacted lawyers regarding the arrests of journalists, media professionals, bloggers, and lawyers due to their radio or television statements. This report aims to shed light on a set of laws that conflict with freedom of opinion and expression. For reference, Intersection Association was unable to obtain some information regarding certain cases and cases.

January 2024:

The beginning of 2024 witnessed a new wave of human rights violations that particularly targeted the right to freedom of opinion and expression. In January 2024 alone, there had been 6 cases that involved arrests, summons, and imprisonment.

Case of Journalist Zied El Hani for Criticizing the Minister of Commerce:

On December 28, 2023, journalist Ziad El Hani was summoned to appear urgently before the 5th Central Unit for Combatting Information and Communication Technology crimes at the National Guard barracks in L'Aouina¹. Later, it was revealed that Ziad Al-Hani was summoned because of radio statements that he had made on the same day on «IFM» radio, where he criticized the Minister of Commerce and demanded her dismissal or resignation from the current government. He was interrogated throughout Thursday evening and asked about the meaning behind the words addressed to the minister in question. Subsequently, the public prosecution decided to keep him in custody for 48 hours.

On January 1, 2024, the investigating judge at the Court of First Instance in Tunis issued an arrest warrant against Zied El Hani and scheduled the date of January 10 as the date for his presentation before the judiciary. He was charged with harming others through public communication networks in accordance with the provisions of Article 86 of the Communications Code. Zied El Hani spent his seventh day in prison in gross violation of his right to freedom of expression and infringement on his rights as a journalist by being prosecuted outside the framework of Decree 115 related to freedom of the press, printing, and publishing². On the same date, the Court of First Instance sentenced journalist Zied El Hani to six months in prison with a suspended sentence.

¹ Mosaique FM: Zied El Hani is summoned to urgently appear before a unit in L'Aouina, December 28, 2023. Last Access (AR Reference): May 2, 2024. <https://www.mosaiquefm.net/ar/%D8%AA%D9%8%D9%86%D8%B3-%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/1223883/%D8%A7%D8%B3%D8%AA%D8%AF%D8%B9%D8%A7%D8%A1-%D8%B2%D9%8A%D8%A7%D8%AF-%D8%A7%D9%84%D9%87%D8%A7%D9%86%D9%8A-%D8%AD%D8%A7%D9%84%D8%A7-%D9%84%D9%84%D9%85%D8%AB%D9%88%D9%84-%D8%A3%D9%85%D8%A7%D9%85-%D9%81%D8%B1%D9%82%D8%A9-%D8%A8%D8%A7%D9%84%D8%B9%D9%88%D9%8A%D9%86%D8%A9>

² Phone call with the victim of violation on December 28, 2023.

Haythem El Makki:

On January 12, 2024, an official summons was issued by the Regional Forensic Investigation Unit of the National Guard in Sfax to journalist Haythem El Makki due to a complaint filed by Habib Bourguiba University Hospital. It was concerning posts he made in which he reported that the hospital's morgue had exceeded its capacity in April 2023, accompanied by photos of bodies of irregular migrants in the corridors of the hospital. This was under Article 24 of Decree No.54 of 2022³.

On January 15, 2024, he went to the regional unit headquarters where he was heard and then released on the same day after the public prosecution had decided to keep him on release.

Abir Moussi:

On January 16, 2024, the Court of Appeal in Tunis authorized the Public Prosecutor at the Court of First Instance in Tunis to open 3 investigations against Abir Moussi. In February 2024, Abir Moussi⁴ appeared before the investigating judge of the Court of First Instance in Tunis due to a complaint filed by The Independent High Authority for Elections, represented by its president⁵. The complaint concerned a post made by Abir Moussi regarding the campaign for the previous legislative elections in electoral districts abroad, due to which she was accused of «insulting a public official and spreading false and groundless information» per Decree No.54. On the same day, a detention order was issued against her. In addition, the lawyer received a letter from the Regional Bar Office summoning his client to appear before the investigating judge for interrogation in a new case filed against her by The Independent High Authority for Elections represented by its president under Decree No.54. This was because of a statement she made in late 2022 to one of the media outlets, in which his client expressed her non-recognition of the legislative elections and the entire process accompanying it. Based on that, the investigating judge at the Court of First Instance in Tunis issued another arrest warrant against Abir Moussi on February 21, 2024. It should be noted that the complaint was related to a press conference organized by the party in December 2022.

³ Nawat: Trials of Journalists Reflect Repressive Policies. Interview with journalist Haythem Malli. January 17, 2024. Last access (AR Reference): 18/06/2024: <https://nawaat.org/2024/01/17/%d9%85%d8%ad%d8%a7%d9%83%d9%85%d8%a7%d8%aa-%d8%a7%d9%84%d8%b5%d8%ad%d9%81%d9%8a%d9%8a%d9%86-%d8%aa%d8%b9%d8%a8%d8%b1-%d8%b9%d9%86-%d8%b3%d9%8a%d8%a7%d8%b3%d8%a9-%d8%a7%d8%b3%d8%aa%d8%a8%d8%af%d8%a7>

⁴ Express FM: 3 New Cases against Abir Moussi (AR Reference): <https://radioexpressfm.com/ar/%d8%a7%d9%84%d8%a3%d8%ae%d8%a8%d8%a7%d8%b1/%d9%81%d8%aa%d8%ad-3-%d9%82%d8%b6%d8%a7%d9%8a%d8%a7-%d8%ac%d8%af%d9%8a%d8%af%d8%a9-%d8%b6%d8%af-%d8%b9%d8%a8%d9%8a%d8%b1-%d9%85%d9%88%d8%b3%d9%8a>

⁵ Phone call with the victim's lawyer on June 12, 2024.

Mounir Belchedhli: Architect and Human Rights Activist

In late January 2024, after the security forces raided Mounir Bechedli's residence intending to arrest him in relation to a case because of posts he made on his personal Facebook account, in which he criticized the current authorities⁶. However, he was not found at his home during the raid.

On January 29, 2024, Mounir Bechedhli turned himself in to the security forces, where the public prosecution decided to keep him in detention after reviewing his file. He was brought before the judiciary on February 6, 2024, and on February 7, 2024, the Court of First Instance in El Kef, issued a preliminary order sentencing the architect and human rights activist to three months with immediate effect on charges of using information and communication networks and systems to produce, promote, publish, send, prepare news, data, false rumors, forged or fake, or falsely attributed documents to others with the aim of violating the rights of others, or harm public security, or national defense, or spreading terror among the population, per Article 24 of Decree No. 54⁷.

Sonia Dahmani:

Sonia Dahmani faced a case in January under Article 24 of Decree No. 54, due to her statements on a radio program regarding the situation of prisons in Tunisia. Attorney Dahmani stated that the complaint filed against her was based on her discussion of the violations inside Tunisian prisons, especially against political prisoners and their maltreatment, such as depriving them of their basic rights; the right to health and medical follow-up, according to what their defense had reported. The statement also included their reference to the use of a "pit" instead of a proper restroom. As a result, she found herself accused due to her opinions, which the current authority considered a crime that requires punishment, thus she was interrogated. On 24th January, she was brought before the judiciary for investigation for the charges against her. She was later kept in a state of release pending investigation. On May 28, 2024, the victim was informed that the investigation had been closed and the case was referred to the indictment Chamber of the Court of Appeal of Tunis to decide on the appropriate action⁸.

⁶ Intersection Association for Rights and Freedoms, Violation case of Mounir Bechedhli: Freedom Faces. May 2, 2024, Last Access: 05/05/2024: <https://intersection.uno/freedom-faces/%d9%85%d9%86%d9%8a%d8%b1-%d8%a7%d9%84%d8%b4%d8%a7%d8%b0%d9%84%d9%8a>

⁷ Phone call with the victim's lawyer

⁸ Intersection Association for Rights and Freedoms, Violation case of Sonia Dahmani: Freedom Faces. May 29, 2024, Last Access: 30/05/2024: <https://intersection.uno/freedom-faces/%d8%b3%d9%86%d9%8a%d8%a9-%d8%a7%d9%84%d8%af%d9%87%d9%85%d8%a7%d9%86%d9%8a-sonia-dahmani/d9%8a%d8%a9-%d8%a7%d9%84%d8%af%d9%87%d9%85%d8%a7%d9%86%d9%8a-sonia-dahmani>

Lotfi Mraihi:

On January 29, 2024, the Criminal Division of the Court of First Instance in Tunis issued a preliminary verdict sentencing Lotfi Mraihi, the Secretary-General of the Republican People's Union, to six months with a suspended execution of corporal punishment⁹. This ruling was based on his participation in a radio program in November 2022, during which he discussed the political situation in Tunisia and criticized the performance of the president of the Republic. It is worth noting that this prosecution came within the context of a complaint filed by the current Minister of Justice under Article 24 of Decree No.54 of 2022 on combatting crimes related to information and communication systems.

February 2024:

In February 2024, two people were arrested in separate cases. The first was sent to prison on charges of committing a heinous act against the president of the Republic according to Article 67 of the Penal Code, meanwhile, the second was summoned for investigation under Article 24 of Decree No.54 of 2022.

Abdel Moneim Hfidhi:

On February 18, 2024, plainclothes officers of the Civil Guard arrested Abdel Moneim Hafidhi, a Tunisian citizen and blogger on social media, in front of his residence. He was taken to the National Guard Station in the city of Metlaoui in Gafsa Governorate. One of the officers returned to the house requesting the family to hand over the victim's phone, explaining that it was related to issues within the Tunisian Transport Company where the victim of the violation works. Furthermore, Abdel Moneim Hfidhi's social media accounts remained active until late at night while he was under arrest¹⁰. The family was later informed about his detention without providing any information about the reason for the arrest or the charges against him. He was referred to the Public Prosecutor on February 20, 2024, who decided to present it before the investigating judge on the same day.

Abdel Monem Hfidhi found himself accused of committing a heinous act against the president under Article 67 of the Penal Code due to his critical posts. On April 24, 2024, an appellate verdict was issued against him, sentencing him to 4 months in prison with immediate effect.

⁹ Intersection Association for Rights and Freedoms, Violation case of Lotfi Mraihi: Freedom Faces. February 8, 2024, Last Access: 30/05/2024: <https://intersection.uno/freedom-faces/%d9%84%d8%b7%d9%81%d9%8a-%d8%a7%d9%84%d9%85%d8%b1%d8%a7%d9%8a%d8%ad%d9%8a>

¹⁰ Phone call with the victim's family

Ahmed Rajab: President of the National Order of Veterinarians

On February 19, 2024, the public prosecution authorized the detention of Professor Ahmed Rajab, president of the National Order of Veterinarians, for 48 hours pending investigation after being questioned by the central unit of the National Guard L'Aouina. He was investigated due to a complaint filed by the minister of Agriculture, accusing him of producing, promoting, publishing, sending, and preparing news, data, or rumors under Article 24 of Decree No.54, based on a newspaper article published in Al Shorouk newspaper. In this article, he addressed the seriousness of the spread of foot-and-mouth disease and brucellosis among cattle, as well as the official authorities' secrecy on the matter and the officials of the regional delegates of agricultural development's refrain from making any statement or providing any information. On February 21, 2024, he appeared before the Court of First Instance in Tunis, which decided to release him and keep him on parole¹¹.

March 2024:

The wave of arrests witnessed in Tunisia in early 2024 continued until March. Lawyers, journalists, and a blogger were among those targeted.

Nasreddine Halimi:

On March 7, 2024, the Permanent Military Court of First Instance in El Kef issued a preliminary verdict sentencing blogger Nasreddine Halimi to seven years in prison. The sentence was divided as follows: 6 years, for using networks and information and communication systems to produce, promote, publish, send, and prepare news, data, rumors, and attribute false matters to a public official to defame, discredit, harm him materially and morally, infringe on his rights and incite violence against him. Furthermore, he was accused of inciting hate speech, endangering public security, and spreading terror among citizens. Moreover, he received a one-year sentence for actions that were likely to undermine the military's discipline, obedience to superiors, and respect for the military authority, and for criticizing the general command and military leaders in a way that violates their dignity. These charges are because of posts he published on social media networks during 2021 and 2022¹².

¹¹ Intersection Association for Rights and Freedoms, Violation case of Ahmed Rajab: Freedom Faces. April 21, 2024, Last Access: 03/05/2024: <https://intersection.uno/freedom-faces/ahmed-rjab-%d8%a7%d8%ad%d9%85%d8%af-%d8%b1%d8%ac%d8%a8>

¹² ULTRA Tunisia: Tunisia: Military Trial and 7 Years in Prison against a Blogger Because of Facebook Posts.

It is noteworthy that blogger Nesrddine Halimi has been referred to the first investigating judge at the Military Court in El Kef since 2022 on charges related to posts he made, in which he violated the dignity of the National Army.

Mohamed Boughaleb: Referral Due to a Case Filed Against Him by the Minister of Religious Affairs:

On Wednesday, March 20, 2024, coinciding with Tunisia's Independence Day holiday journalist and media figure Mohamed Boughaleb received a summons to appear on March 22, 2024, before the 5th Central Unit for Combatting Information and Communication Technology Crimes at the National Guard barracks in L'Aouina due to a complaint filed by an official of the Ministry of Religious Affairs in relation with statements he previously made. In these statements, he criticized her travels funded by the ministry, which he considered a waste of public funds and a violation of austerity and good governance policies¹³.

It should be noted that on March 22, 2024, the victim of the violation's lawyer submitted a request to postpone the hearing, but it was rejected by the 5th Central Unit of the National Guard in L'Aouina. On the same day, Mohamed Boughaleb was placed on a wanted list. Subsequently, the public prosecution instructed the officials of the 5th Central Unit of the National Guard to bring him by force¹⁴.

In this context, the 5th Central Unit of the National Guard of L'Aouina, after consulting the public prosecution, refused to allow the victim's lawyer to have a private meeting with his client. This infringes on the right to defense enjoyed by the detainee.

After hearing Mohamed Boughaleb, the public prosecution at the Court of First Instance in Tunis authorized his detention for 48 hours. Upon the expiration of the initial detention period, on March 24, 2024, the public prosecution decided to extend the journalist's detention for additional 48 hours¹⁵.

March 8, 2024, Last Access (AR Reference): 03/05/2024 <https://ultratunisia.ultrasawt.com/%D9%81%D9%8A-%D8%AA%D9%88%D9%86%D8%B3-%D9%85%D8%AD%D8%A7%D9%83%D9%85%D8%A9-%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9-%D9%887-%D8%B3%D9%86%D9%88%D8%A7%D8%AA-%D8%B3%D8%AC%D9%86%D9%8B%D8%A7-%D9%84%D9%85%D8%AF%D9%88%D9%91%D9%86-%D8%A8%D8%B3%D8%A8%D8%A8-%D9%85%D9%86%D8%B4%D9%88%D8%B1%D8%A7%D8%AA-%D8%B9%D9%84%D9%89-%D9%81%D9%8A%D8%B3%D8%A8%D9%88%D9%83/%D8%A7%D9%84%D8%AA%D8%B1%D8%A7-%D8%AA%D9%88%D9%86%D8%B3/%D9%85%DB%8C%D8%AF%DB%8C%D8%A7/%D8%A7%D9%9-4%D8%AE%D8%A8%D8%A7%D8%B1>

13 Phone call with the victim's lawyer
14 Jawhara FM: Detention of Media Figure Mohammed Boughalleb. March 22, 2024. Last Acces: 03/05/2024 (AR Reference): <https://www.jawhara.fm.net/ar/article/%D8%A7%D9%84%D8%A5%D8%AD%D8%AA%D9%81%D8%A7%D8%B8-%D8%A8%D8%A7%D9%84%D8%A5%D8%B9%D9%84%D8%A7%D9%85%D9%8A-%D9%85%D8%AD%D9%85%D8%AF-%D8%A8%D9%88%D8%BA%D9%84%D8%A7%D8%A8/105/255296>
15 Tunisioscope: Breaking News: Media Figure Mohammed Boughalleb's Detention is Extended. March 24, 2024. Last Access (AR Reference) 03/05/2024: <https://www.tunisioscope.com/ar/article/377470/arabe/actu-arabe/boughaleb-220011>

On March 26, 2024, the public prosecution decided to refer Mohammed Boughaleb to the Criminal Chamber to be prosecuted under Article 128 of the Penal Code and Article 86 of the Communications Code¹⁶. On the same date, a detention order was issued against him.

Abderrazek Kilani: Lawyer, Former Minister, Former Dean of Lawyers

On March 21, 2024, the president of the National Bar Association Branch in Tunis received a notice from the investigating judge of the Court of First Instance in Tunis regarding an investigation against the lawyer and former bar president, Attorney Abderrazek Kilani. The investigation was in connection to using information systems to publish and disseminate news and data containing personal data and attributing false matters with the aim of defaming and harming others, inciting assault against them, and inciting hate speech per Article 24 of Decree No. 54¹⁷.

The events date back to the opening of the investigation in February 2024, where Attorney Abderrazek Kilani participated in a forum in Paris on the situation of human rights in Tunisia, the fight against impunity, and the release of political prisoners in the presence of former President Mohamed Moncef Marzouki¹⁸.

The investigation was limited to a video clip posted on Moncef Marzouki's page, in which he, in turn, tackled human rights issues in Tunisia, expressed his solidarity with the political detainees, and assimilated the past situation in Tunisia. Attorney Abderrazek Kilani was sitting next to him while he was delivering his speech, but his intervention was excluded¹⁹.

Abdelaziz Essid:

On March 27, 2024, lawyer Abdelaziz Essid appeared in court on bail before the 8th Criminal Chamber of the Court of First Instance in Tunis, because of a complaint filed by the current Minister of Justice, who accused him of defaming others according to Article 86 of the Communications Code

¹⁶ Journalists Syndicate, Annual report on the reality of press freedom in Tunisia 2024, May 3, 2024, Last Access (AR Reference): 4/5/2024: <http://snjt.org/wp-content/uploads/2024/05/%D8%A7%D9%84%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D8%A7%D9%84%D8%B3%D9%86%D9%88%D9%8A-1.pdf>

¹⁷ Tunisie Telegraph: Lawyer Abderrazek Kilani is set to appear for investigation: <https://tunisie-telegraph.com/2024/03/21/%d8%a7%d9%84%d9%85%d8%ad%d8%a7%d9%85%d9%8a-%d8%b9%d8%a8%d8%af-%d8%a7%d9%84%d8%b1%d8%b2%d8%a7%d9%82-%d8%a7%d9%84%d9%83%d9%8a%d9%84%d8%a7%d9%86%d9%8a-%d8%a3%d9%85%d8%a7%d9%85-%d8%a7%d9%84%d8%aa%d8%ad-175634>

¹⁸ Intersection Association for Rights and Freedoms: Violation case of Ahmed Rajab, Freedom Faces. May 2, 2024. Last Access: 03/05/2024: <https://intersection.uno/freedom-faces/%d8%b9%d8%a8%d8%af-%d8%a7%d9%84%d8%b1%d8%b2%d8%a7%d9%82-%d8%a7%d9%84%d9%83%d9%8a%d9%84%d8%a7%d9%86%d9%8a-abderrazek-kilani>

¹⁹ Intersection Association for Rights and Freedoms: Violation case of Abderrazek Kilani, Freedom Faces. May 2, 2024. Last Access: 03/05/2024: <https://intersection.uno/freedom-faces/%d8%b9%d8%a8%d8%af-%d8%a7%d9%84%d8%b1%d8%b2%d8%a7%d9%82-%d8%a7%d9%84%d9%83%d9%8a%d9%84%d8%a7%d9%86%d9%8a-abderrazek-kilani>

and attributing false matters to a public official²⁰ according to Article 128 of the Penal Code. On March 29, 2024, the 8th Criminal Chamber of the Court of First Instance in Tunis dismissed the case against Attorney Abdelaziz Essid²¹.

April 2024:

The targeting of freedom of opinion and expression has continued through more referrals among citizens due to posts on social media networks and trials of journalists outside the framework of Decree 115 regulating the profession.

Mohammed Boughaleb:

On April 17, 2024, the 8th Criminal Chamber of the Court of First Instance issued a preliminary verdict ordering the imprisonment of journalist Mohammad Boughaleb for six months.

Nassim Ben Salama:

Nassim Ben Slama is a Tunisian citizen and the head of a department in a public institution. He was imprisoned on April 17, 2024, and accused of harming others via public communication networks per Article 86 of the Communications Code because of sharing a caricature depicting one of the Arab leaders in solidarity with the Palestinian cause.

The victim of the violation remained in prison until April 24, 2024, until the 8th Criminal Chamber of the Court of First Instance in Tunis ordered his release and fined him 500 Dinars.²²

Lassaad Bouazizi:

On April 16, 2024, the investigation unit in Sidi Bouzid arrested political activist Saad Bouazizi at his residence because of a post he had shared on his social media account. The post said, «Down with the regime.»²³

20 Mosaique FM: Abdelaziz Essid's case is dismissed. March 29, 2024. Last access: 03/05/2024 (AR Reference): <https://www.mosaiquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/1255757/%D8%B9%D8%AF%D9%85-%D8%B3%D9%85%D8%A7%D8%B9-%D8%A7%D9%84%D8%AF%D8%B9%D9%88%D9%89-%D9%81%D9%8A-%D8%AD%D9%82-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A-%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%B9%D8%B2%D9%8A%D8%B2-%D8%A7%D9%84%D8%B5%D9%8A%D8%AF>

21 IFM Radio: Abdelaziz Essid's case is dismissed. March 29, 2024. Last access: 03/05/2024 (AR Reference): <https://www.ifm.tn/ar/article/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A%D8%A9/%D8%A7%D9%84%D8%AD%D9%83%D9%85-%D8%A8%D8%B9%D8%AF%D9%85-%D8%B3%D9%85%D8%A7%D8%B9-%D8%A7%D9%84%D8%AF%D8%B9%D9%88%D9%89-%D9%81%D9%8A-%D8%AD%D9%82-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A-%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%B9%D8%B2%D9%8A%D8%B2-%D8%A7%D9%84%D8%B5%D9%8A%D8%AF/79767>

22 Source: This is what was decided for a public official who published a caricature depicting an Arab king, April 24, 2024. Last access: 4/29/2024 (AR Reference): <https://ar.webmanagercenter.com/2024/04/24/378350/%d9%87%d8%b0%d8%a7-%d9%85%d8%a7-%d8%aa%d9%82%d8%b1%d9%91%d8%b1-%d9%81%d9%8a-%d8%ad%d9%82-%d9%85%d9%88%d8%b8%d9%91%d9%81-%d8%b9%d9%85%d9%88%d9%85%d9%8a-%d9%86%d8%b4%d8%b1-%d9%83%d8%a7%d8%b1%d9%8a%d9%83/>

23 Intersection Association for Rights and Freedoms. Violation case of Ahmed Rajab: Freedom Faces. May 23, 2024.

It should be noted that coinciding with his arrest, his entire house had been searched and his laptop was seized without presenting any judicial permission. He was investigated on charges under Article 24 of Decree No.54 and other articles of the Penal Code, which led the public prosecution to issue an arrest warrant against him. It turned out that the victim of the violation was tried per Article 72 of the Penal Code, which stipulates that «The perpetrator of an attack intended to change the state body or incite the population to attack each other with weapons, cause chaos, murder and looting on Tunisian soil shall be sentenced to death.» He was detained until the investigation was closed²⁴. Subsequently, a detention order was issued against him on April 19, 2024.

May 2024:

In May 2024, the Tunisian authorities continued to restrict freedom of opinion and expression and freedom of the press through further arrests of politicians, journalists, and citizens, as freedom of opinion and expression experienced a serious turn. The Observatory of Violations of Freedom of Opinion and Expression monitored 10 cases, where the Tunisian authorities had targeted a politician who took part in the July 25, 2021 course opposition and referred a large number of journalists based on injunctive legal texts other than Decree 115, which regulates journalism.

Mohammed Walid Zeidi:

On May 10, 2024, political activist at the Workers Party from Kairouan Mohammed Walid Zeidi went to a police station in the Hajeb Laayoun area to obtain a national identification card, where he was informed that he was on the wanted list. In fact, an arrest warrant was issued against him without receiving an official summons or notifying him that he was wanted. He was arrested and investigated for sharing a post from a news website that conveyed the Workers' Party's stance on the economic situation, calling for protests and a boycott of the elections for 2022²⁵. It should be noted that the investigating judge referred the victim on parole, but the public prosecution appealed on the same day. On May 11, 2024, the indictment chamber at the Court of Appeal in Kairouan issued an arrest warrant against Mohammed Walid Zeidi. Moreover, Mohammed Walid al-Zaidi was deprived of his right to family visits, although his brother had obtained a visit permit after a long time²⁶. A hearing was set for June 21, 2024.

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Phone call with the victim of the violation on May 7, 2024.

25 Intersection Association for Rights and Freedoms. Violation case of Walid Zeidi: Freedom Faces. May 29, 2024. Last Access: 30/05/2024 intersection.uno محمد وليد الزايدى - جمعية تقاطع

26 Communication with Olfa Baāzaoui, member of the central committee of the Worker's Party

Sonia Dahmani:

On May 11, 2024, masked members of the security forces in civilian clothes raided the Lawyers' House in Tunis to arrest lawyer Sonia Dahmani.²⁷ On May 13, 2024, an investigating judge at the Court of First Instance in Tunis ordered her detention pending investigation due to critical statements she made on a program. An arrest warrant was issued against the lawyer²⁸. On May 20, 2024, Attorney Sonia Dahmani appeared before the first investigating judge of the Court of First Instance in Tunis for questioning about the media statement she made regarding the sub-Saharan African migrants' issue in Tunisia²⁹.

Hamdi Tili:

During the Storming of the Lawyers' House on May 11, 2024, the France 24 photojournalist, Hamdi Tili was arrested while he was at the premises documenting the raid. His equipment was seized but he was later released³⁰.

Mourad Zghidi:

On May 11, 2024, members of the Anti-Crime Unit in El Gorjani went to journalist Mourad Zghidi's house to arrest him and take him to the unit's headquarters. It should be noted that he was questioned on the same day for approximately 5 hours. He was asked about his political and social analyses on a radio program, as well as about a post he shared on his personal social media account, in which he expressed his solidarity with journalist Mohamed Boughaleb. Besides, his phone and laptop³¹ were also seized.

Late on the same day, the public prosecution instructed the Anti-Crime Unit to detain El Gorjani for 48 hours pending investigation. Upon the expiration of the provisional suspension period, on May 13, 2024, the victim of the violation was presented to the public prosecution at the Court of First Instance in Tunis, who decided to extend his detention for an additional 48 hours. Once the detention period ended, the investigating judge of the Court of First Instance in Tunis 1 issued an arrest against journalist Mourad Zghidi, and a hearing was set for May 22, 2024, to present him before the judiciary³².

²⁷ Amnesty International Tunisia: Detention of a lawyer because of her public statements: Sonia Dahmani. May 20, 2024. Last Access 28/05/2024 (AR Reference): تونس: اعتقال محامية بسبب تصريحاتها العلنية: سنية الدهماني - منظمة العفو الدولية (amnesty.org)

²⁸ Mosaique FM: Arrest Warrant against lawyer Sonia Dahmani. May 13, 2024. Last Access (AR Reference) 28/05/2024: Mosaique FM: Sonia Dahmani is to be interrogated once again. May 20, 2024. Last Access (AR Reference)

28/05/2024: بطاقة إيداع بالسجن في حق سنية الدهماني | Mosaique FM

²⁹ Mosaique FM: Sonia Dahmani is to be interrogated once again. May 20, 2024. Last Access (AR Reference)

28/05/2024: سنية الدهماني تمثل أمام التحقيق مجدداً | Mosaique FM

³⁰ Journalists' Syndicate Statement: The Journalists' Union Expresses Solidarity with the Legal Sector and Reiterates Its Rejection of Harassment in the Media Sector, May 12, 2024. Last Access (AR Reference) 28/05/2024: نقابة الصحفيين تتضامن مع قطاع المحاماة وتجدد رفضها للتنكيل بقطاع الإعلام - النقابة الوطنية للصحفيين التونسيين (snjt.org)

³¹ Phone call with the victim's lawyer

³² Mosaique FM: Detention of Borhen Bsaies and Mourad Zghidi, May 12, 2024. Last Access: 5/28/2024 (AR

On May 22, 2024, following the end of the hearing, the Criminal Chamber at the Court of First Instance in Tunis sentenced journalist Mourad Zghidi to six months in prison for deliberately using information and communication networks and systems to produce, promote, publish, send and prepare fake news and rumors with the aim of harming the rights of others and endangering public security. He was also sentenced to another six months in prison for using information systems and attributing false matters to others to defame and damage others' reputations and cause them financial and moral harm.

Borhen Bsaïess:

On May 11, 2024, Tunisian journalist and prominent media figure Borhen Bsaïess was arrested by a security team and taken to the specialized unit for cybercrime at El Gorjani. During the investigation, it was revealed that his arrest had been due to many recorded radio and television segments, some dating back to 2019 and 2020, and social media posts³³.

The victim of the violation was interrogated about the content, and meaning behind the said words in the recording. It was suggested that the purpose of some interventions was to insult the president of the Republic³⁴. It is worth noting that his media statements were part of his profession being a political analyst and a radio presenter for a period, which required him to present various political positions and opinions. This was part of his work as a journalist practicing freedom of the press and media, especially his right to freedom of expression.

Eventually, the public prosecution permitted the Anti-Crime Unit in El Gorjani to detain Bohen for 48 hours pending investigation. The detention period was extended for an additional 48 hours. On May 15, 2024, an arrest warrant was issued against him with a hearing scheduled for May 22, 2024. He was accused of crimes stipulated in Article 24, Paragraph 2 of Decree No.54. Borhen was initially sentenced to six months for deliberately using information and communication networks and systems to produce, promote, publish, send, and prepare fake news and rumors with the aim of harming the of attributing false matters others intending at defaming others and causing them financial and moral harm. Both charges were in accordance with Article 24 of Decree No. 54.

Housseem Hajlaoui:

On May 12 and 13, 2024, human rights activist and journalist Housseem Hajlaoui was summoned for questioning due to a complaint filed by a security unit through the Crime Department in El Gorjani by virtue of

Reference): الإحتفاظ ببرهان بسيس وممراد الزغدي | Mosaique FM

33 Express FM: Arrest of Borhen Bsaïes on charges of insulting the president on TV and radio shows, May 13, 2024. Last access (AR Reference): 5/28/2024. إيقاف برهان بسيس بتهمة الإساءة لرئيس الدولة في حصص تلفزيونية وإذاعية - Radio Express FM

34 Victim's lawyer media statement

Article 86 of the Communications Code and Article 24 of Decree No.54. The events occurred within the context of publishing critical blogs over the past four years, such as security transgressions during the quarantine following the COVID-19 pandemic outbreak in March 2020³⁵. As a result, on May 14, 2024, the victim of the violation was detained for 48 hours and his phone was seized.³⁶

On May 16, 2024, the Public Prosecution issued an arrest warrant for Housseem Hajlaoui, which led to his detention in the Prison of Mornaguia for 7 days. Later, on May 23, 2024, he appeared before the court, where it was ruled to release him and sentence him to nine months with a postponement of the execution of corporal punishment³⁷.

It should be noted that a violation case against the member at the local office of the labor union in Gafsa state had been monitored. He was imprisoned per Article 24 of Decree No.54 of 2022 on combatting crimes related to information and communication systems.

In addition, the arrest and imprisonment of a blogger under Article 24 of Decree No.54 of 2022 on combatting information and communication systems had been monitored in the Kasserine Governorate.

It is also worth noting that in May, Decree No.54 had been used against two deputies of the current parliament.

June 2024:

In June, two cases of arrest and imprisonment were monitored.

Nasreddine Halimi:

Blogger Nasreddine Halimi appeared before the Military Court of Appeals on June 6, 2024. The Court of Appeals had overturned the primary military verdict, which sentenced him to seven years in prison, and had decided to reduce the prison sentence to two years, with a postponement of execution for the remainder of the term. As he spent two years in prison, blogger Nasreddine Halimi is now free³⁸.

35 Nawat: Agreement between the police and the prosecution to target activist journalist Houssam Hajjlaoui, May 18, 2024. Last access: 29/05/2024 (AR Reference): توافق جهاز البوليس والنيابة على التنكيل بالناشط الصحفي حسام الحجلوي - Nawaat

36 Intersection Association for Rights and Freedoms. Violation case of Housseem Hajlaoui: Freedom Faces. June 5, 2024. Last access (06/06/2024) <https://intersection.uno/freedom-faces/%d8%ad%d8%b3%d8%a7%d9%85-%d8%a7%d9%84%d8%ad%d8%ac%d9%84%d8%a7%d9%88%d9%8a>

37 Al Shourouk newspaper : Execution postponed... 9 months imprisonment for blogger Houssam Hajjlaoui, May 20, 2024. Last accessed: 29/05/2024 (AR Reference): مع تأجيل التنفيذ.. 9 أشهر سجنًا ضد المدون حسام الحجلوي | جريدة الشروق (alchourouk.com)

38 Mosaique FM: Nassereddine Halimi's Case: Reduction of the Prison Sentence with Suspension of Execution, June 6, 2024, Last Access: 11/06/2024 (AR Reference): <https://www.mosaiquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/1279232/%D9%82%D8%B6%D9%8A%D8%A9-%D9%86%D8%B5%D8%B1-%D8%A7%D9%84%D8%AF%D9%8A%D9%86-%D8%AD%D9%84%D9%8A%D9%85%D9%8A-%D8%AA%D8%AE%D9%81%D9%8A%D8%B6-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A9-%D8%A7%D9%84%D8%B3%D8%AC%D9%86%D9%8A%D8%A9-%D9%85%D8%B9-%D8%A5>

Sonia Dahmani:

On June 11, 2024, Lawyer Sonia Dahmani appeared before the investigating judge, as the public prosecution filed two new lawsuits related to the same content of the statement, regarding societal residues of a racist popular culture. The first case was dismissed and an arrest warrant was issued against her for the second case³⁹ per Article 24 of Decree No.54. man

Abdel Moneim Hafidhi:

Abdel Moneim Al-Hafizi was released on June 17, 2024, after the expiration of his prison sentence⁴⁰.

Lassaad Bouazizi:

On June 18, 2024, the Court of First Instance in Sidi Bouzid decided to release blogger Lassaad Bouazizi, who had been arrested and imprisoned since April 16, 2024⁴¹.

Abdelaziz Essid:

After the 8th Criminal Chamber of the Court of First Instance in Tunis ruled on March 29, 2024, to dismiss the case filed by the current Minister of Justice accusing him of insulting others per Article 86 of the Communication Code and attributing false matters to a public official on per Article 128 of the Penal Code. On June 25, 2024, the Criminal Department at the Court of Appeals in Tunis overturned the initial dismissal ruling to sentence him to 9 months with a postponement of the execution of the corporal punishment⁴².

Mohammed Walid Zeidi:

Following the postponement of political activist Mohammed Walid Zeidi's hearing session from June 21, 2024, to June 28, 2024, he was released after he was heard.

%D8%B3%D8%B9%D8%A7%D9%81%D9%87-%D8%A8%D8%AA%D8%A3%D8%AC%D9%8A%D9%84-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0
39 Radio Express; Arrest warrant against lawyer Sonia Dahmani. June 11, 2024. Last Access 11/06/2024
(AR Reference): <https://radioexpressfm.com/ar/%d8%a7%d9%84%d8%a3%d8%ae%d8%a8%d8%a7%d8%b1/%d8%a5%d8%b5%d8%af%d8%a7%d8%b1-%d8%a8%d8%b7%d8%a7%d9%82%d8%a9-%d8%a5%d9%8a%d8%af%d8%a7%d8%b9-%d8%b6%d8%af-%d8%a7%d9%84%d9%85%d8%ad%d8%a7%d9%85%d9%8a%d8%a9-%d8%b3%d9%86%d9%8a%d8%a9-%d8%a7%d9%84%d8%af>
40 Hadi Radaoui, Kashf Media: Release of Blogger Abdelmoneim Hafizi June 17, 2024 Last Access: 18/06/2024
(AR Reference): <https://www.kashfmedia.com/2024/06/17/%d8%a7%d9%84%d8%a5%d9%81%d8%b1%d8%a7%d8%ac-%d8%b9%d9%86-%d8%a7%d9%84%d9%85%d8%af%d9%88%d9%86-%d8%b9%d8%a8%d8%af-%d8%a7%d9%84%d9%85%d9%86%d8%b9%d9%85-%d8%ad%d9%81%d9%8a%d8%b8%d9%8a/>
41 Tunisia ULTRA, Release of Blogger and Political Activist Lassaad Bouazizi, June 19, 2024, Last Access: 20/06/2024 (AR Reference): <https://ultratunisia.ultrasawt.com/%D8%A5%D8%B7%D9%84%D8%A7%D9%82-%D8%B3%D8%B1%D8%A7%D8%AD-%D8%A7%D9%84%D9%85%D8%AF%D9%88%D9%86-%D9%88%D8%A7%D9%84%D9%86%D8%A7%D8%B4%D8%B7-%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A-%D9%84%D8%B3%D8%B9%D8%AF-%D8%A7%D9%84%D8%A8%D9%88%D8%B9%D8%B2%D9%8A%D8%B2%D9%8A/%D8%A7%D9%84%D8%AA%D8%B1%D8%A7-%D8%AA%D9%88%D9%86%D8%B3/%D8%B3%DB%8C%D8%A7%D8%B3%D8%A9/%D8%A7%D9%94%D8%AE%D8%A8%D8%A7%D8%B1>
42 Babnet, 9 Months with Deferred Physical Punishment for Lawyer Abdelaziz Al-Sid, June 25, 2024, Last Access: 25/06/2024 (AR Reference): <https://www.babnet.net/rttdetail-289823.asp>

Faikel Laabidi:

Faikel Laabidi is a Tunisian citizen who works as a trainer in the vocational training center at the Ministry of Agriculture. He was sentenced to two years in prison with immediate effect by virtue of Article 24 of Decree No.54 of 2022 for mocking the president of the Republic.

On June 25, 2024, the investigation unit of the National Guard in the Gaafour area in Siliana Governorate went to the victim's residence but they did not find him there. They handed the summons to his brother, who informed the concerned party. Upon learning of the matter, Faikel called the unit to notify them about his inability to attend the questioning on Wednesday, June 26, and requested to postpone it to Thursday, June 27, and they agreed. However, on Wednesday, they monitored the return of the victim of the violation to his residence broke into his house, and searched it without presenting any legal document authorizing them to carry out the operation in addition to arresting him. Subsequently, he was transferred to the investigation team of the National Guard's headquarters in the Gaafour area in Siliana Governorate for interrogation. It should be noted that the public prosecution filed the complaint because of the victim's Facebook interaction in which he commented on the president's speech regarding the contribution of the national community to the development of the Armed Forces.⁴³

The court of First Instance in Siliana has sentenced Faikel Laabidi to two years in prison with immediate effect by virtue of Article 24 of Decree No.54 of 2022 on combating crimes related to information and communication systems.

Alaeddine Harrabi

At the end of June, a security team summoned student Alaeddine Harrabi from Kebili Givernorate, to appear before them in Douz City on June 26, 2024. The public prosecution had then decided to keep him in detention on the same day he was summoned for investigation. The detention of Alaeddine Harrabi was because of a publication he posted on his Facebook account. In the post, he expressed his opinion on the Tunisian public affairs. This led to sentencing him to one year in prison with immediate effect by virtue of Article 24 of Decree No.54 of 2022, which states that «Anyone who deliberately uses information and communication networks and systems to produce, promote, publish, send, or prepare false news, data, or rumors, or fabricated or forged documents, or documents falsely attributed to others, with the aim of violating the rights of others, harming public security, national defense,

or spreading fear among the population, shall be punished with five years of imprisonment and a fine of fifty thousand dinars.»⁴⁴

It should be noted that a member of the local office of the labor union in Gafsa Governorate was released on June 28, 2024, according to a post published by the victim of the violation on his social media account.

Mohammed Boughaleb:

It is noteworthy that Mohamed Boughaleb decided to appeal the verdict in parallel with the appeal of the public prosecution. On June 28, 2024, the Criminal Division of the Tunisian Court of Appeals upheld the preliminary verdict sentencing the victim of the violation to six months in prison, with an additional eight months⁴⁵.

⁴⁴ The violation case was documented with the victim's sister

⁴⁵ Mosaïque FM, Boughaleb Case: Conviction Decision to Increase Physical Punishment to Eight Months in Prison, June 28, 2024, Last Access: 28/06/2024 (AR Reference): <https://www.mosaïquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/1286357/%D9%82%D8%B6%D9%8A%D8%A9-%D8%A8%D9%88%D8%BA%D9%84%D8%A7%D8%A8-%D8%A5%D9%82%D8%B1%D8%A7%D8%B1-%D8%A7%D9%84%D8%A5%D8%AF%D8%A7%D9%86%D8%A9-%D9%85%D8%B9-%D8%AA%D8%B1%D9%81%D9%8A%D8%B9-%D8%A7%D9%84%D8%B9%D9%82%D8%A7%D8%A8-%D8%A7%D9%84%D8%A8%D8%AF%D9%86%D9%8A-%D8%A5%D9%84%D9%89-%D8%AB%D9%85%D8%A7%D9%86%D9%8A%D8%A9-%D8%A3%D8%B4%D9%87%D8%B1-%D8%B3%D8%AC-%D9%86%D8%A7>



Human Rights Violations:

During the first six months of 2024, Tunisia witnessed a deliberate systematic wave of violations carried out by the authorities against people opposing the decisions of the president of the Republic since July 25, 2021. In light of the violations that targeted Tunisians' most essential rights, particularly freedom of opinion and expression, which has experienced a noticeable decline, despite its constitutional entrenchment, the authority continues to prosecute its critics by virtue of laws and legislation that flagrantly violate freedom of opinion and expression.

What gives the right to freedom of opinion and expression its importance in establishing democratic systems to allow individuals to express their opinions freely and without prior censorship, is indeed its entrenchment at all levels. At the international level, Article 19 of the Universal Declaration of Human Rights states that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers."

It should be noted that this right falls under the category of civil and political rights, as Article 19 of the International Covenant on Civil and Political Rights acknowledges that «Everyone shall have the right to freedom of expression; this

right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

On the other hand, the African Charter on Human and Peoples’ Rights states in Article 9 that “Every individual shall have the right to receive information. Every individual shall have the right to express and disseminate his opinions within the law.”

It was also constitutionally enshrined in the constitution of 2022 in Article 37, which stipulates “Freedom of opinion, thought, expression, information, and publication is guaranteed. No prior censorship shall be imposed on these freedoms.”

Despite entrenching this right on an international, regional, and constitutional level, the laws and legislation used in prosecuting the victims mentioned in this report constitute a flagrant violation of international and regional standards and contradicts the Tunisian constitution which is of legal supremacy.

The legal provisions used by the judicial authority, such as Article 67 of the Penal Code, stipulate that «Anyone who commits a heinous act against the head of state other than the cases specified in Articles 42 and 48 of the Press Code, shall be punished with three years in prison and a fine of TND 240 or one of these two penalties only.” Article 86 of the Telecommunications Code stipulates that « Anyone who intentionally offends others or disturbs their peace through public communications networks shall be punished with imprisonment for a period ranging from one to two years and a fine of one hundred to one thousand dinars.» Furthermore, Decree No.54 of 2022 « Anyone who deliberately uses information and communication networks and systems to produce, promote, publish, send, or prepare fake news, statements, rumors, or fabricated or forged documents, or documents that are falsely attributed to others aiming at violating the rights of others, harming public security, national defense, or spreading terror among the population, shall be punished by fines of imprisonment and a fine of TND 50.000.» These are vague and ambiguous legal texts, which give the judiciary wide discretion in defining charges, and they are used as tools to suppress and deter opponents, activists, journalists, and bloggers.

This report clearly shows a pattern of systematic violations of freedom of opinion and expression in Tunisia during the first half of 2024. At least 25 cases have been documented in which Tunisian authorities have targeted journalists, politicians, bloggers, lawyers, and ordinary citizens for peacefully expressing their opinions. These violations are a flagrant transgression of Tunisia’s international obligations under international human rights law, such as:

Targeting journalists:

The period covered by this report has witnessed a systematic targeting of journalists for covering issues critical of the government’s performance. For example, journalist Ziad El Hani was arrested at the beginning of the year for criticizing the Minister of Commerce on IFM Radio. Journalist Mohamed Boughaleb was also arrested

in March 2024, for covering corruption issues and criticizing the travels of an employee at the Ministry of Religious Affairs which were funded by the ministry. These cases demonstrate the Tunisian authorities' use of loose laws such as Article 86 of the Communications Code and Article 128 of the Penal Code to restrict press freedom and silence critical voices.

Censorship of social media:

The targeting did not stop at journalists, it also extended to ordinary citizens expressing their opinions on social media. For instance, blogger Nasreddine Halimi was arrested in March 2024 and sentenced to seven years in prison for publications he posted on his personal Facebook account criticizing the performance of the National Army. Political activist Lassaad Bouazizi was also arrested in April 2024 for publishing a Facebook post in which he wrote the phrase «Down with the regime.» These cases demonstrate the Tunisian authorities' arbitrary use of Decree No.54 of 2022 to suppress freedom of opinion and expression online.

Targeting lawyers and Human Rights Defenders:

Even Tunisian lawyers have not been spared from the oppression carried out by the Tunisian authorities on freedom of opinion and expression. The Lawyers' House was raided on May 24 to arrest lawyer Sonia Dahmani because of her media statements. This case represents a flagrant violation of freedom of expression and a direct threat to the role of lawyers in protecting human rights.

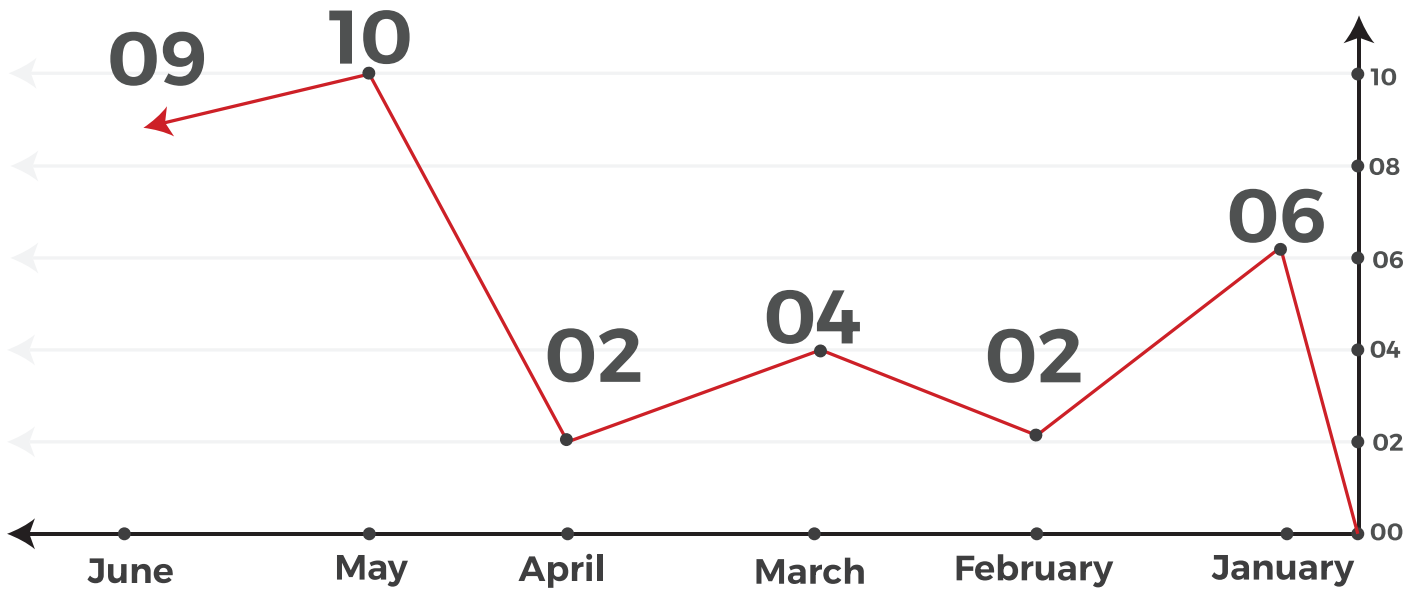
Statistics:

In October 2023, the Observatory published a report⁴⁶ about the opinion trials that took place in Tunisia between July 25, 2021, and July 2023. Opinion trials refer to all the judicial proceedings against citizens for their ideas and stances critical of the president's actions. The prevalence of this type of trial is one of the most important indicators of the decline of democracy and the dominance of repression by the ruling authorities, which follows a policy of human rights violations and seeks to suppress freedom of expression to the point of eliminating it.

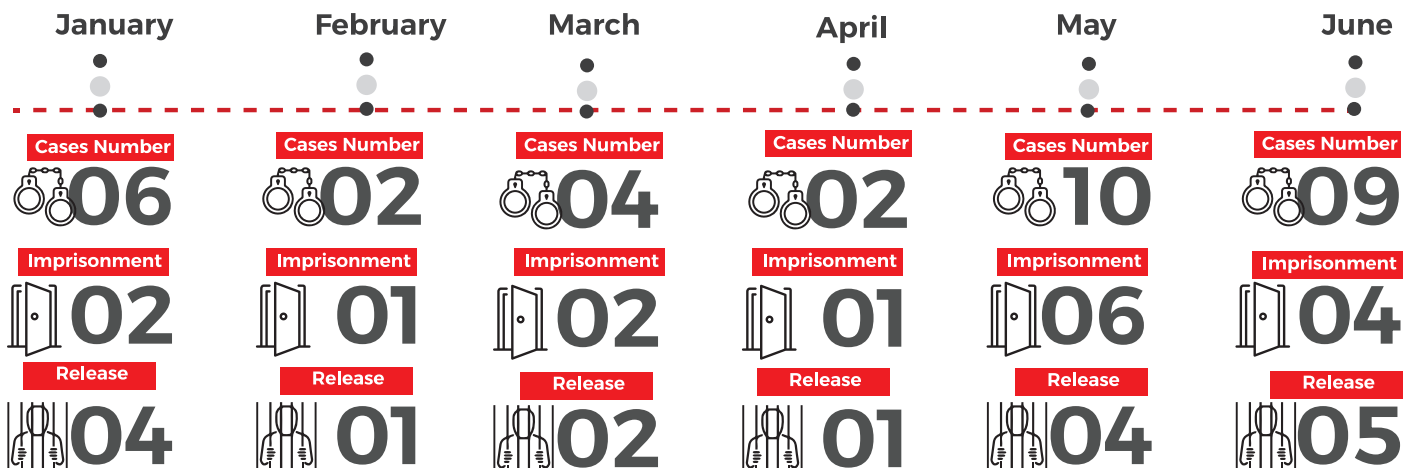
The Observatory of Violations of Freedom of Opinion and Expression monitored 47 cases during the period from July 25, 2021, and July 2023, which included the trial of 10 journalists, 7 politicians, 11 activists and Human Rights Defenders, 6 lawyers, and 11 citizens. Compared to 25 cases in the period covered by this report, from January 2024 to June 2024 that included the trial of 7 journalists, 3 politicians, 6 bloggers, 3 lawyers, 2 deputies of the current parliament, one official, a public employee, a citizen, and a student.

⁴⁶ Observatory for Freedom of Opinion and Expression, Opinion Trials in Tunisia Post-July 25, 2021, October 4, 2023, Last Access: 28/06/2024 (AR Reference): <https://intersection.uno/wp-content/uploads/2023/10/%D9%85%D8%AD%D8%A7%D9%83%D9%85%D8%A7%D8%AA-%D8%A7%D9%84%D8%B1%D8%A3%D9%8A-%D9%85%D8%A7-%D8%A8%D8%B9%D8%AF-25-%D8%AC%D9%88%D9%8A%D9%84%D9%8A%D8%A9-2021.pdf>

Due to the fact that the report follows a chronological narrative of the events of violations that were monitored from the beginning of January 2024 to the end of June 2024, they were distributed by months as following:



Monthly Cases Distribution



Conclusion:

It is impossible to establish a democratic system and a state that respects human rights, whilst the Tunisian authorities continue to target freedom of opinion and expression, for it uses all state bodies, such as the executive and judicial power to restrict freedom of opinion and expression.

The campaign of arrests targeted people who opposed the authority's decisions from January to June 2024. In fact, during this period, Tunisia has marked human rights violations committed against Tunisians from various backgrounds.

In addition, the prosecution of journalists for doing their job and exercising their right to freedom of the press and expression only reflects the Tunisian state's ongoing trend toward an oppressive regime that attacks freedoms and silences any dissenting voices. This further aggravates the human rights situation in Tunisia, especially, the continuous restriction of freedom of expression over the years.

The restrictions monitored throughout this period by the Observatory may represent a serious turning point, following the Tunisian state's continued suppression of freedom of opinion and expression. During the aforementioned period, cases related to freedom of expression reached 25 cases, including 7 journalists, 3 politicians, 6 bloggers, 3 lawyers, 2 deputies at the current parliament, one official, a public employee, a citizen, and a student. They had expressed their opinions in different ways in various ways, some of which have a political nature and others with a social dimension, only to find themselves facing legal prosecution on charges ranging from spreading rumors, misusing social networks, or committing a heinous act against the president. This reflects the Tunisian authorities' determination to restrict freedom of opinion and expression to the point of criminalizing it by enacting a set of laws that include punitive penalties that are completely disproportionate to the actions.



Recommendations:

The Observatory of Violations of Freedom of Opinion and Expression makes a number of recommendations to the Tunisian authorities to stop violations of freedom of opinion and expression:

- Halt all forms of prosecution against individuals for peacefully expressing their opinions, and release all detainees in issues related to freedom of opinion and expression.
- Review repressive laws and legislations that restrict freedom of opinion and expression, in accordance with international human rights standards.
- Ensure the independence and integrity of the judiciary, and prevent its use as a tool to suppress the opposition.
- Provide a safe environment for journalists and media professionals to perform their work freely.
- Stop all forms of censorship on the internet and social media networks.



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