

PRISON OR RECYCLING:

THE FUTURE OF POLITICAL OPPONENTS IN TUNISIA

Report on political arrests in 500 days.

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Report on political arrests in 500 days.
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Summary

Executive Summary	06
Introduction	07
Methodology	10
“Political arrests and prisoners”: Concepts in Need of Clear Definition	11
Political prisoners in the conspiracy case: Over 500 days of detention	14
The following is a list of arrests cases in the conspiracy case	16
Travel ban on a former MP due to his attendance at a parliamentary session:	32
Abir Moussi: Her opposition to the current regime led to her detention:	33
Ennahda Movement leaders are under arrest due to a number of cases filed against them	36
Bechir Akremi and Taieb Rached, two magistrates in prison since February 2023:	49
Former politicians and state officials who have been imprisoned in common law cases:	53
Sahbi Atig and Moncef Amdouni in prison for a case in which the judiciary ruled more than 9 years ago:	57
Pretrial detention in more than one case and the risk of remaining in prison for years (recycling) without a firm conviction:	60
Human rights violations during political arrests	65
Statistics:	68
Conclusion	70
Recommendations	72

Executive Summary

This report examines the systematic arrests and detentions targeting particularly opponents of the July 2021 ,25 process and the regime of President Kais Saied over the -500day period from February 2023 to June 2024. It sheds light on the judicial developments following the arrests of political leaders, activists, businessmen, media professionals, lawyers, former state officials, and judges, all of whom face various charges. The report underscores the complete absence of fair trial guarantees, noting that defendants are subjected to judicial delays and procrastination. Moreover, the regime employs the tactic of «recycling» political defendants, resorting to pretrial detention in multiple cases, causing the risk of imprisonment for years without an enforceable judgment.



Introduction

The term «political arrests» was not commonly used in the period following the Tunisian Revolution, particularly after the significant gains secured by the Tunisian people, namely freedom of opinion and expression and freedom of organization and political activity, along with the rejection of the repressive practices that marked the Ben Ali regime during his reign. However, since 2023, the term has resurfaced, driven by arbitrary arrests and judicial prosecutions of numerous politicians and party leaders in Tunisia, solely because of their political activities opposing the current regime.

Since February 2023, a sweeping campaign of arrests has targeted politicians, businessmen, journalists, and lawyers from various political backgrounds and orientations. Their only similarity lay in the fact that they were subjected to arrest

warrants in cases deemed political in the first place, as a result of their opposition to a series of decisions taken by President Kais Saied and his administration, and the way the State has been governed, characterized by individualism, since July 2021 ,25. Throughout 2023, arrests went on under judicial orders issued by the Public Prosecution Office, in numerous cases known in the media and political circles as «conspiracy against state security,» which saw a growing number of defendants over the course of the year. Arrest warrants were issued against many leaders of opposition parties and political coalitions, alongside the imprisonment of businessmen and political activists against the backdrop of the same issue. These arrests led to the pressing of additional charges against numerous public figures, under the guise of «fighting traitors and defending sovereignty,» as repeatedly stated by the Tunisian state in official communications.

Political arrests are defined as freedom-depriving actions taken by authorities against individuals based on their political opinions, partisan affiliations, or human rights activities, without sufficient evidence of any criminal wrongdoing. Such arrests constitute a violation of Article 9 of the Universal Declaration of Human Rights, which asserts that «No one shall be subjected to arbitrary arrest, detention, or exile.» These practices also contravene fundamental principles of a fair trial, including the right to defense, the right to a fair and impartial trial, and the right to be free from torture or inhuman and degrading treatment.

In this context, the report mentioned the campaign of arbitrary arrests that began in February of last year and the subsequent arrests throughout the year, documenting the numerous violations that occurred during these arrests, detentions, and the legal proceedings over the -500day period. It highlights the lack of equality before the law, particularly in cases where the state is a party, where accountability has devolved into a form of vengeance, underscoring the blatant absence of fair trial principles. Besides, the report sheds light on developments

in the cases of political detainees, particularly their re-referral (recycling) to new cases, keeping them entangled in one case after another with no real prospect of justice, freedom, or restoration of their full rights.

This report begins by defining the concept of political arrests, with a particular focus on the “conspiracy case.” It provides a detailed account of the arrests associated with this case, including the judicial developments concerning the defendants, and explores other cases of political arrests that occurred in Tunisia during the period covered by the report. The report also addresses the concept of «recycling» through the phenomenon of pretrial detention in multiple cases, highlighting the risk of defendants remaining imprisoned for years for various cases. It then brings about the human rights violations committed by authorities during these political arrest campaigns, followed by statistics on the number of detainees and their judicial status. The report concludes with a set of recommendations directed at the Tunisian authorities, the international community, and Tunisian civil society.



Methodology

In the process of drafting this report, the Intersection Association for Rights and Freedoms (IARF) monitored and documented political arrests from February 2023 to June 2024, utilizing multiple sources to gather information on the arrests and violations that occurred in Tunisia during the period covered by the report. These sources include official statements and press conferences from the Committee for the Defense of Political Detainees in the conspiracy case, various newspaper articles, and the association's own databases, which catalog cases of documented violations and arrests. The association also reviewed numerous documents related to political detainees and inquiry minutes as well as studies, research, and reports from local and international organizations, in addition to interviews and communications with victims of violations, their families, and their defense teams. This comprehensive approach was aimed at ensuring the highest possible accuracy of the information. Yet, the numbers presented in the report do not represent an exhaustive list of all cases and violations.



“Political arrests and prisoners” · Concepts in Need of Clear Definition

To define a political prisoner, we start with the Cambridge Dictionary’s definition: “Someone who is put in prison for expressing disapproval of their own government, or for belonging to an organization, race, or social group not approved of by that government”¹. The concept of political prisoners typically focuses on individuals engaged in defending human rights and/or advocating for democracy, whose freedom has been curtailed to suppress or hinder such activities. This category includes human rights defenders, journalists, bloggers, media workers, and political activists promoting democratic change².

¹ Cambridge Academic Content Dictionary, Definition of political prisoner from the Cambridge Advanced Learner’s Dictionary & Thesaurus © Cambridge University Press. Available at: <https://dictionary.cambridge.org/dictionary/english/political-prisoner>

² Freedom House, Defining political prisoners. Available at: <https://freedomhouse.org/about->

Political arrests are a key method of repression employed by authoritarian and autocratic regimes to stifle freedom of expression and silence dissent. Such arrests often violate fundamental principles of fair trial and due process, as individuals are detained for extended periods without clear charges or the opportunity to defend themselves in an independent and impartial court. Political arrests can manifest in various forms, including arbitrary detentions without warrants, administrative detentions without trial, or sham trials lacking basic fair trial guarantees. Political detainees may also face psychological and physical torture, harsh and unhealthy detention conditions, and denial of medical care, legal representation, and contact with their families³.

Typically, political arrests target a wide range of groups, including opposition politicians, human rights activists, journalists, writers, civil society leaders, ethnic and religious minorities, and anyone who criticizes or opposes the ruling authority. The purpose of these arrests is often to instill fear and terror within society, establishing a culture of intimidation and silence.

Political arrest campaigns can take many forms, such as mass arrests, kidnappings, and enforced disappearances of opponents. Authoritarian regimes may also use restrictive legislation and anti-terrorism laws as pretexts to detain political activists. In some cases, opponents face unfair trials and fabricated charges, leading to their conviction and imprisonment.

The ongoing use of political arrests leads to the deterioration of human rights and the entrenchment of a culture of fear, further consolidating the control of repressive governments and undermining fundamental freedoms. Such practices also pose a serious threat to democracy and the rule of law, while increasing the isolation of such countries from the international arena.

political-prisoners-initiative

³ Christoph Steinert, 2020, When states obscure illegal imprisonments, what is the role of human rights actors? Available at: <https://www.openglobalrights.org/when-states-obscure-illegal-imprisonments-what-is-the-role-of-human-rights-actors/?lang=English>

The primary motivations behind political arrests are often efforts to suppress political opposition and silence criticism of the government or ruling regime. Some authoritarian regimes use political arrests as a tool to eliminate any potential threat to their power or survival. In certain cases, individuals are targeted for their mere political or ideological affiliations, or even their ethnic or religious identity, if they are perceived as a threat to the existing regime. During times of political crisis and turmoil, authorities may resort to widespread arrest campaigns targeting opposition leaders, activists, and critics.

Political prisoners in the conspiracy case. Over 500 days of detention

A year and four months, i.e. 500 days, have passed since the initiation of Tunisia's most famous case, widely referred to in media circles as the "conspiracy case." On February 2023 ,11, a wave of arrests began, targeting a group of political figures, particularly those known for their opposition to the current regime. Among those were businessman Kamel Letaief and the director of Mosaique FM, Nouredine Boutar, who was later released. The case was triggered by a letter from the National Unit for the investigation in terrorism, organized crimes, and crimes threatening national security, addressed to Minister of Justice Leila Jaffel, according to the defense team's statement at a press conference in March 2023. The letter contained a single sentence: "We have learned that a number of people are conspiring against the internal and external security of the state." The Public Prosecution then tasked the security unit with investigating and apprehending the accused. Since then, a series of arrests and violations have been carried out against those imprisoned in this case, with their detention now exceeding a full year.

The judiciary has repeatedly rejected requests for their release submitted by the defense committee for political detainees. A release request filed on March 2023⁴ ,21, was denied, and all detainees were kept in custody. After the legal deadlines had passed, the defense committee resubmitted another release request on June 2023 ,19. Although two detainees, Chaima Issa and Lazhar Akremi, were subsequently released, six others remained incarcerated. On July 2023 ,24, the defense committee submitted yet another request to release Issam Chebbi, Jaouhar Ben Mbarek, Khayam Turki, Abdelhamid

⁴ Islam Hamza 2023, Facebook post, March 21, latest access on: April 14, 2024 <https://www.facebook.com/photo/?fbid=6405961969466150&set=a.1044288232300244>

Jelassi, Ridha Belhaj, and Ghazi Chaouachi, which was also rejected. Despite the judiciary's repeated refusals, the defense team persisted, submitting a new release request on March ,11 2024, emphasizing their clients' right to freedom.

After 14 months of pretrial detention, the official spokesperson for the Judicial Counter-Terrorism Pole announced in a radio statement on April 2024 ,16, that the investigating judge in the so-called «conspiracy against state security» case had concluded his work and closed the investigation on April ,12 2024. While monitoring the legal proceedings of the current case, it was found that there were officially 52 defendants: 8 were arrested, 18 were released, 20 were fugitives, and 6 were detained in connection with other cases.

The charges against the suspects in the conspiracy case include "forming a terrorist organization, conspiracy related to terrorist crimes, intent coupled with preparatory work to commit murder, causing injuries, assault, and other acts of violence. Using the territory of Tunisia and foreign countries to recruit and train individuals with the intent to commit terrorist acts inside or outside Tunisia, endangering food security and the environment, inciting others to commit such crimes, and providing weapons, explosives, and ammunition, hiding or facilitating the concealment of the true source of funds belonging to individuals or legal entities, establishing contacts with foreign agents to harm Tunisia's diplomatic standing, and committing heinous acts against the Head of State and being involved in the aforementioned acts." These charges are based on Articles 5 ,3 ,1 (New), 13 ,10 (New), ,37 ,35 ,32 ,14 96 ,95 ,94 ,93 ,92 ,40, and 97 of the organic law no. 26-2015 on combating terrorism and money laundering, as amended and supplemented by organic law no. 9-2019. They also refer to articles 61 ,32 bis, 131 ,72 ,70 ,69 ,68 ,67 ,62, and 132 of the Penal Code.

The following is a list of arrests cases in the conspiracy case



Ghazi Chaouachi

On the night of February 2023 ,24, Tunisian politician Ghazi Chaouachi's home was raided by police forces. Around 20 officers surrounded his residence, conducted a search, and seized notebooks, papers, and his personal computer. He was subsequently taken in for investigation on several charges, including suspicion of belonging to a terrorist organization, conspiracy against the internal and external security of the state, and instigation to overthrow the regime. During the investigation, Ghazi Chaouachi was questioned about his relationship with Khayam Turki, his alleged intent to participate in overthrowing the regime, and his attendance at meetings with individuals of foreign nationalities, all in the absence of his lawyer. On April 2023 ,25, a hearing was scheduled for Ghazi Chaouachi before the investigating judge; however, the judge

did not appear, and the session was postponed indefinitely⁵. As a result, Ghazi Chaouachi has remained in prison from February 2023 ,25, until the end of June 2024, without trial or judicial review of his case. This situation constitutes a violation of his right to a fair trial due to procrastination in legal proceedings and arbitrary detention. Despite numerous requests for his release submitted by the defense committee for political detainees, all were denied. The most recent denial occurred in April 2024, when the Indictment Chamber of the Court of Appeal in Tunis, competent to hear cases involving terrorism⁶, upheld the decision of the first investigating judge from Office 36 of the Judicial Counter-Terrorism Pole, refusing to release all the defendants in what has become known in the media as the conspiracy case.

5 Mozaïque, 2023, Ayachi Hammami: Ghazi Chaouachi was not interrogated ... for this reason, April 25, last access: Feb. 8, 2024 <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%A9/1156370/%D8%A7%D9%84%D8%B9%D9%8A%D8%A7%D8%B4%D9%8A-%D8%A7%D9%84%D9%87%D9%85%D8%A7%D9%85%D9%8A-%D9%84%D9%85-%D9%8A%D8%AA%D9%85-%D8%A7%D9%84%D8%A7%D8%B3%D8%AA%D9%85%D8%A7%D8%B9-%D9%84%D8%BA%D8%A7%D8%B2%D9%8A-%D8%A7%D9%84%D8%B4%D9%88%D8%A7%D8%B4%D9%8A-%D9%84%D9%87%D8%B0%D8%A7-%D8%A7%D9%84%D8%B3%D8%A8%D8%A8>

6 Mozaïque FM, 2024, rejection of the requests for the release of detainees in the conspiracy case, April 4, last access: April 14, 2024: <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%A9/1257836/%D8%B1%D9%81%D8%B6-%D9%85%D8%B7%D8%A7%D9%84%D8%A8-%D8%A7%D9%84%D8%A5%D9%81%D8%B1%D8%A7%D8%AC-%D8%B9%D9%86-%D8%A7%D9%84%D9%85%D9%88%D9%82%D9%88%D9%81%D9%8A%D9%86-%D9%81%D9%8A-%D9%82%D8%B6%D9%8A%D8%A9-%D8%A7%D9%84%D8%AA%D8%A2%D9%85%D8%B1>



Ridha Belhaj

On February 2023 ,24, the National Unit for the Investigation of Terrorism Crimes and Crimes Against the Integrity of the National Territory arrested lawyer Ridha Belhaj⁷. The following day, February 2023 ,25, the investigating judge at the Judicial Counter-Terrorism Pole issued an arrest warrant against Ridha Belhaj in connection with what has become known in the media as the «conspiracy case.» In protest against the injustice he has endured since his detention, Ridha Belhaj wrote a letter from prison to the Head of the Bar Association, coinciding with the thirteenth anniversary of the Revolution. In the letter, he wrote: «10 months during which we witnessed all forms of trampling on the fundamental rights guaranteed by Tunisian and international human rights legislation, flagrant violations of procedures, raids on residential premises at night and searching them more than once, detention, and issuance of arrest warrants without hearings.»

Since his arrest in February 2023, lawyer and politician Ridha Belhaj has been imprisoned for over 500 days, remaining in detention alongside other defendants in the same case. Despite multiple requests for his release submitted by his

⁷ Mozaique FM, 2023, arrest of Ghazi Chaouachi and Ridha Belhaj, February 25, last access: Feb. 27, 2024 <https://www.mozaiquefm.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%A9/1139069/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D8%BA%D8%A7%D8%B2%D9%8A-%D8%A7%D9%84%D8%B4%D9%88%D8%A7%D8%B4%D9%8A-%D9%88%D8%B1%D8%B6%D8%A7-%D8%A8%D9%84%D8%AD%D8%A7%D8%AC>

defense team, all have been denied, and his detention was extended for an additional four months for the second time. And yet, the case has seen no significant developments, as the apparent objective behind the imprisonment of politicians in the «conspiracy case» is to keep them incarcerated as a form of retaliation.



Chaima Issa

The political activist and leader of the National Salvation Front, Chaima Issa, faces two separate cases stemming from her political activities. The first case dates back to January ,18 2023, when she was officially summoned to appear before the Central Brigade for Combating Crime at the National Guard in Ben Arous. This summons was related to a statement she made, criticizing the President of the Republic regarding the integrity of the elections. She was charged with instigating, by any means, the military to disobey orders, committing an act deemed obscene against the President of the State, and spreading fake news and rumors via ICT networks with the intent to harm public security and national defense. After being questioned, she was released⁸.

On the evening of February 2023 ,22, security forces arrested

⁸ IARF, 2023, freedom faces platform – Chaima Issa, January 20, last access: April 14, 2024 <https://intersection.uno/freedom-faces/2757-2/>

Chaima Issa after surrounding her car with multiple security vehicles. Her arrest was connected to the high-profile «conspiracy against state security» case. She was taken in for questioning, which lasted 48 hours without the presence of her lawyer, in accordance with the 2015 Anti-Terrorism Law. Her charges were linked to her opposition to the July 25 process and her participation in several political meetings with other arrested politicians. On February 2023 ,25, the investigating judge at the Judicial Counter-Terrorism Pole issued an arrest warrant against her. She remained in pretrial detention for five months until July 2023 ,13, when the Indictment Chamber of the Court of Appeal in Tunis approved the Defense Committee for Political Detainees» request to release her alongside lawyer and political activist Mohamed Lazhar Akremi, while rejecting the release of the other detainees.

On November 2023 ,13, Chaima Issa appeared before the Criminal Chamber of the Permanent Military Tribunal of First Instance in Tunis for trial⁹ in connection with the first lawsuit filed against her, related to her radio statements. The trial was postponed upon the defense team»s request. In December 2023, the Criminal Chamber of the Permanent Military Tribunal of First Instance sentenced her to one year in prison, with the deferment of corporal punishment. Her lawyer, Dalila Ben Mbarek Msaddek, explained to the media that the sentence was broken down as follows: six months for instigation, four months for committing an act deemed obscene against the President, and two months for spreading rumors. Five months after this sentence, Chaima Issa learned about a ruling issued by the Military Court of Appeal that sentenced her to one year in prison, without any official summons to her or notification to her lawyers, who promptly filed an appeal. A hearing was scheduled for June 2024 ,6, at the Military Court of Appeal. However, the Criminal Division of the Military Court of Appeal decided to postpone the case»s consideration until July 2024 ,4.

⁹ Tunigate, 2023, Military court sentences Shaimaa Issa to one year in prison with a suspended sentence, Dec. 13, last access: April 14, 2024 <https://tunigate.net/posts/%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A-%D9%8A%D8%AD%D9%83%D9%85-%D8%B9%D9%84%D9%89-%D8%B4%D9%8A%D9-%85%D8%A7%D8%A1-%D8%B9%D9%8A%D8%B3%D9%89-%D8%A8%D8%A7%D9%84/>



Issam Chebbi

In accordance with the directives from the Public Prosecution Office at the Judicial Counter-Terrorism Pole, agents from the National Brigade for the Investigation of Terrorist Crimes and Crimes Against the Integrity of the National Territory arrested Republican Party leader Issam Chebbi on February 2023 ,22, at his home located in Tunis. He was taken for investigation by the National Brigade for the Investigation of Terrorist Crimes and Crimes Against the Integrity of the National Territory. During the investigation, Chebbi was interrogated about his alleged knowledge of a plot to overthrow the regime, his relationship with politician Khayam Turki, and the reasons behind his frequent visits to his residence. Chebbi chose to remain silent during the investigation due to the absence of his legal counsel. On February 25, the investigating judge at the Judicial Counter-Terrorism Pole issued a detention warrant. Since then, Chebbi has been in detention for over 500 days. Despite his prolonged imprisonment, the Republican Party has nominated him as a candidate in the upcoming presidential election in March 2024¹⁰, symbolically highlighting the authorities' persecution of political opponents and emphasizing the urgent need for the release of all political detainees¹¹.

¹⁰ Babnet, 2024, Republican Party nominated its Secretary General Issam Chebbi as a candidate in the presidential elections, March 7, last access: April 14, 2024 <https://www.babnet.net/rttdetail-283560.asp>

¹¹ Al Jazeera, 2024, Wife of Tunisian detainee Chebbi to Al Jazeera Net: My husband is accused of



Khayam Turki

Under a judicial order issued by the Public Prosecution, police forces from the First National Unit for the Investigation of Crimes of Terrorism, Organized Crimes, and Crimes that Threaten the National Security raided and searched the home of political activist Khayam Turki at dawn on February 2023, 11. Political activist Khayam Turki was subsequently arrested on charges of conspiring against the internal security of the state and planning to alter the state's structure, charges that have become widely known as part of the so-called «conspiracy case.»

Khayam Turki's lawyer, Abdelaziz Essid, informed the media that his client had previously met with political figures who were involved in forming a coalition aimed at expanding the Salvation Front, an opposition bloc to the July 25 process. The investigation focused on his involvement in political meetings held at his home in Sidi Bou Said. On the day following his arrest, Turki was subjected to a -48hour interrogation without the presence of his lawyer, during which he was questioned about his political activities and the purpose of these meetings.

terrorism without evidence and his health is deteriorating, April 22, last access: April 14, 2024 <https://www.aljazeera.net/politics/2024/4/22/%D8%B2%D9%88%D8%AC%D8%A9-%D8%A7%D9%84%D9%85%D8%B9%D8%AA%D9%82%D9%84-%D8%A7%D9%84%D8%AA%D9%88%D9%86%D8%B3%D9%8A-%D8%A7%D9%84%D8%B4%D8%A7%D8%A8%D9%8A-%D9%84%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9>

On February 2023 ,25, a formal detention warrant was issued for Khayam Turki after his interrogation¹². He has been imprisoned for over 500 days since February 2023, without a formal conviction, and the investigation into his case, along with the other detainees involved, has shown no significant progress that would justify their continued detention. Furthermore, Khayam Turki has recently been experiencing severe shoulder pain that requires medical attention from specialized doctors, a request that the prison administration has repeatedly denied without providing any justification¹³.



Abdelhamid Jelassi

On February 2023 ,11, following a judicial order from the Public Prosecution at the Tribunal of First Instance in Tunis, former Ennahdha Movement leader Abdelhamid Jelassi was arrested after his home was raided and searched. He faced accusations of conspiring against state security and forming a terrorist group¹⁴.

¹² IFM, 2023, issuance of 3 detention warrants against Khayam Turki, Kamel Letaief, and Abdelhamid Jelassi, Feb. 25. Last access: June 2, 2024 <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%A5%D8%B5%D8%AF%D8%A7%D8%B1-3-%D8%A8%D8%B7%D8%A7-%D9%82%D8%A7%D8%AA-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D8%AE%D9%8A%D8%A7%D9%85-%D8%A7%D9%84%D8%AA%D8%B1%D9%83%D9%8A-%D9%88%D9%83%D9%85%D8%A7%D9%84-%D9%84%D8%B7%D9%8A%D9%81-%D9%88%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%AD%D9%85%D9%8A%D8%AF-%D8%A7%D9%84%D8%AC%D9%84%D8%A7%D8%B5/66664>

¹³ Phone call with the wife of Khayam Turki on February 13, 2024.

¹⁴ Mozaique, 2023, Arrest of Abdelhamid Jelassi and others, Feb. 11, last access: 09.02.2024 <https://www.mozaiquefm.net/ar/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9-%D8%AA%D9%88%D9%86%D8%B3/1134854/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%AD%D9%85%D9%8A%D8%>

During the investigation, Abdelhamid Jelassi was questioned about his knowledge of an alleged coup plot, his connections to political activist Khayam Turki, and his interactions with foreign entities. However, he chose to remain silent in the absence of his lawyer¹⁵.

As the initial detention period expired on February 2023 ,17, the Public Prosecution at the Judicial Counter-Terrorism Pole authorized the National Unit for the Investigation of Terrorism Crimes and Crimes Against the Integrity of the National Territory in Bouchoucha to extend Jelassi's detention for an additional five days¹⁶. Subsequently, on February 2023 ,25, the investigating judge at the Judicial Counter-Terrorism Pole issued a six-month prison sentence against him, marking his only appearance before the investigating judge¹⁷. He has remained in prison since that day¹⁸.

On November 2023 ,30, the indictment chamber specializing in terrorism cases at the Court of Appeal in Tunis upheld the investigating judge's decision to deny his release. Further, on December 2023 ,21, the investigating judge extended his pretrial detention by an additional four months, followed by

AF-%D8%A7%D9%84%D8%AC%D9%84%D8%A7%D8%B5%D9%8A-%D9%88%D8%A2%D8%AE%D8%B1%D9%8A%D9%86

15 IARF, 2023, clash of freedom and oppression, June. Last access: 02.09.2024 chrome-extension://efaidnbmnnnibpajpcglclefindmkaj/https://intersection.uno/wp-content/uploads/2023/06/%D8%B5%D8%B1%D8%A7%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D8%AD%D8%B1%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D9%82%D9%85%D8%B9-3.pdf

16 Erray el Jadid, 2023, Public Prosecution decides to extend the custody of Abdelhamid Jelassi, Feb. 17. Last access: 02.09.2024 https://www.alchourouk.com/article/%E2%80%8E%E2%80%8E%D8%A7%D8%B5%D8%AF%D8%A7%D8%B1-%D8%A8%D8%B7%D8%A7%D9%82%D8%AA%D9%8A-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D9%83%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D9%84%D8%B7%D9%8A%D9%81-%D9%88%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%AC%D9%84%D8%A7%D8%B5%D9%8A%E2%80%8E (rayahttps://www.alchourouk.com/article/%E2%80%8E%E2%80%8E%D8%A7%D8%B5%D8%AF%D8%A7%D8%B1-%D8%A8%D8%B7%D8%A7%D9%82%D8%AA%D9%8A-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D9%83%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D9%84%D8%B7%D9%8A%D9%81-%D9%88%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%AD%D9%85%D9%8A%D8%AF-%D8%A7%D9%84%D8%AC%D9%84%D8%A7%D8%B5%D9%8A%E2%80%8EEljadid.com)

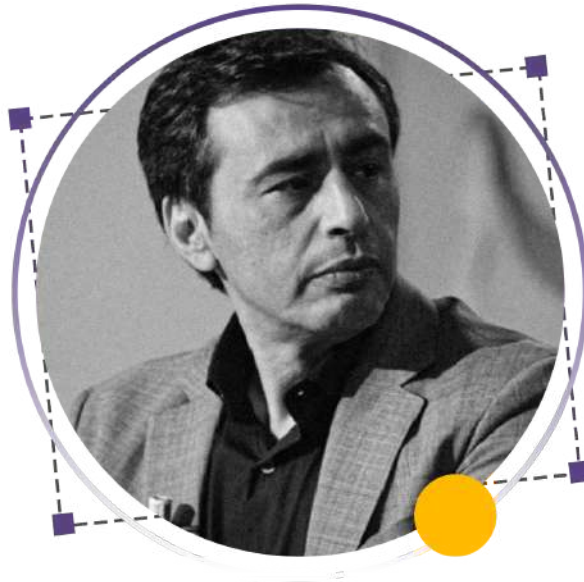
17 Phone call with the wife of Abdelhamid Jelassi on Feb. 13, 2024

18 Imen Ben Aziza, 2023, issuing two detention warrants against Kamel Letaief and Abdelhamid Jelassi, Al Chourouk, Feb. 25, last access: 02.09.2024 https://www.alchourouk.com/article/%E2%80%8E%E2%80%8E%D8%A7%D8%B5%D8%AF%D8%A7%D8%B1-%D8%A8%D8%B7%D8%A7%D9%82%D8%AA%D9%8A-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D9%83%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D9%84%D8%B7%D9%8A%D9%81-%D9%88%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%AD%D9%85%D9%8A%D8%AF-%D8%A7%D9%84%D8%AC%D9%84%D8%A7%D8%B5%D9%8A%E2%80%8E#:~:text=%D8%B9%D9%84%D9%85%D8%AA%20%22%D8%A7%D9%84%D8%B4%D8%B1%D9%88%D9%82%20%D8%A3%D9%88%D9%86%20%D9%84%D8%A7%D9%8A%D9%86%22%20%D8%A3%D9%86%20%D9%82%D8%A7%D8%B6%D9%8A%20%D8%A7%D9%84%D8%AA%D8%AD%D9%82%D9%8A%D9%82%20%D8%A8%D8%A7%D9%84%D9%82%D8%B7%D8%A8,%D9%83%D9%85%D8%A7%D9%84%20%D8%A7%D9%84%D9%84%D8%B7%D9%8A%D9%81%20%D9%81%D9%8A%20%D9%85%D9%84%D9%81%20%D8%A7%D9%84%D8%AA%D8%A2%D9-%85%D8%B1%20%D8%B9%D9%84%D9%89%20%D8%A3%D9%85%D9%86%20%D8%A7%D9%84%D8%AF%D9%88%D9%84%D8%A9

another four-month extension on January 2024 ,11, despite the lack of any new developments in the case.

More than 500 days elapsed since the arrest of Abdelhamid Jelassi, former leader in Ennahdha movement. In December 2023, Jelassi underwent a medical examination, which revealed elevated cholesterol levels and high blood sugar, requiring a strict diet and intensive healthcare to maintain his health.

However, on February 2024 ,13, Abdelhamid Jelassi's wife was informed upon arriving at the prison that she would not be able to visit her husband due to a disciplinary action taken against him following an altercation with a prison guard. Other prisoners provided testimony against him in the incident¹⁹.



Jaouhar Ben Mbarek

In the early hours of February 2023 ,24, Tunisian politician and leader of the Salvation Front, Jaouhar Ben Mbarek, was arrested by the First National Unit for the Investigation of Terrorism Crimes, Organized Crimes, and Crimes Threatening National Security. This operation, coordinated with the Judicial Police Department in Gorjani, was carried out following a judicial order from the Public Prosecution.

After his interrogation, the investigating judge at the Judicial Counter-Terrorism Pole issued a detention warrant on February

¹⁹ Phone call with Ms. Monia Braham, Abdelhamid Jelassi's wife

2023 ,25 against political activist and leader of Salvation Front Jaouhar Ben Mbarek, in connection with allegations of conspiring against the internal security of the state. On March 2023,30, the indictment chamber specializing in terrorism cases at the Court of Appeal in Tunis upheld the investigating judge's decision to deny Jaouhar Ben Mbarek's release, returning the case to the judge for further investigation²⁰ while Jaouhar Ben Mbarek remained imprisoned.

Later, on December 2023 ,21, the judge extended Jaouhar Ben Mbarek's pretrial detention by an additional four months. In protest of what he perceived as the politicization of the judiciary, Jaouhar Ben Mbarek initiated a hunger strike on September 2023²¹ ,26.

Additionally, he was referred to court for a separate case related to a social media post in which he criticized the 2022 legislative elections, labeling them a «farce.» Under Decree No. 54, which combats crimes related to information and communication systems, Jaouhar Ben Mbarek was convicted. Due to his hunger strike, Jaouhar Ben Mbarek was unable to attend the court session in person to defend himself. Despite a request for postponement from his defense team, the judge proceeded with the session on February 2024 ,24, sentencing Jaouhar Ben Mbarek to six months in prison²². On May 2024 ,27, the Court of Appeal in Tunis reviewed the case, reducing his

20 Mozaïque, 2023, denying release for all detainees in the state security conspiracy case, March 30, last access: 02.08.2024

<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%A9/1148732/%D8%B1%D9%81%D8%B6-%D8%A7%D9%84%D8%A5%D9%81%D8%B1%D8%A7%D8%AC-%D8%B9%D9%86-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D9%85%D9%88%D9%82%D9%88%D9%81%D9%8A%D9%86-%D9%81%D9%8A-%D9%82%D8%B6%D9%8A%D8%A9-%D8%A7%D9%84%D8%AA%D8%A2%D9%85%D8%B1-%D8%B9%D9%84%D9%89-%D8%A3%D9%85%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D8%A9>

21 Mozaïque, Jaouhar Ben Mbarek enters in a hunger strike, Sep. 26, 2023, last access: 02.08.2024

<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%A9/1193767/%D8%AC%D9%88%D9%87%D8%B1-%D8%A8%D9%86-%D9%85%D8%A8%D8%A7%D8%B1%D9%83-%D9%8A%D8%AF%D8%AE%D9%84-%D9%81%D9%8A-%D8%A5%D8%B6%D8%B1%D8%A7%D8%A8-%D8%AC%D9%88%D8%B9>

22 France 24, 2024, Tunis: 6-month prison for the opponent Jaouhar Ben Mbarek and a march claiming to release detainees, Feb. 25, last access: 04.14.2024 <https://www.france24.com/ar/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%A7%D9%84%D9%85%D8%BA%D8%A7%D8%B1%D8%A8%D9%8A%D8%A9/20240225-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%AA%D9%88%D9%86%D8%B3%D9%8A-%D9%8A%D8%AD%D9%83%D9%85-%D8%A8%D8%B3%D8%AC%D9%86-%D8%A7%D9%84%D9%85%D8%B9%D8%A7%D8%B1%D8%B6-%D8%A7%D9%84%D9%85%D9%88%D9%82%D9%88%D9%81-%D8%AC%D9%88%D9%87%D8%B1-%D8%A8%D9%86-%D9%85%D8%A8%D8%A7%D8%B1%D9%83-%D8%B3%D8%AA%D8%A9-%D8%A3%D8%B4%D9%87%D8%B1>

sentence from six to five months in connection with the case filed against him by the Election Commission under Decree 54. During this session, Jaouhar Ben Mbarek's was denied his right to defend himself. His defense lawyer, Islam Hamza, highlighted a significant violation of his right to defense. In a post, she criticized the court's decision to adjourn the session at the request of the Public Prosecution, only to later resume without proper pleadings, calling it a blatant assault on the right to a fair trial. The defense team condemned the use of Article 24 of Decree 54 to suppress political dissent and opinions.



Kamel Letaief

Following a judicial order issued by the Public Prosecution, security forces arrested businessman Kamal Letaief from his home in the northern suburbs of the capital on February ,11 2023. His arrest is linked to the detention of political activist Khayam Turki²³, with both facing charges of forming a criminal association with the intent to conspire against the internal security of the state and planning an attack aimed at altering the state structure.

After the initial custody period expired, detention was extended

23 Al Chourouk, 2023, arrest of Kamel Letaief, Feb. 11, last access: 02.19.2024 <https://www.alchourouk.com/article/%D8%A3%D9%86%D8%A8%D8%A7%D8%A1-%D8%B9%D9%86-%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D9%83%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D9%84%D8%B7%D9%8A%D9%81>

for an additional five days on February 2023 ,17, to allow for the examination of computers and mobile phones, as reported by his lawyer Nizar Ayad to the media outlets²⁴.

On February 2023 ,25, the investigating judge at the Judicial Counter-Terrorism Pole issued a detention warrant against Kamal Letaief²⁵. Subsequently, the indictment chamber specializing in terrorism cases at the Court of Appeal in Tunis decided to postpone the consideration of Kamel Letaief's release request.



Nouredine Boutar.

On the evening of February 2023 ,13, a security team arrested Nouredine Boutar, the Director General of Radio «Mosaïque FM,» after searching his home. His lawyer, Dalila Ben Mbarek

24 Nesma, 2023, lawyer Nizar Ayad: expanding the detention of Kamel Letaief for 5 days to scrutinize PCs and mobile phones, Feb. 17, last access: 02.19.2024 <https://www.nesma.tv/ar/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/actu/%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A-%D9%86%D8%B2%D8%A7%D8%B1-%D8%B9%D9%8A%D8%A7%D8%AF-%D8%A7%D9%84%D8%AA%D9%85%D8%AF%D9%8A%D8%AF-%D9%81%D9%8A-%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D9%83%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D9%84%D8%B7%D9%8A%D9%81-5-%D8%A3%D9%8A%D8%A7%D9%85-%D9%84%D9%84%D8%AA%D8%AF%D9%82%D9%8A%D9%82-%D9%81%D9%8A-%D8%A7%D9%84%D8%AD%D9%88%D8%A7%D8%B3%D9%8A%D8%A8-%D9%88%D8%A7%D9%84%D9%87%D9%88%D8%A7%D8%AA%D9%81-%D8%A7%D9%84%D8%AC%D9%88%D8%A7%D9%84%D8%A9/432736>

25 Mozaique FM, 2023, detention warrants against Kamel Letaief, Khayam Turki, and Abdelhamid Jelassi, Feb. 15, last access: 02.19.2024 <https://www.mozaiquefm.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%A9/1139081/%D8%A8%D8%B7%D8%A7%D9%82%D8%A7%D8%AA-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D8%B6%D8%AF-%D9%83%D9%85%D8%A7%D9%84-%D9%84%D8%B7%D9%8A%D9%81-%D9%88%D8%AE%D9%8A-%D8%A7%D9%85-%D8%A7%D9%84%D8%AA%D8%B1%D9%83%D9%8A-%D9%88%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%AD%D9%85%D9%8A%D8%AF-%D8%A7%D9%84%D8%AC%D9%84%D8%A7%D8%B5%D9%8A>

Msaddek, stated that the home search did not yield any evidence that would incriminate him or justify making him a suspect. Nouredine Boutar was interrogated for six hours at the Gorjani Brigade headquarters in the capital, with no charges initially stated against him²⁶.

On February 2023 ,20, the investigating judge at the Economic and Financial Judicial Pole issued a detention warrant against Nouredine Boutar, accusing him of using the radio's editorial line to insult the highest authorities and symbols of the state and to ignite public sentiment.

Following his custody and ongoing investigation for suspicions of money laundering and illicit enrichment, the Appeals Chamber of the Financial Judicial Pole decided on May 2023 ,24, to release Nouredine Boutar on a financial bail of one million dinars and imposed a travel ban on him²⁷.

26 Mozaique FM, 2023, detention warrants against Kamel Letaief, Khayam Turki, and Abdelhamid Jelassi, Feb. 14, last access: 02.19.2024 <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%A9/1135484/%D8%A7%D9%84%D8%A5%D8%AD%D8%AA%D9%81%D8%A7%D8%B8-%D8%A8%D9%85%D8%AF%D9%8A%D8%B1-%D8%B9%D8%A7%D9%85-%D8%A5%D8%B0%D8%A7%D8%B9%D8%A9-%D9%85%D9%88%D8%B2%D8%A7%D9%8A%D9%8A%D9%83-%D9%86%D9%88%D8%B1-%D8%A7%D9%84%D8%AF%D9%8A%D9%86-%D8%A8%D9%88%D8%B7%D8%A7%D8%B1>

27 Mozaique FM, 2023, releasing Nouredine Boutar on bail, May 24, last access: 02.20.2024 <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%A9/1165397/%D8%A5%D8%B7%D9%84%D8%A7%D9%82-%D8%B3%D8%B1%D8%A7%D8%AD-%D9%86%D9%88%D8%B1-%D8%A7%D9%84%D8%AF%D9%8A%D9%86-%D8%A8%D9%88%D8%B7%D8%A7%D8%B1-%D8%A8%D8%B6%D9%85%D8%A7%D9%86-%D9%85%D8%A7%D9%84%D9%8A>



Lazher Akremi

On the evening of February 2023 ,13, lawyer and political activist Lazhar Akremi was arrested following radio statements in which he criticized the head of state²⁸. His arrest came after a raid on his home by a specialized security unit. He was taken in for investigation on charges of conspiring against the internal security of the state. Lazhar Akremi remained in custody until February 27, when the investigating judge of the Judicial Counter-Terrorism Pole issued a detention warrant against him. He was held in Mornaguia Prison until July ,13 2023, when the Indictment Chamber of the Court of Appeal in Tunis granted the defense team's request for his release.

28 Al Chourouk, 2023, arrest of Lazher Akremi on Feb. 13, last access: 02.20.2024 <https://www.alchourouk.com/article/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D9%84%D8%B2%D9%87%D8%B1-%D8%A7%D9%84%D8%B9%D9%83%D8%B1%D9%85%D9%8A>



Mohamed Hamdi

On July 2023, 13, a political activist, former Minister of Education, and former leader of the Democratic Current Party received a summons to appear the next day, July 2023, 14, before the National Brigade for the Investigation of Terrorism Crimes, Organized Crime, and Terrorism in Bouchoucha²⁹. This summons was issued in connection with the ongoing investigation into the case of conspiracy against the internal security of the state. After being questioned by the Anti-Terrorism Unit in Gorjani³⁰, it was decided to release him, allowing him to remain at liberty. However, it's worth mentioning that in September, the Counterterrorism National Brigade in Bouchoucha conducted a search in his home.

29 IFM, 2023, Mohamed Hamdi: "I was summoned to appear before the Terrorism Crimes Unit due to my political positions opposing the authorities.", July 14, last access: 02.19.2024 <https://www.ifm.tn/ar/article/category/%D9%85%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D8%AD%D8%A7%D9%85%D8%AF%D9%8A-%D8%AA%D9%85-%D8%A7%D8%B3%D8%AA%D8%AF%D8%B9%D8%A7%D8%A6%D9%8A-%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%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8-%D8%B9%D9%84%D9%89-%D8%AE%D9%84%D9%81%D9%8A%D8%A9-%D9%85%D9%88%D8%A7%D9%82%D9%81%D9%8A/71440/%D8%A8%D8%B1%D8%A7%D9%85%D8%AC>

30 Mozaique FM, 2024, refusing to release Riadh Ben Fadhl, Jan. 11, last access: Feb. 20, 2024 <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%A9/1228064/%D8%B1%D9%81%D8%B6-%D8%A7%D9%84%D8%A5%D9%81%D8%B1%D8%A7%D8%AC-%D8%B9%D9%86-%D8%B1%D9%8A%D8%A7%D8%B6-%D8%A8%D9%86-%D9%81%D8%B6%D9%84>



Travel ban on a former MP due to his attendance at a parliamentary session.

While attempting to return to work and reunite with his family in France on Sunday, July 2023 ,9, former member of the Assembly of People’s Representatives, Zied Ghanney, was unexpectedly prevented from traveling and barred from leaving Tunisia, without any prior warning or notification. The travel ban stemmed from a judicial decision issued by the Tribunal of First Instance on June 2023 ,25, which came after his name was included in a case filed against several former deputies by the executive authority. The charges were related to conspiring against state security, specifically linked to his participation in a virtual general session of the Assembly of People’s Representatives in late March 2022. This session took place roughly a year after the President of the Republic had frozen all parliamentary activities before eventually dissolving the parliament altogether.



Abir Moussi. Her opposition to the current regime led to her detention.

Politician Abir Moussi, leader of the Free Destourian Party, has been detained for approximately 270 days since October 2023, facing several charges related to her political activities. On October 2023 ,3, she was arrested in front of the presidential palace's registrar's office after filming videos protesting the office's rejection of her grievance request challenging presidential decisions on local elections, territorial boundaries, district divisions, and the number of seats. Following her arrest, she was taken to La Goulette police station and then transferred to the Bouchoucha detention center³¹.

On October 2023 ,5, the investigating judge in Tunis issued a detention warrant against her³². According to one of her defense lawyers, she was kept in custody to process her personal data without consent, obstructing the freedom of work, and assault with the intent to cause chaos.

Her lawyer, Nafaa Laribi, in his testimony to IARF, reported that the prison administration has been obstructing visitation

³¹ Phone call with the lawyer of the victim of violation on Nov. 10, 2023

³² IFM, 2023, Issuance of a detention warrant against the head of the Free Destourian Party Abir Moussi, October 5, last access: Feb. 18, 2024

rights to Abir Moussi's family, including denying her youngest daughter direct visits despite the defense team obtaining judicial permission for kids to visit their mother. The victim's lawyer added that a digital crimes expert has been appointed to handle the case. On October 2023 ,31, Ms. Abir Moussi was summoned without notifying her lawyer and presented to a digital crimes expert, who was appointed to examine her phone and search its content, despite the defense team's objections. She has been held in detention for over three months due to the charges brought against her.

In response to her detention, it is worth noting that Ms. Abir Moussi announced a -48hour hunger strike starting on January 2024 ,26, as an initial protest against what she considers arbitrary detention.

On January 2024 ,29, the investigation concluded, revealing that the charges against her consist of two misdemeanors: processing personal data without permission and obstructing freedom of work. The defense team announced on January 2024 ,30, that she would be referred to the Criminal Council pertaining to the Tribunal of First Instance in Tunis, with her detention continuing until her appearance before the tribunal. However, the Public Prosecution appealed this decision, leading to her referral to the Indictment Chamber.

In his testimony to IARF, Nafaa Laribi stated that a second lawsuit was filed against her, by the Independent High Authority for Elections (ISIE), based on Decree 54, resulting in another detention warrant against her issued on February 2024 ,1. Her interrogation session was set for February 2024 ,2.

On February 2024 ,6, Nafaa Laribi mentioned, as part of his testimony to IARF, that he received a letter from the Regional Lawyers Office, summoning her before the investigating judge on February 2024 ,13 for interrogation in another lawsuit filed by ISIE based on the Decree no. 54³³.

Her lawyer submitted a request for her release, arguing that her pretrial detention exceeded the legal limit of six months.

33 Phone call with Nafaa Laribi, Lawyer of Abir Moussi, Head of the Free Destourian Party on Feb. 6, 2024

On June 2024 ,9, an investigation was opened into a case raised by the Organization for the Defense of Beliefs and Sanctities in August 2022, based on Article 86 of the Communications Code. Then, she was interrogated while remaining at liberty.

On June 2024 ,12, she was questioned following a lawsuit filed by the Aouina Police Station in June 2023, regarding a protest organized by her party in front of the Ministry of Foreign Affairs, denouncing agreements with Italy on immigration. The party leader, Abir Moussi, went a day before the protest to inspect and supervise the equipment and devices, such as loudspeakers and many other devices, only to be surprised by the security forces' confiscation of this equipment, even though she had informed the authorities of the party's protest. After several attempts, the security forces returned this equipment and the party held a protest, only to be surprised by the Aouina police station filing this lawsuit³⁴. On June 20, the Criminal Chamber of the Court of Appeal in Tunis upheld the initial ruling, increasing her fine from 5,000 to 7,000 dinars.

34 Phone call with the lawyer of the victim in June 2024

Ennahda Movement leaders are under arrest due to a number of cases filed against them



Rached Ghanouchi

On April 2023 ,17, Rached Ghanouchi, the head of Ennahda Movement, was arrested by security forces following a search of his home. This arrest was executed under a judicial warrant issued by the Public Prosecution Office at the Judicial Counter-Terrorism Pole³⁵. Ghanouchi was accused of glorifying terrorism and labeling security personnel as «tyrants.» On May 2023 ,9, the investigating judge issued a detention warrant against Rached Ghanouchi in the case known as «Installingo,» and he was placed in Mornaguia Civil Prison.

Subsequently, on May 2023 ,15, the criminal chamber specializing in terrorism cases at the Tunis Tribunal of First Instance sentenced him to one year in prison and imposed a fine of one thousand dinars. On October 2023 ,30, the Criminal

³⁵ BBC, 2023, Rached Ghanouchi starts his hunger strike in Tunisian prisons, 16, last access: 02.19.2024 <https://www.bbc.com/arabic/middleeast-65606140>

Chamber of the Court of Appeal in Tunis upheld the initial ruling but extended the prison sentence to fifteen months instead of 12 months and added a fine and three years of administrative supervision, based on charges of «instigation against state security.»

On February 2024 ,1, the Criminal Chamber specializing in financial corruption cases at the Tribunal of First Instance in Tunis sentenced Rached Ghanouchi to three years in prison with immediate enforcement and imposed a financial penalty of USD 1,170,470.000 on Ennahda Movement Party for accepting foreign financial donations³⁶.

On June 24, the Court of Appeal in Tunis upheld the initial ruling that sentenced Ennahda Movement leader Rached Ghanouchi to one year in prison, a fine of TND 1,000 and three years of administrative supervision to be served after completing his prison sentence. This ruling pertains to the case involving suspicions of glorifying and praising terrorism³⁷.

36 Jawhara FM, charging Rached Ghanouchi and Rafik Abdessalem with three years in prison, Feb. 1st, last access: 02.19.2024 <https://www.jawharafm.net/ar/article/%D8%A7%D9%84%D8%AD%D9%83%D9%85-%D8%B9%D9%84%D9%89-%D8%B1%D8%A7%D8%B4%D8%AF-%D8%A7%D9%84%D8%BA%D9%86%D9%88%D8%B4%D9%8A-%D9%88%D8%B1%D9%81%D9%8A%D9%82-%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D8%B3%D9%84%D8%A7%D9%85-%D8%A8%D9%80-3-%D8%B3%D9%86%D9%88%D8%A7%D8%AA-%D8%B3%D8%AC%D9%86%D8%A7/92/252544>

37 Al Jazeera, 2024, The Court of Appeal in Tunis upholds the detention of Ghanouchi, June 25, last access: 06.25.2024 <https://www.aljazeera.net/news/2024/6/25/%D8%A7%D9%84%D8%A7%D8%B3%D8%AA%D8%A6%D9%86%D8%A7%D9%81-%D8%A7%D9%84%D8%AA%D9%88%D9%86%D8%B3%D9%8A%D8%A9-%D8%AA%D9%82%D8%B1-%D8%AD%D9%83%D9%85%D8%A7-%D8%A7%D8%A8%D8%AA%D8%AF%D8%A7%D8%A6%D9%8A%D8%A7>



Mohamed Fourati

On March 2023, 11, the Central Brigade for Combating Terrorism of the National Guard in Aouina summoned Mohamed Fourati, director of the newspaper «El Fajr,» to appear before it³⁸. On February 2023, 13, the Public Prosecution Office of the Judicial Counter-Terrorism Pole authorized the relevant unit to keep Mohamed Fourati in custody for 5 days³⁹, later authorizing his release.

38 Mozaïque FM, 2023, summoning Mohamed Fourati to appear before the counter terrorism brigade in Aouina Guard, March 11, last access: Feb. 18, 2024 <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%A9/1143422/%D8%A7%D8%B3%D8%AA%D8%AF%D8%B9%D8%A7%D8%A1-%D9%85%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D9%81%D9%88%D8%B1%D8%A7%D8%AA%D9%8A-%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-%D9%85%D9%83%D8%A7%D9%81%D8%AD%D8%A9-%D8%A7%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8-%D9%84%D9%84%D8%AD%D8%B1%D8%B3-%D8%A8%D8%A7%D9%84%D8%B9%D9%88%D9%8A%D9%86%D8%A9>

39 Mozaïque FM, 2023, Releasing Noureddine Boutar on bail, Feb. 17, last access on Feb. 18, 2024 <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%A9/1165397/%D8%A5%D8%B7%D9%84%D8%A7%D9%82-%D8%B3%D8%B1%D8%A7%D8%AD-%D9%86%D9%88%D8%B1-%D8%A7%D9%84%D8%AF%D9%8A%D9%86-%D8%A8%D9%88%D8%B7%D8%A7%D8%B1-%D8%A8%D8%B6%D9%85%D8%A7%D9%86-%D9%85%D8%A7%D9%84%D9%8A>



Abdelfattah Taghouti

On March 2023 ,14, a National Guard patrol in Ben Arous arrested Abdelfattah Taghouti, a member of the Executive Office and media officer of Ennahda Movement, in connection with the case known in the media as the «conspiracy case»⁴⁰. On March 2023 ,24, the investigating judge of the Judicial Counter-Terrorism Pole decided to postpone the interrogation of Abdelfattah Taghouti⁴¹.

40 Nesma, 2023, Releasing Abdelfattah Taghouti, March 24, last access: Feb. 18, 2024 <https://www.nessma.tv/ar/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/actu/%D8%A5%D8%B7%D9%84%D8%A7%D9%82-%D8%B3%D8%B1%D8%A7%D8%AD-%D8%B9%D8%A8%D8%AF-%D8%A7%D9%84%D9%81%D8%AA-%D8%A7%D8%AD-%D8%A7%D9%84%D8%AA-%D8%A7%D8%BA%D9%88%D8%AA%D9%8A/440554>

41 Mozaique FM, 2023, Two detention warrants against two members of Ennahdha and keeping Taghouti in liberty, March 24, last access: Feb. 18, 2024 <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%A9/1147034/%D8%A8%D8%B7%D8%A7%D9%82%D8%AA%D8%A7-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D9%81%D9%8A-%D8%AD%D9%82-%D8%B9%D8%B6%D9%88%D9%8A%D9%86-%D8%A8%D8%A7%D9%84%D9%86%D9%87%D8%B6%D8%A9-%D9%88%D8%A7%D9%84%D8%A5%D8%A8%D9%82%D8%A7%D8%A1-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D8%B7%D8%A7%D8%BA%D9%88%D8%AA%D9%8A-%D8%A8%D8%AD%D8%A7%D9%84%D8%A9-%D8%B3%D8%B1%D8%A7%D8%AD>



Nouredine Bhiri

On the evening of February 2023 ,13, a security team arrested former Minister of Justice and Ennahda Movement leader Nouredine Bhiri after raiding and searching his home. On February 2023 ,14, a detention warrant was issued against Nouredine Bhiri⁴² based on a Facebook post attributed to him regarding a march⁴³ by the National Salvation Front on January 2023 ,8, related to protests against President Kais Saied. Since that date, Nouredine Bhiri has remained in prison.

On April 2023 ,28, the first investigating judge at Office 29 of the Tunis Tribunal of First Instance interrogated Nouredine Bhiri concerning the case of conspiracy against state security and planning an attack intended to alter the state structure. On June 2023 ,27, the first investigating judge at the Tunis Tribunal of First Instance decided to close the investigation and refer the file to the Indictment Chamber on charges related to the case of conspiracy against state security and incitement to

42 IFM, 2023, Detention warrant against Bhiri, Feb. 14, last access: Feb. 18, 2024 <https://www.ifm.tn/ar/article/%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9/%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D8%A7%D9%84%D8%A8%D8%AD%D9%8A%D8%B1%D9%8A-%D9%88%D9%87%D8%B0%D9%87-%D8%A7%D9%84%D8%AA%D9%87%D9%85%D8%A9-%D8%A7%D9%84%D9%85%D9%88%D8%AC-%D9%87%D8%A9-%D9%84%D9%87/66260>

43 Mozaique FM, 2023, "Conspiracy Case": Bhiri standing before the indictment chamber after concluding investigations, June 27, last access: Feb. 18, 2024 <https://www.mozaiquefm.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%A9/1174982/%D9%82%D8%B6%D9%8A%D8%A9-%D8%A7%D9%84%D8%AA%D8%A2%D9%85%D8%B1-%D8%A7%D9%84%D8%A8%D8%AD%D9%8A%D8%B1%D9%8A-%D8%A3%D9%85%D8%A7%D9%85-%D8%AF%D8%A7%D8%A6%D8%B1%D8%A9-%D8%A7%D9%84%D8%A7%D8%AA%D9%87%D8%A7%D9%85-%D8%A8%D8%B9%D8%AF-%D8%AE%D8%AA%D9%85-%D8%A7%D9%84%D8%A8%D8%AD%D8%AB>

disobedience. On November 2023 ,15, the Indictment Chamber of the Court of Appeal issued a decision to refer Bhiri to the Indictment Chamber of the Tribunal of First Instance in Tunis in the same case.

On Thursday, June 20, the Head of the Investigating Judges of the Tribunal of First Instance in Tunis issued a detention warrant against Nouredine Bhiri, pending the investigation into the death of former MP and prisoner Jilani Dabousi. This was after charges of premeditated murder were brought against all the defendants in the case, pending further investigations. Nouredine Bhiri's wife stated in media reports that her husband was in the intensive care unit of Rabta Hospital due to the deterioration of his health and that she was prevented from visiting him without legal justification⁴⁴.



Sayed Ferjani

After 3 summonses were issued against Ennahda Movement leader Sayed Ferjani in 2022 to testify in several cases, he was arrested on February 2023 ,27, after being summoned by the judicial police in El Gorjani for financial follow-up regarding a financial case known in the media as the «Instalingo» case. The daughter of Sayed Ferjani explained, after being contacted

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by the IARF that the legality of her father's financial situation was confirmed during the investigation, in addition to investigating him about people bearing the family name. Then the security forces returned with her father, the leader of the Ennahda Movement, Sayed Farjani, on the same day to his place of residence, where they searched the house, confirming that the security forces did not find any documents incriminating him, whether during the search of the house or the search of his phone. On the same date, the Public Prosecution at the Tribunal of First Instance in Tunis authorized the officers of the judicial police department in El Gorjani to detain the leader of Ennahda Movement, Sayed Farjani, and transfer him to the Messaadine prison in Sousse, where he declared a hunger strike that lasted for 10 days in rejection of his detention. The daughter of the victim of the violation explained that her father's name was not included in the case file at all⁴⁵.

On March 2023 ,1, the investigating judge at the Sousse 2 Tribunal of First Instance decided to issue a detention warrant against Ennahda Movement leader Sayed Farjani in the case known in the media as «Instalingo», in which he was interrogated⁴⁶.

45 IARF documentation of Mr. Ferjani

46 Mozaique, Instalingo case: Issuance of a detention warrant against Ennahdha leader Sayed Ferjani, March 1, 2023, last access: 02.09.2024 <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%A9/1140410/%D9%82%D8%B6%D9%8A%D8%A9-%D8%A7%D9%86%D8%B3%D8%AA%D8%A7%D9%84%D9%8A%D9%86%D8%BA%D9%88-%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D8%A7%D9%84%D9%82%D9%8A%D8%A7%D8%AF%D9%8A-%D8%A8%D8%A7%D9%84%D9%86%D9%87%D8%B6%D8%A9-%D8%B3%D9%8A%D8%AF-%D8%A7%D9%84%D9%81%D8%B1%D8%AC%D8%A7%D9%86%D9%8A>



Riadh Chaibi

On August 2023 ,9, Ennahda Movement leader Riadh Chaibi received a summons to appear before the Counter-terrorism Brigade in Bouchoucha in the case of conspiracy against state security⁴⁷. Lawyer Islam Hamza reported to the media that her client was released after being heard⁴⁸. On September 2023 ,22, his home was searched by the Counter-terrorism Brigade, according to the post of the victim of the violation on his personal page. He also stated that he was taken to the Brigade headquarters to sign a search report before being released.

47 Al Chourouk, 2023, Today ... Riadh Chaibi before the Counter-Terrorism Brigade, August 9, last access: 06.02.2024. <https://www.alchourouk.com/article/%D8%A7%D9%84%D9%8A%D9%88%D9%85-%D8%B1%D9%8A%D8%A7%D8%B6-%D8%A7%D9%84%D8%B4%D8%B9%D9%8A%D8%A8%D9%8A-%D8%A7%D9%85%D8%A7%D9%85-%D9%81%D8%B1%D9%82%D8%A9-%D9%85%D9%82%D8%A7%D9%88%D9%85%D8%A9-%D8%A7%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8>

48 Mozaïque FM, 2023, Letting Riadh Chaibi in liberty, August 9, last access: 06.02.2024 <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%A9/1182936/%D8%A5%D8%A8%D9%82%D8%A7%D8%A1-%D8%B1%D9%8A%D8%A7%D8%B6-%D8%A7%D9%84%D8%B4%D8%B9%D9%8A%D8%A8%D9%8A-%D8%A8%D8%AD%D8%A7%D9%84%D8%A9-%D8%B3%D8%B1%D8%A7%D8%AD>



Habib Ellouz

Following the issuance of an order by the Public Prosecution on March 2023 ,2, agents of a specialized security unit at the Judicial Police Department in El Gorjani arrested Ennahda Movement leader Habib Ellouz. The arrest decision was based on a financial case filed against him⁴⁹. After the legal period of detention had expired, the investigating judge at the Judicial Counter-Terrorism Pole issued a warrant for Habib Ellouz to be imprisoned on March 2023 ,10, pending a case of a terrorist nature on suspicion of joining a terrorist organization⁵⁰.

For reference, the investigating judge at the Judicial Counter-Terrorism Pole, who is in charge of the Chokri Ben Othman case filed by the defense team for the martyrs Chokri Belaid and Mohamed Brahmi, against Habib Ellouz, interrogated him on March 2023⁵¹ ,24.

49 Mozaique, 2023, Habib Ellouz arrest, March 2, last access: 02.06.2024 <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%A9/1140698/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D8%A7%D9%84%D8-AD%D8%A8%D9%8A%D8%A8-%D8%A7%D9%84%D9%84%D9%88%D8%B2>

50 Mozaique, 2023, Issuance of a detention warrant against Ennahdha Movement leader Habib Ellouz, March 10, last access: 02.06.2024 <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%A9/1143023/%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D8%A7%D9%84%D9%82%D9%8A%D8%A7%D8%AF%D9%8A-%D8%A8%D8%AD%D8%B1%D9%83%D8%A9-%D8%A7%D9%84%D9%86%D9%87%D8%B6%D8%A9-%D8%A7%D9%84%D8%AD%D8%A8%D9%8A%D8%A8-%D8%A7%D9%84%D9%84%D9%88%D8%B2>

51 Al Chourouk, 2023, Interrogation of Habib Ellouz in the Chokri Belaid case, May 25, last access: 02.06.2024 <https://www.alchourouk.com/article/%D8%A7%D8%B3%D8%AA%D9%86%D8%B7%D8%A7%D9%82-%D8%A7%D9%84%D8%AD%D8%A8%D9%8A%D8%A8-%D8%A7%D9%84%D9%84%D9%88%D8%B2-%D9%81%D9%8A-%D9%82%D8%B6%D9%8A%D8%A9-%D8%B4%D9%83%D8%B1%D9%8A-%D8%A8%D9%86-%D8%B9%D8%AB%D9%85%D8%A7%D9%86>

On September 2023 ,6, the investigating judge at the Judicial Counter-Terrorism Pole informed Habib Ellouz of the decision to extend the pretrial detention period for an additional four months.



Ali Ellafi

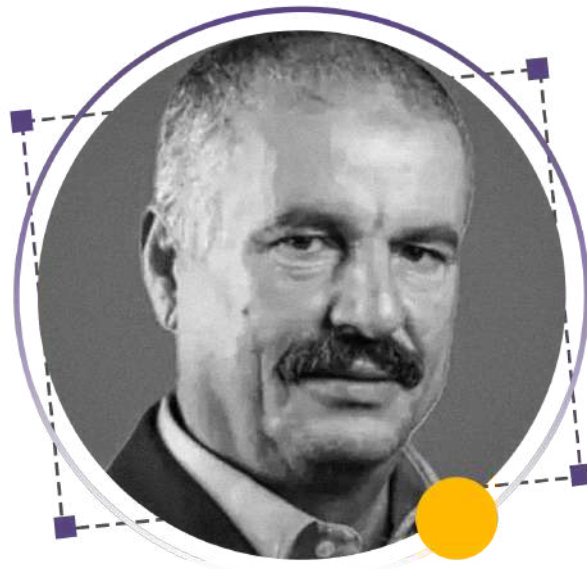
The security forces, by virtue of a judicial order, arrested the political activist and former official at the Ministry of Religious Affairs, Ali Ellafi⁵², at dawn on March 2023 ,5, based on a case published against him on suspicion of forming a criminal association for the purpose of smuggling currency, fraud, and possessing and using fraudulent documents⁵³.

In a subsequent phase, the investigating judge of the Judicial Counter-Terrorism Pole issued a detention warrant against political activist and former official at the Ministry of Religious

52 Mozaïque FM, 2023, Arrest of the political activist Ali Ellafi, March 5, last access: 02.06.2024 <https://www.mosaiquefm.net/ar/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9-%D8%AA%D9%88%D9%86%D8%B3/1141376/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%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-%D8%B9%D9%84%D9%8A-%D8%A7%D9%84%D9%84%D8%A7%D9%81%D9%8A>

53 IFM, 2023, Arrest of the former officer in the Ministry of Religious Affairs Ali Ellafi, March 5, last access: 02.06.2024 <https://www.ifm.tn/ar/article/%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D8%A7%D9%84%D8%A5%D8%B7%D8%A7%D8%B1-%D8%A7%D9%84%D8%A3%D8%B3%D8%A8%D9%82-%D8%A8%D9%88%D8%B2%D8%A7%D8%B1%D8%A9-%D8%A7%D9%84%D8%B4%D8%A4%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%8A%D9%86%D9%8A%D8%A9-%D8%B9%D9%84%D9%8A-%D8%A7%D9%84%D9%84%D8%A7%D9%81%D9%8A/66931#:~:text=%D9%82%D8%A7%D9%85%D8%AA%20%D8%A7%D9%84%D8%B3%D9%84%D8%B7%D8%A7%D8%AA%20%D8%A7%D9%84%D8%A3%D9%85%D9%86%D9%8A%D8%A9%20%D8%A7%D9%84%D9%8A%D9%88%D9%85%20%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%2005%20%D9%85%D8%A7%D8%B1%D8%B3%202023,%D8%A3%D9%85%D8%B3%20%D8%A7%D9%84%D8%B3%D8%A8%D8%AA%20%D8%A8%D9%85%D8%B9%D8%AA%D9%85%D8%AF%D9%8A%D8%A9%20%D8%A8%D9%86%20%D9%82%D8%B1%D8%AF%D8%A7%D9%86%20%D9%85%D9%86%20%D9%88%D9%84%D8%A7%D9%8A%D8%A9%20%D9%85%D8%AF%D9%86%D9%8A%D9%86>

Affairs, Ali Ellafi, following the discovery of minutes pertaining to terrorism-related cases and «secret security» reports during a search of his home⁵⁴. However, on September 2023 ,25, it was decided to release Ali Ellafi⁵⁵ after the expiration of the detention warrant in the case involving the formation of a criminal association for the sake of currency smuggling, fraud, and the possession and use of fraudulent documents⁵⁶.



Ahmed Amari

On March 2023 ,4, in Ben Gardane, Medenine Governorate, a specialized brigade of the National Guard arrested Ennahdha Movement leader and former MP Ahmed Amari following a raid on his home⁵⁷. This arrest was executed under instructions

54 Mozaique FM, 2023, Judicial Counter-terrorism Pole issues a detention warrant against Ali Ellafi, March 18, last access: 02.06.2024 <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%A9/1145462/%D9%82%D8%B7%D8%A8-%D9%85%D9%83%D8%A7%D9%81%D8%AD%D8%A9-%D8%A7%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8-%D9%8A%D8%B5%D8%AF%D8%B1-%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A-7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D8%B9%D9%84%D9%8A-%D8%A7%D9%84%D9%84%D8%A7%D9%81%D9%8A>

55 Arabesque, 2023, Release of Mohamed Ben Salem, Ahmed Amari, and Ali Ellafi, Sep. 26, last access: 02.06.2024 <https://www.arabesque.tn/ar/article/108576/%D8%A7%D9%84%D8%A5%D9%81%D8%B1%D8%A7%D8%AC-%D8%B9%D9%86-%D9%85%D8%AD%D9%85%D8%AF-%D8%A8%D9%86-%D8%B3%D8%A7%D9%84%D9%85-%D9%88%D8%A3%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D8%B9%D9%85%D8%A7%D8%B1%D9%8A-%D9%88%D8%B9%D9%84%D9%8A-%D8%A7%D9%84%D9%84%D8%A7%D9%81%D9%8A>

56 Mozaique FM, 2023, Release of Ahmed Amari and Ali Ellafi, Sep. 26, last access: 02.06.2024 <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%A9/1193528/%D8%A7%D9%84%D8%A5%D9%81%D8%B1%D8%A7%D8%AC-%D8%B9%D9%86-%D8%A3%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D8%B9%D9%85%D8%A7%D8%B1%D9%8A-%D9%88%D8%B9%D9%84%D9%8A-%D8%A7%D9%84%D9%84%D8%A7%D9%81%D9%8A>

57 Le Maghreb, 2023, Breaking News: Arrest of former MP Ahmed Amari, March 4, last access: 06.02.2024 <https://ar.lemaghreb.tn/%D9%82%D8%B6%D8%A7%D8%A1/item/70569-%D8%B9%D8%A7%D8%AC%D9%84-%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D8%A7%D9%84%D9%86%D8%A7%D8%A6%D8%A8-%D8%A7%D9%84%D8%B3%D8%A7%D8%A8%D9%82-%D8%A7%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D8%B9%D9%85%D8%A7%D8%B1%D9%8A>

from the Public Prosecution at the Judicial Counter-Terrorism Pole. On March 2023 ,8, the investigating judge at the Gabes Tribunal of First Instance issued a detention warrant against Ahmed Amari on charges related to forming a criminal association with the aim of organizing illegal border crossings and violating exchange laws⁵⁸. Ahmed Amari was released on September 2023 ,25, with the condition of residing in Gabes Governorate.



Mohamed Goumani, Belgacem Hassan, and Mohamed Cheniba: Arrests at Ennahdha Movement Headquarters during a political meeting.

On April 2023 ,18, police forces arrested several Ennahdha Movement leaders, including Belgacem Hassan, Mohamed Goumani, Mohamed Cheniba, and Ahmed Mechergui, at the movement's headquarters in Tunis. This arrest was linked to their participation in an in-house meeting, which led to police

58 Mozaique, 2023, Issuance of a detention warrant against Ennahdha leader Ahmed Amari, March 8, last access: 02.06.2024 <https://www.mozaiquefm.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%A9/1142180/%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D8%B6%D8%AF-%D8%A7%D9%84%D9%82%D9%8A%D8%A7%D8%AF%D9%8A-%D8%A8%D8%A7%D9%84%D9%86%D9%87%D8%B6%D8%A9-%D8%A3%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D8%B9%D9%85%D8%A7%D8%B1%D9%8A>

surrounding and closing the headquarters⁵⁹. They were kept in custody at the National Guard units in Aouina and interrogated that night. Their arrest stemmed from a video they posted on social media discussing Tunisian political situation, leading to accusations of attempting to alter the state structure and inciting the population to attack each other with weapons and to cause chaos, murder and looting on Tunisian soil. On April 2023 ,19, Mohamed Goumani, Belgacem Hassan, and Mohamed Cheniba were released, remaining free⁶⁰.

59 Al Chourouk, 2023, Arrest of Mohamed Goumani, Belgacem Hassan, and Mohamed Cheniba, April 18, last access: 02.06.2024 <https://www.alchourouk.com/article/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D9%85%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D9%82%D9%88%D9%85%D8%A7%D9%86%D9%8A-%D9%88%D8%A8%D9%84%D9%82%D8%A7%D8%B3%D9%85-%D8%AD%D8%B3%D9%86-%D9%88%D9%85%D8%AD%D9%85%D8%AF-%D8%B4%D9%86%D9%8A%D8%A8%D8%A9>

60 Jawhara FM, 2023, Releasing Mohamed Goumani and Belgacem Hassan, April 19, last access: 02.06.2024 <https://www.jawharafm.net/ar/article/%D8%A5%D8%B7%D9%84%D8%A7%D9%82-%D8%B3%D8%B1%D8%A7%D8%AD-%D9%85%D8%AD%D9%85%D8%AF-%D8%A7%D9%84%D9%82%D9%88%D9%85%D8%A7%D9%86%D9%8A-%D9%88%D8%A8%D9%84%D9%82%D8%A7%D8%B3%D9%85-%D8%AD%D8%B3%D9%86/92/237686>

Bechir Akremi and Taieb Rached, two magistrates in prison since February 2023.



Bechir Akremi

On February 2023 ,12, police forces raided the home of dismissed judge and former public prosecutor Bechir Akremi in accordance with instructions from the Public Prosecution Office at the Tribunal of First Instance in Tunis⁶¹. They seized his personal computer and phone before taking him to the Counter-Terrorism Unit headquartered in Bouchoucha for over 24 hours of questioning. This followed a lawsuit raised by the Counter-Terrorism Unit related to the Bardo Museum terrorist attack in 2015.

The dismissed judge and former public prosecutor Bechir Akremi had been under house arrest since July 2021 ,29, accused of covering up terrorism-related files, obstructing investigations, and tampering with judicial files. His house arrest was lifted on October 2021 ,10. On February 2023 ,17, the Public Prosecution

61 Mozaique, 2023, Arrest of Bechir Akremi, Feb. 12, last access: 02.07.2024 <https://www.mosaiquefm.net/amp/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%A9/1135061/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D8%A7%D9%84%D8-A8%D8%B4%D9%8A%D8%B1-%D8%A7%D9%84%D8%B9%D9%83%D8%B1%D9%85%D9%8A>

decided not to extend his detention but ordered his admission to a mental health facility based on a medical report not reviewed by his defense team. Initially, Akremi was denied visits during his hospitalization at Razi Hospital. Based on the testimony of the victim's son to IARF, the latter was unaware of his release and he was re-arrested against medical advice⁶². On March 2023 ,10, the Judicial Counter-Terrorism Pole issued a new detention order against former public prosecutor Bechir Akremi and opened an investigation while he was in prison⁶³. On July 2023 ,24, the Head of the Investigating Judges at the Tunis Tribunal of First Instance issued two prison detention orders against Akremi, following a complaint from the defense team of Chokri Belaid and Mohamed Brahmi accusing him of violations in the investigation of their assassinations. On September 2023 ,6, the investigating judge at the Judicial Counter-Terrorism Pole extended the victim's pretrial detention for an additional four months⁶⁴. Today, Bechir Akremi has spent more than a year in prison without any developments in the case for which he was imprisoned. By January 2024 ,5, the investigating judge of the Judicial Counter-Terrorism Pole had made decisions concerning Akremi's case in relation to the case filed by the defense team of martyrs Chokri Belaid and Mohamed Brahmi⁶⁵. On June 2024 ,11, the Tenth Indictment

62 Phone call with Bechir Akremi's son on April 1, 2023

63 Mozaique, 2023, Detention warrant against Bechir Akremi, March 10, last access: 02.07.2024 <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%A9/1143005/%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A7%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D8%A7%D9%84%D8%A8%D8%B4%D9%8A%D8%B1-%D8%A7%D9%84%D8%B9%D9%83%D8%B1%D9%85%D9%8A>

64 Mozaique, Extension of the pretrial detention of Bechir Akremi and Habib Ellouz for 4 additional months, Sept. 6, 2023, last access: 02.07.2024 <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%A9/1188022/%D8%AA%D9%85%D8%AF%D9%8A%D8%AF-%D8%A5%D9%8A%D9%-82%D8%A7%D9%81-%D8%A7%D9%84%D8%A8%D8%B4%D9%8A%D8%B1-%D8%A7%D9%84%D8%B9%D9%83%D8%B1%D9%85%D9%8A-%D9%88%D8%A7%D9%84%D8%AD%D8%A8%D9%8A%D8%A8-%D8%A7%D9%84%D9%84%D9%88%D8%B2-%D9%84%D8%A3%D8%B1%D8%A8%D8%B9%D8%A9-%D8%A3%D8%B4%D9%87%D8%B1-%D8%A5%D8%B6%D8%A7%D9%81%D9%8A%D8%A9>

65 Kashf Media, 2024, Extending the pretrial detention of Judge Bechir Akremi for more 4 months, Jan. 4, last access: 02.07.2024 <https://www.kashfmedia.com/2024/01/05/%d8%a7%d9%84%d8%aa%d9%85%d8%af%d9%8a%d8%af-%d8%a8%d8%a3%d8%b1%d8%a8%d8%b9%d8%a9-%d8%a3%d8%b4%d9%87%d8%b1-%d9%81%d9%8a-%d9%81%d8%aa%d8%b1%d8%a9-%d8%a7%d9%84%d8%a5%d9%8a%d9%82%d8%a7%d9%81-%d8%a7%d9%84/#:~:text=%D9%81%D8%B1%D9%8A%D9%82%20%D8%A7%D9%84%D8%AA%D8%AD%D8%B1%D9%8A%D8%B1%20%D9%82%D8%B1%D8%B1%20%D9%82%D8%A7%D8%B6%D9%8A%20%D8%A7%D9%84%D8%AA%D8%AD%D9%82%D9%8A%D9%82%20%D8%A8%D8%A7%D9%84%D9%82%D8%B7%D8%A8%20%D8%A7%D9%84%D9%82-%D8%B6%D8%A7%D8%A6%D9%8A%20%D9%84%D9%85%D9%83%D8%A7%D9%81%D8%AD%D8%A9,%D8%A8%D9%87%20%D8%B9%D8%B6%D9%88%20%D9%87%D9%8A%D8%A6%D8%A9%20%D8%A7%D9%84%D8%AF%D9%81%D8%A7%D8%B9%20%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A%20%D8%AD%D9%85%D8%A7%D8%AF%D9%8A%20%D8%A7%D9%84%D8%B2%D8%B9%D9%81%D8%B1%D8%A7%D9%86%D9%8A%20%D9%84%D9%88%D8%A7%D8%AA>

Chamber of the Court of Appeal in Tunis referred Akremi to the criminal chamber of the Tribunal of First Instance in Tunis for charges of fraud and possession of fraudulent documents, while rejecting requests for his release⁶⁶.



Taieb Rached

On February 2023 ,12, and in execution of the instructions of the public prosecutor's office to the Financial Judicial Pole, the former first president of the Court of Cassation and dismissed judge was arrested. The decision to arrest Taieb Rached was based on legal proceedings published against him at the Financial Judicial Pole ⁶⁷relating to a case of suspected financial corruption. Taieb Rached was accused of rape, but on Tuesday January 2024 ,9, the Court of Cassation issued a judgment confirming the decision of the indictment chamber to reject the rape charge against the former first president of the Court of Cassation, Taieb Rached. In addition, the investigating judge of the Siliana Tribunal of First Instance had made the decision

66 Mozaique FM, 2024, Referring Bechir Akremi to the Criminal Chamber of the Tribunal of First Instance, June 11, last access: 06.26.2024 <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%A9/1280660/%D8%A5%D8%AD%D8%A7%D9%84%D8%A9-%D8%A7%D9%84%D8%A8%D8%B4%D9%8A%D8%B1-%D8%A7%D9%84%D8%B9%D9%83%D8%B1%D9%85%D9%8A-%D8%B9%D9%84%D9%89-%D8%A3%D9%86%D8%B8%D8%A7%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%A6%D8%B1%D8%A9-%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A%D8%A9-%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%85%D8%A9-%D8%A7%D9%84%D8%A7%D8%A8%D8%AA%D8%AF%D8%A7%D8%A6%D9%8A%D8%A9>

67 Mosaic Fm, Arrest of Taieb Rached , February 12, 2023. Last access: 02/09/2024 <https://www.mosaiquefm.net/fr/%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%A9/1135073/%D8%A5%D9%82%D8%A7%D9%81-%D8%A7%D9%84%D8%B7%D9-%D8%A8-%D8%B1%D8%A7%D8%B4%D8%AF>

to close the information with a dismissal of the charge of rape against Taieb Rached, a decision which was subsequently confirmed by the Chamber of Deputies. Taieb Rached remains in detention in connection with cases related to him in his capacity as former president of the Court of Cassation.

Former politicians and state officials who have been imprisoned in common law cases.



Riadh Ben Fadhel.

On November 2023 ,14, Riadh Ben Fadhel, general coordinator of the Al-Qotb party, was arrested at Tunis Carthage airport upon his return from abroad and taken to the Aouina barracks under the law on money laundering⁶⁸. The Al-Qotb party declared on social media that Riadh Ben Fadhel was informed that he would be in pretrial detention for a period of 05 days pending the investigation without knowing the charges against him⁶⁹. Lawyer Mohamed Ali Ghib told the media that his client was under investigation for acquiring confiscated property and

68 Al Chourouk , 2023. Arrest of Riadh Ben Fadhel, November 14 , last access: 02/09/2024, <https://www.alchourouk.com/article/%8A%D8%A5%D9%D9%82%D8%A7%D9%81-%8A%D8%B1%D9%D8%A7%D8%B6-%D8%A8%D9%86-%D9%81%D8%B6%D9%84>

69 Jawhara FM, 2023, Arrest of Riadh Ben Fadhel at Tunis-Carthage airport, November 2, Last access 02/09/2024 <https://www.jawharafm.net/ar/article/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D8%B1%D9%8A%D8%A7%D8%B6-%D8%A8%D9%86-%D9%81%D8%B6%D9%84-%D9%81%D9%8A-%D9%85%D8%B7%D8%A7%D8%B1-%D8%AA%D9%88%D9%86%D8%B3-%D9%82%D8%B1%D8%B7%D8%A7%D8%AC/92/248453>

that on November 2023 ,19, the Attorney General decided to extend the detention period for another five days⁷⁰.

On November 2023 ,24, the first investigating judge of the Financial Judicial Pole issued a detention warrant against Riadh Ben Fadhel, keeping him under arrest and referring him to the sixth criminal chamber, competent in cases of financial corruption at the Tribunal of First Instance of Tunis for crimes of a customs and banking nature. In January 2024, the sixth criminal chamber specialized in financial corruption cases at the Tunis Tribunal of First Instance refused to release Riadh Ben Fadhel ⁷¹.

On May 2024 ,30, the Economic and Financial Judicial Pole rendered a first-degree judgment condemning Riadh Ben Fadhel to a prison sentence of 4 and a half years and a fine estimated at 2 million dinars. In the second case, an investigation was reopened concerning the purchase and acquisition of confiscated property that the Ministry of State Property and Land Affairs had put up for sale following a call for tenders. An investigation was opened and he was referred to the investigating judge and a detention warrant was issued against him.⁷²

70 IFM, 2023, "The Al-Qotb Party" confirms a 5-day extension of the retention period of its coordinator, Riad Ben Fadhel , November 20 , Last access: 02/09/2024, <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%84%D9%88%D8%B7%D9%86%D9%8A%D8%A9/%D8%AD%D8%B2%D8%A8-%D8%A7%D9%84%D9%82%D8%B7%D8%A8-%D9%8A%D8%A4%D9%83%D8%AF-%D8%A7%D9%84%D8%AA%D9%85%D8%AF%D9%8A%D8%AF-%D8%A8-5-%D8%A3%D9%8A%D8%A7%D9%85-%D9%81%D9%8A-%D9%81%D8%AA%D8%B1%D8%A9-%D8%A7%D9%84%D8%A7%D8%AD%D8%AA%D9%81%D8%A7%D8%B8-%D8%A8%D9%85%D9%86%D8%B3%D9%82%D9%87-%D8%A7%D9%84%D8%B9%D8%A7%D9%85-%D8%B1%D9%8A%D8%A7%D8%B6-%D8%A8%D9%86-%D9%81%D8%B6%D9%84/75541>

71 Mosaic FM, 2023, Refusal to release Riadh Ben Fadhel, November 11, last connection: 062024/02, <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%A9/1228064/%D8%B1%D9%81%D8%B6-%D8%A7%D9%84%D8%A5%D9%81%D8%B1%D8%A7%D8%AC-%D8%B9%D9%86-%D8%B1%D9%8A%D8%A7%D8%B6-%D8%A8%D9%86-%D9%81%D8%B6%D9%84>

72 A telephone call with the lawyer and the President of the Tunisian League for the Defense of Human Rights, Mr. Bassem Trifi, in June 2024



Mohamed Ben Salem

On March 2023 ,3, former Minister of Agriculture Mohamed Ben Salem was arrested on the road between Medenine and Tataouine⁷³. On March 7, the investigating judge of the Tribunal of First Instance of Gabes issued a detention warrant against Mohamed Ben Salem for the establishment of a criminal association with a view to organizing a clandestine crossing of the border, detention of currencies of unknown origin and violation of the foreign exchange law. The former agriculture minister was questioned at Hedi Chaker University Hospital in Sfax after his health deteriorated, according to lawyer Malek Ben Amor, who spoke to the media⁷⁴. On September 25, Mohamed Ben Salem was released. His release was conditional on house arrest in the governorate of Gabes⁷⁵.

73 Al Chourouk, 2023, Arrest of Mohamed Ben Salem, March 3, last access : 02/062024/, <https://www.alchourouk.com/article/%D8%A7%D9%8A%D9%82%D8%A7%D9%81-%D9%85%D8%AD%D9%85%D8%AF-%D8%A8%D9%86-%D8%B3%D8%A7%D9%84%D9%85#:~:text=%D8%AA%D8%A7%D8%B1%D9%8A%D8%AE%20%D8%A7%D9%84%D9%86%D8%B4%D8%B1%20%3A%2017%3A25%20-%202023%2F03%2F03%20%D9%88%D8%B1%D8%AF%20%D8%A8%D8%A7%D9%84%D8%AD%D8%B3%D8%A7%D8%A8,%D8%B3%D8%A7%D8%A8%D9%82%D8%A7%20%D9%85%D9%86%20%D8%A7%D9%84%D8%B3%D9%81%D8%B1%20%D8%B9%D8%A8%D8%B1%20%D9%85%D8%B7%D8%A7%D8%B1%20%D8%AA%D9%88%D9%86%D8%B3%20%D9%82%D8%B1%D8%B7%D8%A7%D8%AC%20%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A> .

74 Jawhara FM, 2023, issuance of a committal warrant against Mohamed Ben Salem, March 8, Last access 02/06/2024 <https://www.jawharafm.net/ar/article/%D8%A7%D8%B5%D8%AF%D8%A7%D8%B1-%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A7%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D9%85%D8%AD%D9%85%D8%AF-%D8%A8%D9%86-%D8%B3%D8%A7%D9%84%D9%85/92/235389>

75 Mosaic FM, 2023, Liberation of Mohamed Ben Salem, September 25, Last access: 062024/02 <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%A9/1193494/%D8%A7%D9%84%D8%A5%D9%81%D8%B1%D8%A7%D8%AC-%D8%B9%D9%86-%D9%85%D8%AD%D9%85%D8%AF-%D8%A8%D9%86-%D8%B3%D8%A7%D9%84%D9%85>

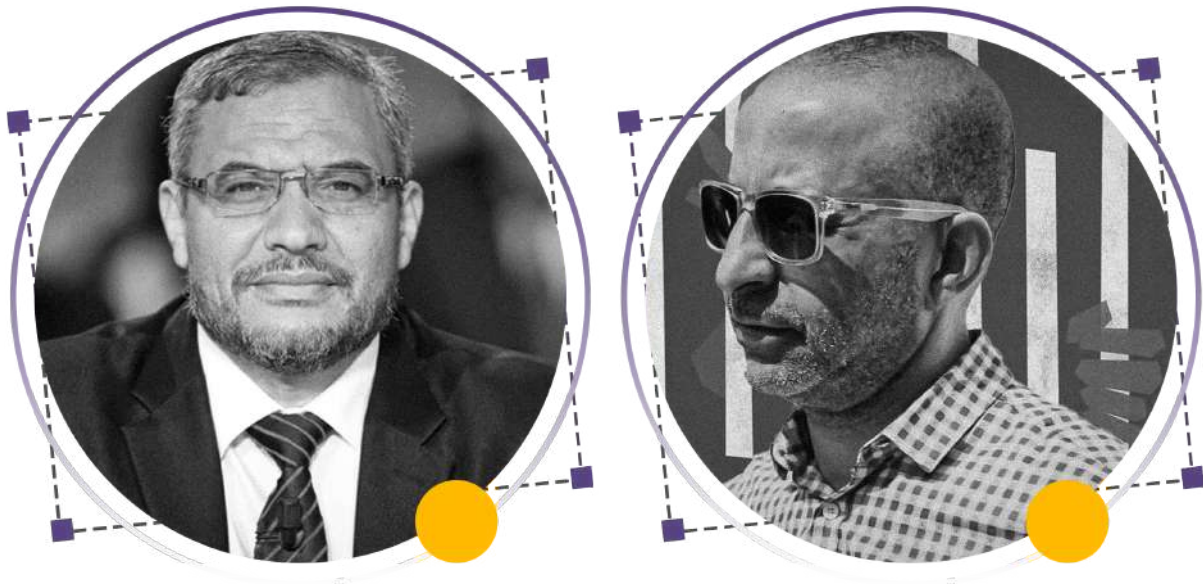


On the evening of February 2023 ,14, the first National Unit for the investigation of terrorism crimes and crimes against the integrity of the national territory in Bouchoucha arrested the former deputy and head of the Soliman Sports Future association Walid Jalled after a raid on his home⁷⁶, following a warrant issued by the public prosecutor to the Tribunal of First Instance of Tunis. Walid Jalled was arrested as part of an investigation carried out against him by the investigating judge of the Financial Judicial Unit.

On February 2023 ,22, the first investigating judge of the Financial Judicial Pole issued a detention warrant against Walid Jalled, according to the statement by Ridha Belhadj to the media, in relation to charges of money laundering⁷⁷.

76 Jawhara FM , 2023, Arrest of Walid Jalled, February 14, Last access: 02/07/2024, <https://www.jawharafm.net/ar/article/%D8%A5%D9%8A%D9%82%D8%A7%D9%81-%D9%88%D9%84%D9%8A%D8%AF-%D8%AC%D9%84%D8%A7%D9%91%D8%AF-/105/234231>

77 Jawhara FM , 2023, Warrant of committal against Walid Jalled, February 23 Last access: 02/07/2024 <https://www.jawharafm.net/ar/article/%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A8%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%81%D9%8A-%D8%AD%D9%82-%D9%88%D9%84%D9%8A%D8%AF-%D8%A7%D9%84%D8%AC%D9%84%D8%A7%D8%AF/105/234696?fbclid=IwAR28ihRb0UzBU9lJXab3SRfxgDyWJm0NTzby4hG-RRcqZZBggcUf0kW9kjs>



Sahbi Atig and Moncef Amdouni in prison for a case in which the judiciary ruled more than 9 years ago.

The arrest of Sahbi Atig, politician and leader of the Ennahdha party, is linked to another case dating from 2015 in which he was not involved. Moncef Amdouni, an employee of the Ennahdha party, was arrested by internal security forces at the police station on May 2023 ,5 without any legal justification. He faces numerous charges, including the formation of a criminal association with a view to laundering money using facilities due to professional and social activity, illegal possession of foreign currencies, fake testimony in the crime of entering into an agreement to launder money, deliberately concealing evidence and participating in all of these acts. He was arrested as part of articles 97/96/94/93/92 of Organic Law No. 26-2015, Articles 36 ,35 ,22 ,6 and 37 of Law No. 18-1976 of January 1976 ,21 and Articles 241 ,158 ,57 ,56 ,32 and 244 of the Penal Code. The reason for the arrest turned out to be a written complaint

from a person who had burglarized the victim's house. The incident dates back to 2015, when Moncef Amdouni's house was broken into and a sum of money in foreign currency was found slightly higher than the maximum limit allowed by law. According to Moncef Amdouni's wife ⁷⁸, the origin of the money has been proven and it belongs to a relative living abroad. The victim's lawyer also confirmed in his testimony to the IARF that the case was handled by the courts and that a judgment was rendered against the two burglars, while the charges against Moncef Amdouni were dropped after he resolved the issue by submitting a reconciliation request, the matter inherently related to customs.

However, in 2023, police forces arrested the same young man who had stolen in 2015, but in a different case related to his possession of a narcotic substance. Lawyer Mohsen Sahbani⁷⁹ said that during the interrogation of the young man, he said that in 2015 he stole a huge amount of money from the house of politician Sahbi Atig, while the house did not belong to him, which was included in the minutes in the above-mentioned case. In addition, justice has already ruled on the case, which means that the presence of Moncef Amdouni in prison with Sahbi Atig is contrary to all legal proceedings. The lawyer also considered that the reason for his client's imprisonment is the lack of charges and evidence against Sahbi Atig, given that the proximity of the two residences and their presence in the same neighborhood were exploited to constitute a case based on false testimonies, without any evidence to imprison Sahbi Atig and relying on a case in which justice had already ruled years ago, in addition to the absence of any evidence to imprison Sahbi Atig. The victim's lawyer was also initially prevented from visiting his client Moncef Amdouni and being present with him during the preliminary investigation, even though he was not covered by the law on terrorism, which prohibits visits by lawyers for 48 hours; when he was questioned about the reason for this ban, he was told that it was «oral instructions». He pointed out that

78 Telephone call with the wife of Moncef Amdouni dated February 21, 2024

79 Interview with the lawyer of the victim, Me Mohsen Sahbani, February 23, 2024

the case is marred by several procedural and legal irregularities, in particular the existence of charges such as «providing false testimony in connection with the offense of forming a criminal association for the purpose of money laundering». They have no legal basis. In addition to other violations against his clients, which makes this case essentially political, especially in the absence of all the guarantees of a fair trial and the extension of the period of detention of the victim without any development in the case or legal justifications for their imprisonment. Sahbi Atig and Moncef Amdouni are serving a prison sentence of almost a year without any justification or development of the case, in the total absence of guarantees of a fair trial and in violation of their right to defense.



Pretrial detention in more than one case and the risk of remaining in prison for years (recycling) without a firm conviction.

The Tunisian legislator has regulated the cases in which people can be detained without a firm trial, namely police custody and pretrial detention. Police custody is a prerogative of law enforcement officers and has a maximum duration of 78 hours for misdemeanors and 96 hours for felonies. Pretrial detention is defined by the legislator in article 84 of the Code of Criminal Proceedings⁸⁰ which stipulates that pretrial detention is an exceptional means which must be taken in accordance with the rules set out in article 85 of the same code, which stipulates

⁸⁰ Code of Criminal Procedure Article 84

that in cases of flagrant crimes or offenses and whenever, due to the existence of serious presumptions, detention seems necessary as a security measure to avoid new offenses, as a guarantee of the execution of the sentence or as a means of ensuring information security.

In this context, although the law stipulates that all necessary corroborations and evidence must be available to arrest people before a judgment is rendered⁸¹, the Tunisian authorities still use pretrial detention as a pretext to imprison groups of politicians opposed to the regime, other activists, journalists and anyone considered hostile to power, in cases, particularly political and opinion-based, which constituted a deterioration of the human rights situation in Tunisia. However, it is customary in regimes of an authoritarian nature that they always resort to the application of custodial measures, even if the case does not require it, because they destabilize the mental state of people and harass them between cell walls and court corridors.

Although there is little hope for freedom, especially in political cases where there is no evidence of guilt, for example, the case known in the media as the conspiracy case, which is punishable by death penalty. However, this remains reasonable in view of the violation of the period of pretrial detention, which expires in April 2024 after the expiration of a period of 14 months since their incarceration, but the danger of keeping them in prison remains possible, especially since many of them are the subject of judicial follow-up in more than one case that the State can exploit in order to keep them in prison. We cite the politician Ghazi Chaouachi and the politician Jaouhar Ben Mbarek⁸², who have been detained since February 2023 in connection with the conspiracy case, because new cases were opened, in January 2024, following a complaint from ISIE against Jaouhar Ben Mbarek in connection with the backdrop of a statement in which

81 Code of Criminal Procedure Article 85

82 From iwan FM, 2024, New cases submitted to justice against Jawhar Ben Mbarak and Ghazi Chaouachi, January 17. Last access: 03/24/2024

<https://diwanfm.net/news/%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9/%D9%85%D9%84%D9%81%D8%A7%D8%AA-%D8%AC%D8%AF%D9%8A%D8%AF%D8%A9-%D8%B6%D8%AF-%D8%AC%D9%88%D9%87%D8%B1-%D9%85%D8%A8%D8%A7%D8%B1%D9%83-%D9%88%D8%BA%D8%A7%D8%B2%D9%8A-%D8%A7%D9%84%D8%B4%D9%88%D8%A7%D8%B4%D9%8A-%D8%A7%D9%85%D8%A7%D9%85-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1>

he said that “the elections held in 2022 are a stage of a farce coup, not a political stage”. The complaint filed by the Minister of Justice against the politician and lawyer Ghazi Chaouachi was also investigated by an investigating judge at the Tribunal of First Instance of Tunis, who concluded the investigation and referred Chaouachi to the indictment chamber of the court of appeal of Tunis, in accordance with the provisions of decree 54.

In addition, the accumulation of charges and the diversification of cases and complaints against opponents has become a welcome habit of the Tunisian state to target political opponents and other people considered guilty in the eyes of the executive power in the absence of any evidence or proofs requiring their imprisonment for such a long period of time. In addition to political detainees, other people risk remaining in prison because their names are linked to several cases. Politician Abir Moussi⁸³, who is in prison in connection with a case dating from October 2023, is accused of intentionally causing disorder on Tunisian soil, disrupting freedom of work and processing personal data without the consent of owners. Moreover, she is the subject of several other cases, including a complaint from ISIE, which accuses her of having rigged the elections, and another complaint from the Tunisian General Labor Union, which accuses her and a group of her supporters of breaking into the organization’s headquarters and assaulting its employees.

Former judge Bechir Akremi⁸⁴, who was the subject of three detention warrants in different cases, the first of which was issued on March 2023 ,10 by the investigating judge of the Judicial Counter-Terrorism Pole, the second by the Head of the investigating judges at the Tribunal of First Instance of Tunis on July 2023 ,24, and the third by the investigating judge of the Tribunal of First Instance of Tunis on February 2024 ,22. All

83 Telephone call with the lawyer of the victim Abir Moussi, Me. Nafâa Laribi, dated February 2024

84 Kapitalis News, 2024, Tunisia: Third committal warrant against ousted judge Bechir Akremi, February 22, last access: 03/25/2024

<https://kapitalis.com/anbaa-tounes/2024/02/22/%D8%AA%D9%88%D9%86%D8%B3-%D8%A8%D8%B7%D8%A7%D9%82%D8%A9-%D8%A7%D9%8A%D8%AF%D8%A7%D8%B9-%D8%AB%D8%A7%D9%84%D8%AB%D8%A9-%D9%81%D9%8A-%D8%AD%D9%82-%D8%A7%D9%84%D9%82%D8%A7%D8%B6%D9%8A-%D8%A7%D9%84%D9%85/>

this in the absence of guarantees of a fair trial and by keeping him in prison without presenting him for investigation and without any development of the cases against him. This leads us to the conclusion that the state uses pretrial detention to keep people in prison for no other purpose. What increases the fears of those arrested is the loss of freedom and being kept in prison for years without a court decision. With the end of their detention in one case without conviction, they must be released according to the law, but it is possible that they will be imprisoned again in a second case, or he may be sent to prison again. In comparative experiences such as the Egyptian experience, there is talk of «case rotation»⁸⁵, which, in the Tunisian dialect, corresponds to the word «recycling», which has different meanings, including the release of people at the end of their period of pretrial detention, for a short period, then the issuance of a detention warrant for new cases which do not differ from the previous ones while the second method consists of issuing detention warrants in more than one case to different periods, which increases the length of detention. Such decisions are generally based on unconvincing and unfounded justifications. This is a flagrant violation of international law⁸⁶ and a serious violation of human rights, in particular Article 9 of the Universal Declaration of Human Rights, which states: “No one may be subject to arbitrary arrest, detention or exile.” The United Nations principles and guidelines on access to legal assistance in criminal justice systems also provide for the monitoring and enforcement of time limits for pretrial detention in police custody cells or other detention centers used by police, for example, by ordering judicial authorities to regularly review pretrial detention records in detention centers⁸⁷ to ensure that pretrial detention cases are

85 Sinai Foundation for Human Rights, 2024, Human rights organizations: The judiciary must stop the «recycling» of opponents in new cases after the end of their periods of detention, February 5, last access, 03/25/2024

<https://sinaifhr.org/show/327>

86 United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems

https://www.unodc.org/documents/justice-and-prison-reform/UN_principles_and_guidelines_on_access_to_legal_aid-A.pdf

87 Guidelines on conditions of arrest, police custody and preventive detention in Africa

[conditions-of-arrest-police-custody-and-pre-trial-detention-in-africa-luanda-guidelines-trainee-manual.pdf](https://www.apcof.org/conditions-of-arrest-police-custody-and-pre-trial-detention-in-africa-luanda-guidelines-trainee-manual.pdf) (apcof.org)

legal, processed in a timely manner and that the conditions of detention in such cases comply with relevant legal standards, including international standards.

Human rights violations during political arrests

The campaign of political arrests in Tunisia, which began in February 2023 and continued throughout the year, resulted in a series of flagrant violations of human rights and fundamental freedoms, demonstrating an alarming decline in the Tunisian state's compliance with its obligations under international law. These violations go beyond the simple deprivation of liberty of individuals, to include illegal practices during arrest and detention, restriction of the right to defense and manipulation of judicial proceedings, with a clear absence of guarantees of a fair trial.

First: Violations during detention:

Interrogation without the presence of a lawyer: Many detainees were deprived of their right to contact a lawyer during the period of police custody, in violation of their right to defense, guaranteed by article 14 of the International Covenant on civil and political rights. In the conspiracy case, the following people were questioned:

Ghazi Chaouachi: He was questioned without the presence of his lawyer, about his relations with Khayam Turki and his intention to participate in the overthrow of the regime.

Issam Chebbi: He was questioned without the presence of his lawyer, on the extent of his knowledge of a plot aimed at overthrowing the regime.

Second: Violations of judicial procedures:

Extension of the period of detention: The period of police custody of many detainees has been extended without clear legal justification, in violation of their right to liberty, guaranteed by article 9 of the International Covenant on Civil and Political Rights.

Issuance of detention warrants without sufficient evidence: Many detainees have been subjected to detention warrants

without solid proof of their involvement in the crimes attributed to them, in violation of their right to the presumption of innocence, guaranteed by Article 14 of the International Covenant on Civil and Political Rights.

Rejection of requests for release: Requests for release submitted by lawyers of political detainees have been repeatedly rejected, without convincing legal justification, which constitutes a violation of their right to freedom. For example, the following release requests were rejected:

Issam Chebbi: All requests for release presented by his defense have been rejected, the last time in April 2024.

Jaouhar Ben Mbarek: His release was denied on March ,30 2023, the file having been returned to the investigating judge to complete his inquisitorial work on the file.

Khayam Turki: All requests for release presented by his defense have been rejected.

Abdelhamid Jelassi: Rejection of release on November 2023 ,30.

Ridha Belhaj: All requests for release presented by his defense committee have been rejected.

Ghazi Chaouachi: All requests for release presented by his defense team were rejected.

Procrastination in legal proceedings: The cases of many political detainees have been marked by procrastination and delays in legal proceedings, in violation of their right to a trial within a reasonable time, guaranteed by article 14 of the International Covenant on civil and political rights.

For example:

Ghazi Chaouachi: He has been imprisoned since February 2023 without having been tried and without his case having been examined by the courts.

Ridha Belhaj: He has been imprisoned since February 2023 without being tried and without his case being examined by the courts.

Resort to military justice: Some civilians, like Chaima Issa, were brought before military courts, in violation of their right to be tried by a competent civilian court, guaranteed by article 14 of

the International Covenant on Civil and Political Rights.

Third: Rights violations during detention:

Detention in difficult conditions: Some political detainees suffer from difficult detention conditions, such as overcrowding, malnutrition and lack of medical care. These conditions are contrary to the United Nations Standard Minimum Rules for the Treatment of Prisoners.

Denial of visits: Some detainees have been deprived of their right to receive visits from family members and lawyers, without clear legal justification, in violation of their right to communicate with the outside world, guaranteed by the Rules minimum standards for the treatment of United Nations detainees.

Fourth: Post-release rights violations:

Travel bans: Some people have been prevented from traveling after their release, without a justified judicial decision, in violation of their right to freedom of movement, guaranteed by article 12 of the International Covenant on Civil and Political Rights.

For example:

Zied Ghannay: He was prevented from leaving the territory of the Tunisian Republic.

Privacy Restrictions: Some of those released were subjected to surveillance and restrictions on their privacy by controlling their communications and movements, in violation of their right to privacy, guaranteed by article 17 of the Covenant international law relating to civil and political rights.

Fifth: Recycling:

The events described in the report indicate that the Tunisian authorities are resorting to the so-called «recycling», i.e. the accumulation of charges. Indeed, many political and opposition figures are the subject of multiple charges in different cases, increasing the risk of remaining in prison for long periods without trial, in violation of their right to a fair and fast trial.

Statistics

Total political arrests

since February 2023 until June 2024

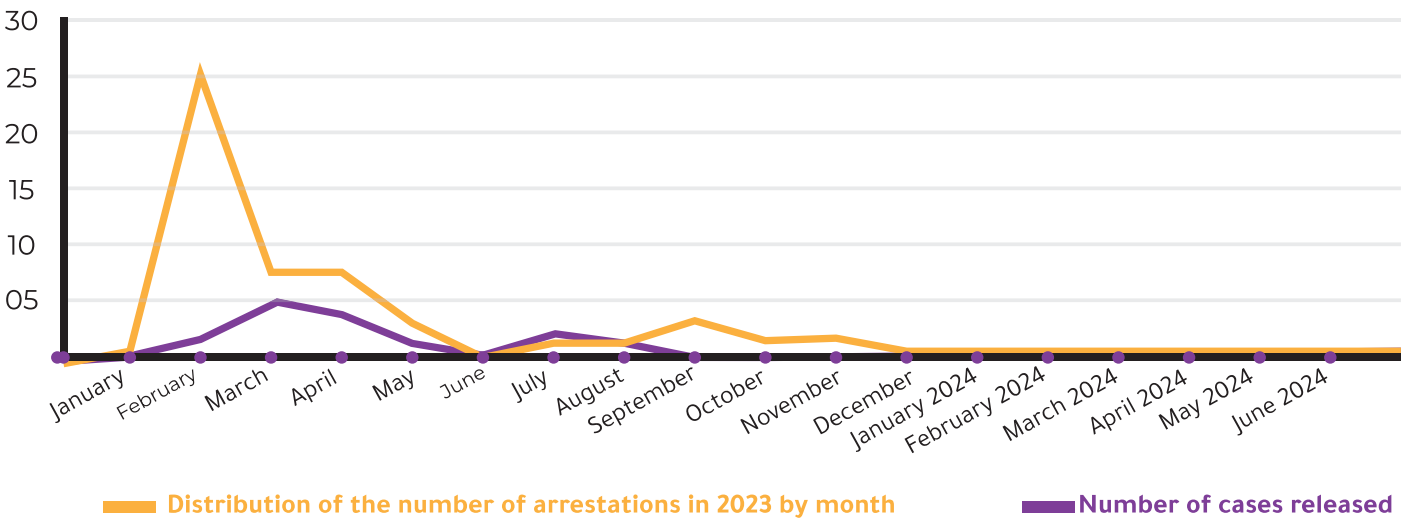
10 imprisonment in the conspiracy case

released **14**

imprisonment **26**

03 Release with residence requirement

Distribution of detentions by duration:



Detainees in conspiracy case

Days of detention were counted until June 30, 2024



Lazhar Akremi

151 days of detention

Release



Ghazi Chaouachi

493 days of detention

Incarceration



Issam Chebbi

495 days of detention

Incarceration



Chaïma Issa

142 days of detention

Release



Ridha Belhaj

493 days of detention

Incarceration



Jaouher Ben Mbarek

493 days of detention

Incarceration



Abdelhamid Jelassi

506 days of detention

Incarceration



Khayam Turki

506 days of detention

Incarceration

Conclusion

The wave of political arrests in Tunisia marks a pivotal moment in the country's evolving political landscape since July 2021 ,25. These arrests, which began in early February 2023 and reached their peak with the detention of political leaders involved in the so-called «conspiracy case”, continued well into 2024. The arrests targeted numerous politicians from various ideological backgrounds, many of whom were imprisoned for their political activism and opposition to the current regime. The «conspiracy case”, which led to the arrest of eight politicians, two of whom were eventually released while the others remain in detention, opened the door to widespread violations against anyone identified as an opposition figure. The authorities have leveraged all available means and legal tools to suppress political freedoms, including the terrorism law, Decree No. 54, and other restrictive measures like travel bans and media censorship. For instance, former MP Ziad Ghannay was prohibited from traveling and leaving Tunisia simply for fulfilling his duties as an elected representative. The arrest of Abir Moussi, leader of the Free Destourian Party and a formidable contender in electoral politics. Abir Moussi has been imprisoned since October 2023. The report also highlights the campaign of arrests targeting Ennahdha leaders, including a one-year prison sentence handed down to Rached Ghannouchi, while other detainees await their verdicts. Judges Bechir Akremi and Taieb Rached, detained since February 2023, are among the high-profile figures arrested in connection with their former roles within the state. Besides, former state officials from various political orientations have been arrested on charges stemming from common law cases. Amid this wave of arrests, the case of politician Sahbi Atig stands out, as he was imprisoned in total disregard of legal proceedings for his alleged involvement in a case that was adjudicated over nine years ago.

The report underscores the state's arbitrary use of pretrial

detention against political prisoners, keeping them incarcerated without trial, conviction, or even proper investigation, while consistently rejecting all requests for release. Some detainees, like politicians Jaouhar Ben Mbarek and Ghazi Chaouachi, face additional charges related to freedom of opinion and expression under Decree No. 54, despite their initial arrest in the conspiracy case. Similarly, Abir Moussi faces multiple legal challenges, and Magistrate Bechir Akremi is subject to three detention warrants, highlighting the state's intention to imprison dissidents while preemptively condemning them through official press releases and speeches by the President of the Republic. This conduct represents a blatant violation of citizens' rights to a fair trial and equality before the law.

The report records 46 cases of arrests involving politicians, former officials, and businessmen, with 23 individuals remaining imprisoned since the beginning of the year, compared to 14 who have been released. The campaign, which has included a travel ban since July 2023, was most intense in February, with 25 arrests and detentions, followed by six in March, six in April, one in May, none in June, one in July, and one in August. There were no arrests in September, one in October, and one in November, and none in December.

The number of arrests continues to rise each month, leading to an increasingly desolate and regressive political scene in Tunisia, reminiscent of the pre-revolution years before January 2011. This erosion of political freedoms and freedom of expression poses severe threats to the human rights situation in Tunisia, which has been steadily declining for years.

Recommendations

In light of the serious human rights violations and repressive political arrests detailed in this report, the IARF urges the Tunisian authorities to take immediate and decisive action to end these abuses and uphold human rights and fundamental democratic principles in the country.

The association provides the following recommendations:

First. To the Tunisian authorities.

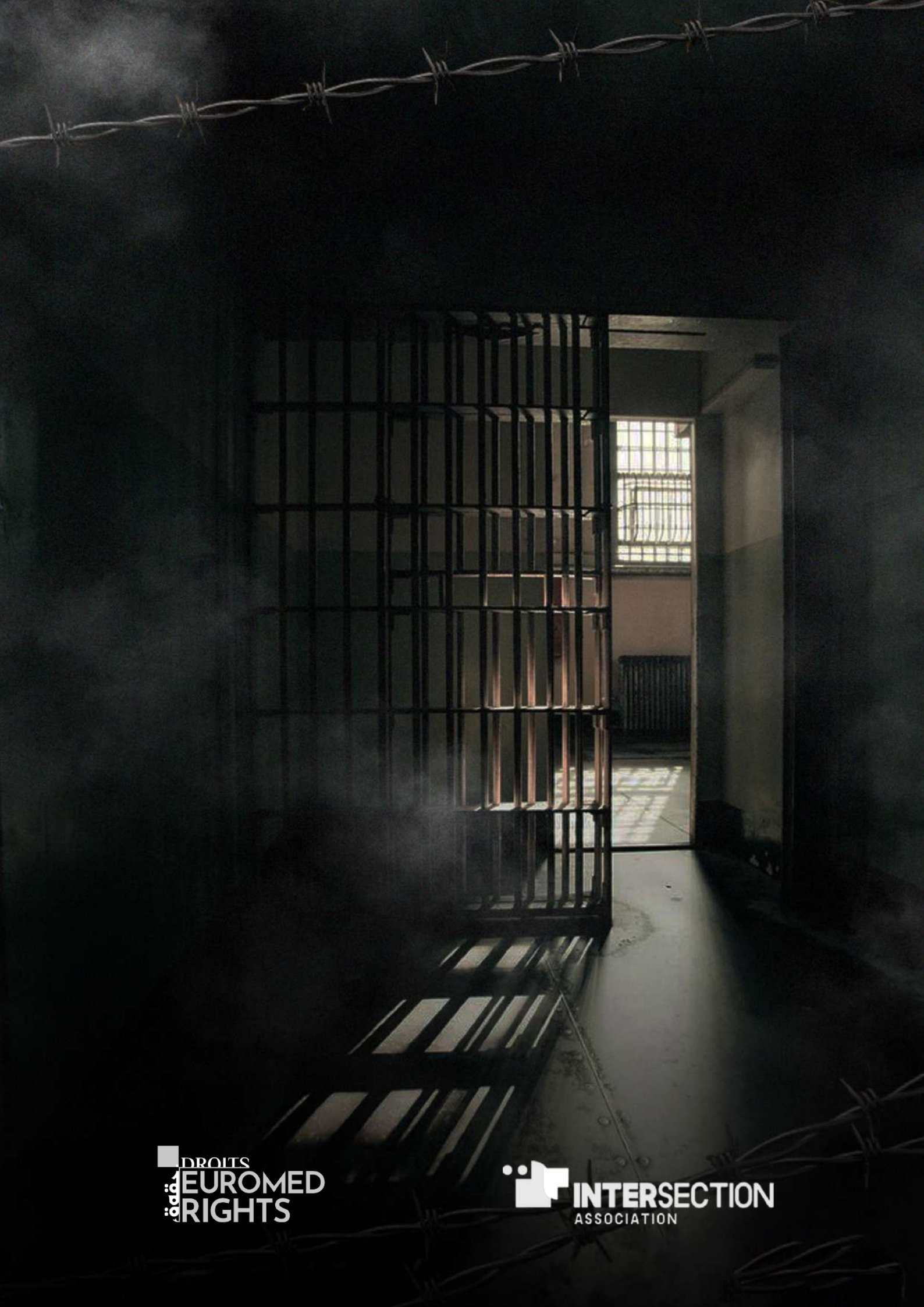
- Immediately and unconditionally release all political detainees and dismiss all politically motivated charges against them.
- Cease the misuse of pretrial detention as a tool to suppress opposition, and release all individuals detained without sufficient evidence of criminal activity.
- Ensure the independence of the judiciary and safeguard judges from external pressures and interference from the executive power.
- Respect freedom of opinion, expression, and peaceful assembly, and stop the prosecution of activists and opponents for their peaceful activities.
- Reform restrictive legislation, such as the Counter-terrorism Law and Decree No. 54, to align with international human rights standards.

Second. To the international community.

- Exert pressure on Tunisian authorities to halt political arrests and release all detainees.
- Support civil society in Tunisia, especially human rights organizations that document violations and advocate for victims.
- Dispatch fact-finding missions to Tunisia to assess the human rights situation and ensure that the authorities fulfill their international obligations.

Third. To Tunisian civil society.

- Intensify efforts to document violations, including cases of political detention and other serious human rights abuses.
- Raise public awareness of such violations and express solidarity with the victims and their families.
- Collaborate with international human rights organizations by providing essential information for investigating cases of abuse.
- Conduct education and awareness campaigns on human rights, democracy, and citizenship.



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