



Compulsory Silence

Semi-Annual Monitoring Report on Violations
of Freedom of Opinion and Expression

July - December 2024

Compulsory Silence

Semi-Annual Monitoring Report on Violations of Freedom of Opinion and Expression

July – December 2024



جمعية المساءلة الاجتماعية
Social Accountability Association
من حقّي نساءك



نقاط
جمعية

Published by
Observatory of Violations of Freedom of Opinion and
Expression

info@ovfoe.org

www.ovfoe.org

This report is supported by



**FRIEDRICH NAUMANN
STIFTUNG** Für die Freiheit.

Tunisia and Libya



February 2025

Contents

Executive Summary.....6

Introduction:.....7

Methodology.....10

July 2024.....11

August 2024.....16

September 2024.....20

October 2024.....24

November 2024.....29

December 2024.....31

Human Rights Violations.....34

Statistics.....37

.Conclusion:.....40

Recommendations.....42



Executive Summary

This report highlights the continued deterioration of freedom of opinion and expression in Tunisia during the second half of 2024. This decline results from the repressive policies adopted by the Tunisian authorities to silence and exclude those who oppose or criticize them through digital platforms.

The Observatory of Violations of Freedom of Opinion and Expression monitored and documented 31 cases of violations targeting trade unionists, students, influencers on the TikTok platform, bloggers, and ordinary citizens for expressing their opinions peacefully.

The persistent targeting of critical voices by the Tunisian authorities demonstrates a systematic pattern aimed at reducing the space for free expression in digital spaces. The judicial system continues to rely on broadly worded laws that allow wide interpretations, facilitating the criminalization of peaceful expression.



Introduction:

During the second half of 2024, from July to October, Tunisia witnessed a presidential election period marked by an escalation in violations targeting civil and political rights. Many candidates faced judicial harassment, legal proceedings, and harsh sentences, including imprisonment and lifetime bans from running for office.

The electoral context, instead of fostering a space for the exchange of ideas and diverse viewpoints on presidential candidates, was overshadowed by an environment of fear and intimidation among voters, driven by the very institutions responsible for overseeing free and fair elections.

On October 8, 2024, following the official announcement of the presidential election results, the Independent High Authority for Elections (ISIE) issued a statement

declaring that “any accusation of election fraud or vote-rigging, whether explicit or implied, will be legally documented and referred to the Public Prosecution under charges of disseminating false information and making unsubstantiated allegations against a public official.”¹ This statement constituted a direct and explicit threat to voters’ right to express their opinions regarding the performance of the ISIE, amounting to a blatant violation of the constitutional right to freedom of opinion and expression. The right to freedom of opinion and expression is a fundamental pillar of democratic governance that upholds human rights and freedoms. Its protection has been reinforced through its enshrinement in various international and regional human rights instruments. It is important to note that states that have ratified these international and regional agreements are legally obligated to respect and uphold the human rights principles they contain and to establish a legal framework that guarantees the exercise of these rights.

Despite repeated calls from civil society organizations, political parties, and trade unions to repeal Decree No.54 of 2022, initially introduced to combat cybercrime, the Tunisian judiciary continues to rely on its provisions, particularly Article 24, which prescribes prison sentences of

Jawhara FM, “Election Authority: ‘Any Accusation of Fraud or Vote Rigging Will Be Referred to the Public Prosecution,’” October 8, 2024. Last accessed: November 30, 2024. <https://radioexpressfm.com/ar/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1/%D9%87%D9%8A%D8%A6%D8%A9-%D8%A7%D9%84%D8%A7%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D9%83%D9%84-%D8%A7%D8%AA%D9%87%D8%A7%D9%85-%D8%A8%D8%AA%D8%AF%D9%84-%D9%8A%D8%B3-%D8%A3%D9%88-%D8%AA%D8%B2>

up to five years and fines of up to 50,000 dinars for anyone who “deliberately uses information and communication systems to spread false information, rumors, or fabricated documents in a way that violates the rights of others, threatens public security, or incites panic among the population.” These penalties are doubled if the target is a public official or a person of similar status.

The Tunisian authorities continued throughout the second half of 2024 to weaponize the judiciary against those who criticize political, economic, or social conditions in Tunisia or express dissent toward the current regime’s policies. This systematic repression has targeted trade unionists, students, bloggers, and ordinary citizens for their peaceful expression of opinions.

The crackdown on freedom of expression in Tunisia remains an ongoing and escalating crisis. Critical social media posts about the country’s political and social conditions continue to result in arrests, and the return of rap lyrics as a form of protest against repression has led to the judicial persecution of artists.



Methodology

In preparing this report, the Observatory of Violations of Freedom of Opinion and Expression monitored and documented arrests and prosecutions that took place between July 1, 2024, and December 31, 2024. The Observatory relied on sources such as statements from victims' lawyers in radio interviews, press articles, and case documentation compiled by Intersection Association for Rights and Freedoms.

To obtain updates on cases involving journalists, media professionals, and bloggers, the Observatory directly engaged with lawyers handling these cases. This report seeks to shed light on a set of laws that conflict with the right to freedom of opinion and expression. For reference, the Observatory of Violations of Freedom of Opinion and Expression was unable to obtain some information regarding certain cases and legal proceedings.



July 2024

📍 Breakdown by Governorates

01 in Siliana **01** in Kebili **02**^(capital) in Tunis

In July 2024, the Observatory of Violations of Freedom of Opinion and Expression documented two judicial rulings sentencing individuals to prison in Siliana and Kebili following their arrests in June 2024. One of the individuals, a resident of Siliana, was released by the end of July after a sentence reduction, while the sentences imposed on

media professionals Mourad Zghidi and Borhen Bsaïess, who had been in detention since May 11, 2024, were also reduced.

Alaa Eddine Al-Harrabi

On July 3, 2024, the Kebili Court of First Instance issued a first-instance ruling sentencing Alaa Eddine Al-Harrabi, a university student, to one year in prison with immediate enforcement under Article 24 of Decree Law No. 54 of 2022. This article states that:

“Whoever deliberately uses information and communication networks to produce, promote, publish, transmit, or prepare false news, statements, or rumors, or fabricated or falsified documents attributed falsely to others with the intention of violating others’ rights, harming public security, national defense, or inciting panic among the population shall be punished with five years’ imprisonment and a fine of 50,000 dinars. The penalty is doubled if the targeted person is a public official or a person of similar status.”

Alaa Eddine Al-Harrabi was arrested on June 26, 2024, following a Facebook post in which he expressed his opinion on the general situation in Tunisia.²

Observatory of Violations of Freedom of Opinion and Expression, Semi-Annual	2
Report on Violations of Freedom of Opinion and Expression, "Stifling Voices", July 2024.	

Last accessed: November 30, 2024

https://intersection.uno/wp-content/uploads/2024/07/%D8%AA%D9%83%D9%85%D9%8A%D9%85-%D8%A7%D9%84%D8%A3%D9%81%D9%88%D8%A7%D9%87-%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D9%86%D8%B5%D9%81-%D8%B-3%D9%86%D9%88%D9%8A-%D8%AD%D9%88%D9%84-%D8%A7%D9%84%D8%B%85%D9%86%D8%AA%D9%87%D8%A7%D9%83%D8%A7%D8%AA-%D8%A7%

Fayçal Al-Abidi

On July 4, 2024, the Siliana Court of First Instance issued a ruling sentencing Fayçal Al-Abidi to prison under Article 24 of Decree Law No. 54 of 2022, which criminalizes offenses related to cybercrimes and digital communications.³

On July 25, 2024, coinciding with Tunisia's Republic Day, Fayçal Al-Abidi was released under a presidential pardon.⁴ For reference, Fayçal Al-Abidi was arrested on June 26, 2024, after posting a Facebook comment reacting to statements by the President of the Republic regarding the national contribution to the development of the armed forces.

D9%84%D9%88%D8%A7%D9%82%D8%B9%D8%A9-%D8%B9%D9%84%D9%89-%D8%AD%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%B1%D8%A3%D9%8A-%D9%88%D8%A7%D9%84%D8%AA%D8%B9%D8%A8%D9%8A%D8%B1.pdf
Observatory of Violations of Freedom of Opinion and Expression, Semi-Annual Report on Violations of Freedom of Opinion and Expression, "Stifling Voices", July 2024. 3

.Last accessed: November 30, 2024
<https://intersection.uno/wp-content/uploads/2024/07/%D8%AA%D9%83%D9%85%D9%8A%D9%85-%D8%A7%D9%84%D8%A3%D9%81%D9%88%D8%A7%D9%87-%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D9%86%D8%B5%D9%81-%D8%B-3%D9%86%D9%88%D9%8A-%D8%AD%D9%88%D9%84-%D8%A7%D9%84%D8%A5%D9%86%D8%AA%D9%87%D8%A7%D9%83%D8%A7%D8%AA-%D8%A7%D9%84%D9%88%D8%A7%D9%82%D8%B9%D8%A9-%D8%B9%D9%84%D9%89-%D8%AD%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%B1%D8%A3%D9%8A-%D9%88%D8%A7%D9%84%D8%AA%D8%B9%D8%A8%D9%8A%D8%B1.pdf>

National Radio, "The President Grants a Special Pardon to a Number of Individuals Convicted of Crimes Related to Social Media Posts," July 24, 2024. Last accessed: November 30, 2024 4

<http://www.radiotunisienne.tn/2024/07/24/%d8%b9%d9%81%d9%88-%d8%b1%d8%a6%d8%a7%d8%b3%d9%8a-%d8%ae%d8%a7%d8%b5-%d9%8a%d9%82%d8%b6%d9%8a-%d8%a8%d8%a5%d8%b3%d9%82%d8%a7-%d8%b7-%d8%a7%d9%84%d8%b9%d9%82%d8%a7%d8%a8-%d8%b9%d9%86-%d8%b9%d8%af%d8%af>

Borhen Bsaïess:

On July 26, 2024, the Tunis Court of Appeal reduced the prison sentence of media professional Borhen Bsaïess from one year to eight months.

Previously, the Tunis Court of First Instance had sentenced Borhen Bsaïess to one year in prison under Decree Law No. 54 of 2022. His sentence was divided into two parts. Six months for “deliberately using digital networks to produce, promote, publish, transmit, or prepare false news and rumors with the intent of violating others’ rights and harming public security.” Another six months for “using information systems to publish or spread false news or documents containing inaccurate allegations with the aim of defamation, damaging reputation, or inciting violence against an individual.”⁵

Mourad Zghidi:

On July 30, 2024, the Tunis Court of Appeal also reduced the prison sentence of media professional Mourad Zghidi from one year to eight months.

Previously, the Tunis Court of First Instance had sentenced Mourad Zghidi to one year in prison under Decree Law No. 54 of 2022. His sentence was structured as follows. Six months for “deliberately using digital networks to

Express FM, “Sentence Reduction for Journalist Borhane Bsaïes from One Year to Eight Months in Prison,” July 26, 2024. Last accessed: November 30, 2024 <https://radioexpressfm.com/ar/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1/%D8%AA%D8%AE%D9%81%D9%8A%D9%81-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A9-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D8%A5%D8%B9%D9%84%D8%A7%D9%85%D9%8A-%D8%A8%D8%B1%D9%87%D8%A7%D9%86-%D8%A8%D8%B3%D9%8A%D8%B3>

produce, promote, publish, transmit, or prepare false news and rumors with the intent of violating others' rights and harming public security.” And another six months for “using information systems to publish or spread false news or documents containing inaccurate allegations with the aim of defamation, damaging reputation, or inciting violence against an individual.”⁶

Both Borhen Bsaïess and Mourad Zghidi had been detained since May 11, 2024, and the Public Prosecution issued detention orders against them on May 15, 2024⁷.

Mosaïque FM, “Conviction of Mourad Zoghdi Upheld with Sentence Reduced to Eight Months,” July 30, 2024. Last accessed: November 30, 2024 <https://www.mosaïquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/1297070/%D8%A5%D9%82%D8%B1%D8%A7%D8%B1-%D8%A5%D8%AF%D8%A7%D9%86%D8%A9-%D9%85%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%B2%D8%BA%D9%8A%D8%AF%D9%8A-%D9%85%D8%B9-%D8%A7%D9%84%D8%AD%D8%B7-%D9%85%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A9-%D8%A7%D9%84%D8%B3%D8%AC%D9%86%D9%8A%D8%A9-%D8%A5%D9%84%D9%89-8-%D8%A3%D8%B4%D9%87%D8%B1>

Observatory of Violations of Freedom of Opinion and Expression, Semi-Annual Report on Violations of Freedom of Opinion and Expression, “Stifling Voices”, July 2024. Last accessed: November 30, 2024 <https://intersection.uno/wp-content/uploads/2024/07/%D8%AA%D9%83%D9%85%D9%8A%D9%85-%D8%A7%D9%84%D8%A3%D9%81%D9%88%D8%A7%D9%87-%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D9%86%D8%B5%D9%81-%D8%B3%D9%86%D9%88%D9%8A-%D8%AD%D9%88%D9%84-%D8%A7%D9%84%D8%A5%D9%86%D8%AA%D9%87%D8%A7%D9%83%D8%A7%D8%AA-%D8%A7%D9%84%D9%88%D8%A7%D9%82%D8%B9%D8%A9-%D8%B9%D9%84%D9%89-%D8%AD%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%B1%D8%A3%D9%8A-%D9%88%D8%A7%D9%84%D8%AA%D8%B9%D8%A8%D9%8A%D8%B1.pdf>



August 2024

During August 2024, the Observatory of Violations of Freedom of Opinion and Expression documented the release of university student Alaa Eddine Al-Harrabi, who is originally from Kebili, while also recording new arrests targeting a rapper and a sound engineer from the same governorate for releasing a rap song. Additionally, this month saw the summoning of an activist from Beja over social media posts, as well as the arrest and detention of a trade unionist in Sidi Bouzid.



Breakdown by Governorates

01

Sidi Bouzid

02

in Kebili

01

Beja

Mohamed Khalouli

Mohamed Khalouli is a civil society activist and human rights defender. On August 2, 2024, he received a summons at his home in Beja to appear before the Judicial Police Department in Beja on the same day. As he was not present at home, the head of the investigation unit contacted him directly, informing him that he would be summoned by one of the criminal investigation units in Tunis and must appear for questioning on August 5, 2024.

On August 5, 2024, the investigation focused on seven Facebook posts in which Mohamed Khalouli criticized and analyzed Tunisia's political situation. He was questioned under Article 24 of Decree Law No. 54 of 2022.

At the end of the questioning session, he was released but was issued a summons to appear before the Public Prosecutor on August 7, 2024.

Before the questioning, his lawyer submitted a request to the Public Prosecutor arguing that Article 86 of the

Telecommunications Code should apply instead, as the Facebook posts did not contain false information. Following the hearing, he was kept under judicial supervision and referred to an investigative judge under both Article 24 of Decree Law No. 54 of 2022 and Article 86 of the Telecommunications Code.

Upon completion of the investigation, Mohamed Khalouli was released but was placed under a six-month travel ban. Two weeks later, his case was referred to the Misdemeanor Court under Article 86 of the Telecommunications Code, pending the scheduling of a trial date.

Two Youths from Kebili

On August 7, 2024, two young men, a sound engineer and a rapper from Kebili, were arrested after releasing a rap song criticizing the general situation in Tunisia.⁸

On the same day, the Public Prosecution at the Kebili Court of First Instance issued detention orders against them based on a music video posted on social media that authorities deemed to contain “statements targeting security institutions.”⁹

Najla Ben Salah, Nawaat, “Due to a Rap Song: Imprisonment, Violence, and the Use of Decree Law No. 54,” August 8, 2024. Last accessed: December 1, 2024. <https://nawaat.org/2024/08/08/%d9%86%d9%88%d8%a7%d8%a9-%d9%81%d9%8a-%d8%af%d9%82%d9%8a%d9%82%d8%a9-%d8%b3%d8%ac%d9%86-%d9%88%d8%aa%d9%87%d9%85-%d8%ae%d8%b7%d9%8a%d8%b1%d8%a9-%d8%a8%d8%b3%d8%a8-%d8%a3%d8%ba%d9%86%d9%8a%d8%a9>

Mosaique FM, “Rap Artist and Sound Engineer Imprisoned Under Decree Law No. 54,” August 8, 2024. Last accessed: November 28, 2024. <https://www.mosaiquefm.net/ar/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%AA%D9%88%D9%86%D8%B3-%D8%AC%D9%87%D8%A7%D8%AA/1300199/%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D9%85%D8%BA%D9%86%D9%8A-%D8%B1%D8%A7%D8%A8-%D9%88%D8%AA%D9%82%D9%86%D9%8A->

On August 14, 2024, the Kebili Court of First Instance issued two judicial rulings. The first ruling acquitted the sound engineer, dismissing the charges. The second ruling sentenced the rapper to three months in prison, with the sentence suspended.

Alaa Eddine Al-Harrabi

On August 9, 2024, Alaa Eddine Al-Harrabi, a student at the Higher Institute of Computer Science in Mahdia, was released following a judicial ruling by the Kebili Court of First Instance that had initially sentenced him to one year in prison with immediate enforcement on July 3, 2024.

Trade Unionist from Sidi Bouzid

On August 14, 2024, a trade unionist from Sidi Bouzid was arrested after receiving a summons to appear at a police station. After appearing before the Investigative Judge on August 15, 2024, the Sidi Bouzid Court of First Instance issued a detention order against him on the same day.¹⁰ The trade unionist's arrest was based on social media posts he had made after the President of the Republic visited Sidi Bouzid as part of the electoral campaign. He was charged under Decree Law No. 54 of 2022, which

%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%88%D9%81%D9%82-%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85-54
Tunisie Focus, "Sidi Bouzid: Detention Order Issued Against Activist
Slimane Rouissi," August 15, 2024. Last accessed: November 28, 2024. <https://www.tunisiefocus.com/%d8%b9%d8%b1%d8%a8%d9%8a/%d8%b3%d9%8a%d8%af%d9%8a-%d8%a8%d9%88%d8%b2%d9%8a%d8%af-%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%84-301162>
19

criminalizes offenses related to cybercrimes and digital communications.

According to a post he published on his social media account, he was released on August 23, 2024.

September 2024



Breakdown by Governorates

04

in Sfax

01

in Kasserine

01

in Gabes

01

in Medenine

During September 2024, the Observatory of Violations of Freedom of Opinion and Expression documented arrests and judicial proceedings targeting students, activists, and teachers. The majority of these cases were linked to social media activity and peaceful protests.

Two Activists from Jebiniana

On September 17, 2024, two bloggers from Jebiniana (Sfax Governorate) were arrested by security forces while documenting social unrest in the region. They were held in custody for five days, during which their mobile phones

were confiscated and subjected to forensic examination. The authorities charged them under Article 24 of Decree Law No. 54 of 2022, which criminalizes “the dissemination of false news or rumors”.

Dhiaa Hamdi and Adam Hammami

On September 21, 2024, Dhiaa Hamdi and Adam Hammami, two students from Sfax, were arrested at dawn over their activism in support of the Palestinian cause, after writing “Boycott, Do Not Fund Genocide” on advertising billboards.

During their detention, they were interrogated without legal representation, while authorities searched their homes and confiscated Dhiaa Hamdi’s phone for forensic analysis¹¹. The investigation later expanded when police discovered a screenshot of a mural by detained artist Rachad Tamboura, leading to a new summons for questioning on October 16, 2024¹².

Kais Al-Nasiri

On September 23, 2024, Kais Al-Nasiri, a secondary school teacher from Kasserine, was arrested by the judicial police in Sbiba for Facebook posts critical of Tunisia’s political

Intersection Association for Rights and Freedoms, “Violation Case of Dhiaa Hamdi,” Freedom Faces Platform, October 31, 2024. Last accessed: November 29, 2024. <https://intersection.uno/freedom-faces/%d8%a2%d8%af%d9%85-%d9%87%d9%85%d8%a7%d9%85%d9%8a-adem-hammami>

Intersection Association for Rights and Freedoms, “Violation Case of Dhiaa Hamdi,” Freedom Faces Platform, October 30, 2024. Last accessed: December 1, 2024. <https://intersection.uno/freedom-faces/%d8%b6%d9%8a%d8%a7%d8%a1-%d8%ad%d9%85%d8%af%d9%8a-dhia-hamdi>

situation. He was accused of insulting the President of the Republic and was referred to the Judicial Pole for Counterterrorism in Tunis, where the authorities reclassified his charges under terrorism-related offenses. After five days of pretrial detention, the Public Prosecution extended his detention for an additional five days to complete the investigation. His case was later transferred to the Misdemeanor Court in Kasserine, where a hearing was scheduled for January 8, 2025.¹³

Mawada Jemai

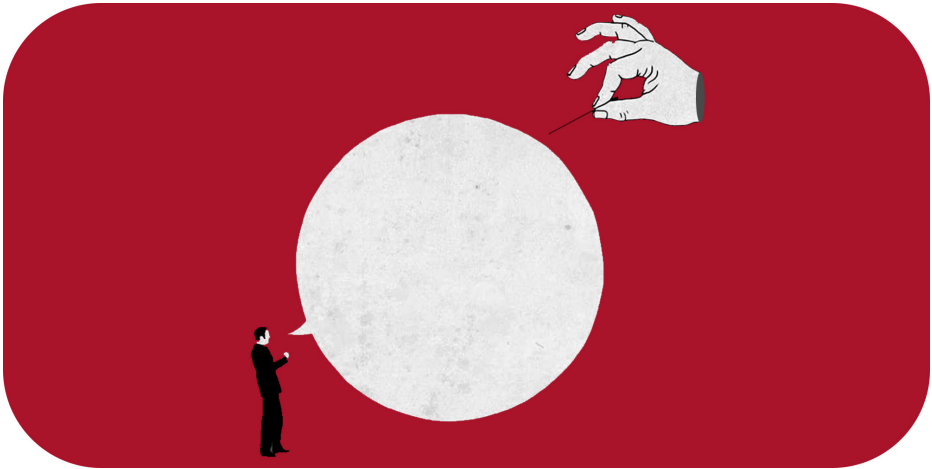
On September 24, 2024, Mawada Jemai, a university student and activist, was arrested for her participation in a peaceful protest and her critical posts on social media. She was apprehended by two plainclothes officers outside a gym, who identified themselves as security personnel and forcibly took her to the National Guard headquarters, where she was subjected to verbal abuse during interrogation. The Public Prosecution ordered her detention in Gabes Civil Prison, where she spent one night in custody before appearing in court the next day. On September 25, 2024, she was released pending trial, and a hearing was scheduled for a later date.¹⁴

Intersection Association for Rights and Freedoms, "Violation Case of Kais Al-Nasiri," October 23, 2024. Last accessed: November 18, 2024. <https://intersection.uno/freedom-faces/%d9%82%d9%8a%d8%b3-%d8%a7%d9%84%d9%86%d8%b5%d9%8/a%d8%b1%d9%8a>

Intersection Association for Rights and Freedoms, "Violation Case of Mawada Jemai," October 22, 2024. Last accessed: November 18, 2024

Teacher in Djerba

On September 24, 2024, a teacher in Djerba was arrested inside his classroom in front of his students. He was taken by a plainclothes officer to the National Security Office in Houmet Souk, where he was interrogated regarding a protest-related Facebook post. His personal belongings were confiscated, and a formal complaint was filed against him.



October 2024



Breakdown by Governorates

04

cases involving TikTok
content creators

01

(capital)
in Tunis

Noureddine Bhiri

On October 18, 2024, the Tunis Court of First Instance sentenced Noureddine Bhiri to ten years in prison over a social media post allegedly undermining state security¹⁵. His conviction stemmed from a Facebook post made

Jawhara FM, "Noureddine Bhiri Sentenced to 10 Years in Prison," October 18, 2024. Last accessed: November 29, 2024

<https://www.jawharafm.net/ar/article/%D8%A7%D9%84%D8%AD%D9%83%D9%85-%D8%B9%D9%84%D9%89-%D9%86%D9%88%D8%B1-%D8%A7%D9%84%D8%AF%D9%8A%D9%86-%D8%A7%D9%84%D8%A8%D8%AD%D9%8A%D8%B1%D9%8A-%D8%A8%D9%80-%D8%B3%D9%86%D9%88%D8%A7%D8%AA-%D8%B3%D8%AC%D9%86%D9%8B%D8%A7/105/265443>

following a demonstration by the National Salvation Front¹⁶. He was charged under Article 72 of the Penal Code, which criminalizes: “Intentional acts aimed at altering the structure of the state.” Nouredine Bhiri had previously been interrogated in April 2023 regarding the same post.

Dhiaa Hamdi and Adam Hammami

Following their initial arrest in September 2024, Dhiaa Hamdi and Adam Hammami were summoned for further questioning on October 16, 2024.

Authorities justified the investigation by referencing a screenshot found on Dhiaa Hamdi’s phone depicting a mural painted by the detained artist Rachad Tamboura.

Both students were charged under Article 67 of the Penal Code, which punishes: “Acts of defamation or insults directed at the President of the Republic, with penalties of up to three years imprisonment and a fine of 240 dinars.” They were released pending trial, with a court hearing scheduled for October 31, 2024 at the Bab Bhar Court of First Instance in Sfax. However, the hearing was postponed to a later date.¹⁷

Jawhara FM, “Nouredine Bhiri Sentenced to 10 Years in Prison,” October 18, 2024. Last accessed: November 29, 2024

<https://www.jawharafm.net/ar/article/%D8%A7%D9%84%D8%AD%D9%83%D9%85-%D8%B9%D9%84%D9%89-%D9%86%D9%88%D8%B1-%D8%A7%D9%84%D8%AF%D9%8A%D9%86-%D8%A7%D9%84%D8%A8%D8%AD%D9%8A%D8%B1%D9%8A-%D8%A8%D9%80-10-%D8%B3%D9%86%D9%88%D8%A7%D8%AA-%D8%B3%D8%AC%D9%86%D9%8B%D8%A7/105/265443>

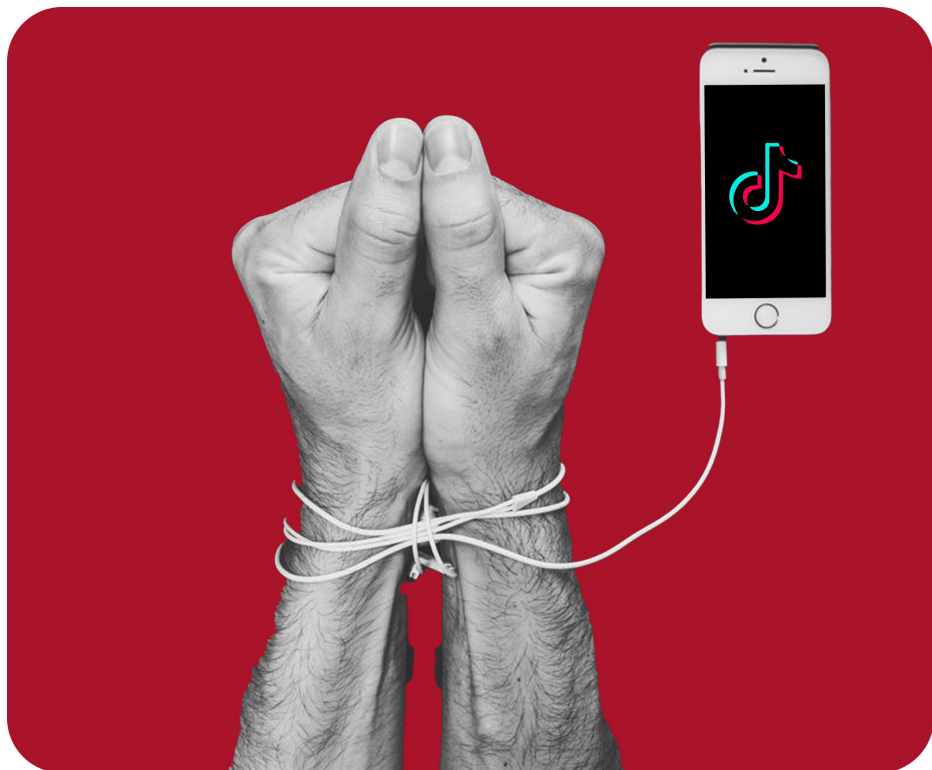
Sonia Dahmani

On October 24, 2024, the Tunis Court of First Instance issued a ruling in the case of lawyer and media commentator Sonia Dahmani, sentencing her to two years in prison¹⁸. The case against her stemmed from a media statement in which she commented on migration issues.

Tuniscope, "Sonia Dahmani Sentenced to Two Years in Prison," October 24, 18

.2024. Last accessed: November 29, 2024

<https://www.tuniscope.com/ar/article/393158/arabe/actu-arabe/sonia-373016#:~:text=%D8%A3%D8%B5%D8%AF%D8%B1%D8%AA%20%D8%A7%D9%84%D8%AF%D8%A7%D8%A6%D8%B1%D8%A9%20%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%AD%D9%8A%D8%A9%20%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%85%D8%A9%20%D8%A7%D9%84%D8%A7%D8%A8%D8%AA%D8%AF%D8%A7%D8%A6%D9%8A%D8%A9%20%D8%A8%D8%AA%D9%88%D9%86%D8%B3%D8%8C%20%D8%A7%D9%84%D9%8A%D9%88%D9%85%20%D8%A7%D9%84%D8%AE%D9%85%D9%8A%D8%B3,%D8%AA%D8%B5%D8%B1%D9%8A%D8%AD%20%D8%A7%D8%B9%D9%84%D8%A7%D9%85%D9%8A%20%D9%81%D9%8A%20%D8%B9%D9%84%D8%A7%D9%82%D8%A9%20%D8%A8%D9%85%D9%84%D9%81%20%D8%A7%D9%84%D9%85%D9%87%D8%A7%D8%AC%D8%B1%D9%8A%D9%86%20%D8%A7%D9%84%D8%A3-%D9%81%D8%A7%D8%B1%D9%82%D8%A9%20%D8%A8%D8%AA%D9%88%D9%86%D8%B3>



TikTok content creators

At the end of October 2024, the Tunisian authorities introduced a new legal basis for further restricting digital freedoms.

On October 27, 2024, the Ministry of Justice issued a statement announcing that the Minister of Justice had instructed the Public Prosecution to take legal action against any online practices deemed detrimental to youth behavior and considered “contrary to public morals, offensive to decency, or inconsistent with societal values.” The statement explicitly cited TikTok and Instagram as

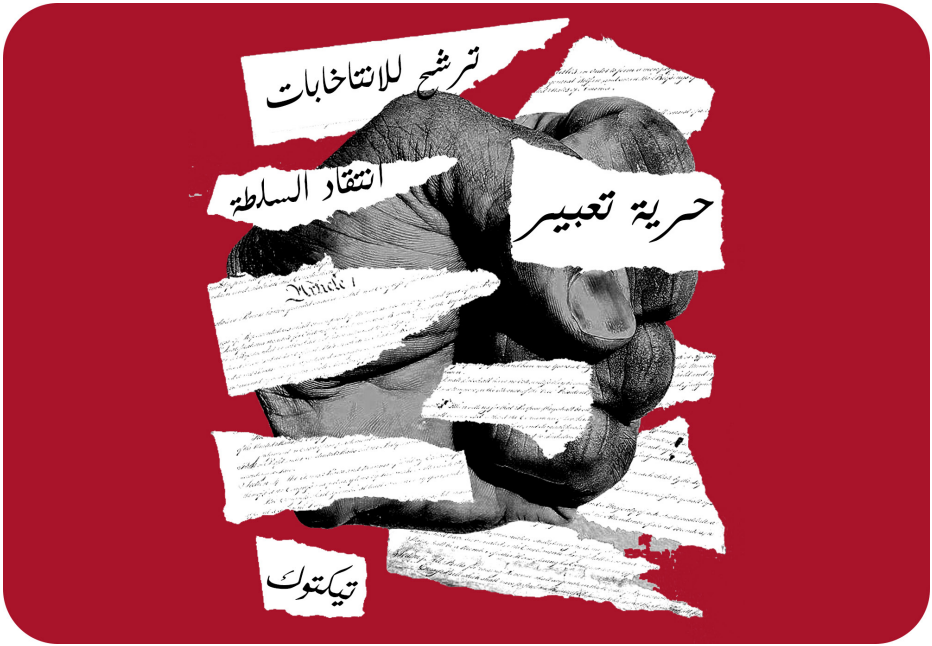
platforms of concern.

Following this directive, Tunisia witnessed a wave of systematic arrests targeting social media influencers, primarily on TikTok and Instagram. The crackdown affected approximately ten individuals, whose legal situations varied between detention orders (mandates de dépôt) issued by the Public Prosecution or arrests for investigation under allegations of “preserving public morals” as defined by the authorities.

On October 28, 2024, the Public Prosecution issued detention orders for approximately seven influencers. The following day, on October 29, 2024, another content creator was also subjected to a detention order. Meanwhile, three others were interrogated but released under judicial supervision

The month ended with a first-instance ruling sentencing a well-known TikToker, known as «Shumoukh,» to four years and six months in prison on charges related to violations of public morals and incitement to debauchery on social media.¹⁹

Fadi Arfaoui, Tunisie Telegraph, “After the Sentencing of Shumoukh: 19
What Did Her Lawyer Say?” October 31, 2024. Last accessed: December 4,
2024. <https://tunisie-telegraph.com/a-la-une/%D8%A8%D8%B9%D8%AF-%D8%B5%D8%AF%D9%88%D8%B1-%D8%A7%D9%84%D8%AD%D9%83%D9%85-%D8%A8%D8%B3%D8%AC%D9%86-%D8%B4%D9%85%D9%88%D8%AE-%D9%85%D8%A7%D8%B0%D8%A7-%D9%82%D8%A7%D9%84%D8%AA-%D9%85%D8%AD%D8%A7>



November 2024

📍 Breakdown by Governorates

01 in Bizerte

01 (capital)
in Tunis

The arrests of TikTok influencers that began in late October 2024 extended into early November, culminating in several prison sentences. On November 5, 2024, the Tunis Court of First Instance issued first-instance rulings against five influencers, sentencing them to prison terms ranging from one and a half years to four and a half years.

A farmer from Bizerte

On November 5, 2024, a court in Bizerte sentenced a resident of the governorate to six months in prison with immediate enforcement for a Facebook post deemed critical of state policies

Lotfi Mraihi

On November 26, 2024, the Tunis Court of Appeal sentenced Lotfi Mraihi, leader of the Republican People's Union party, to six months in prison. This ruling followed an appeal filed by the Public Prosecution against a previous ruling by the Tunis Court of First Instance, which had initially sentenced him to six months in prison with a suspended sentence. Mraihi was convicted under Decree Law No. 54 of 2022 for “spreading false news via information and communication systems”²⁰. His case was linked to videos he had posted on social media discussing political and economic conditions in Tunisia.

Mosaïque FM, “Six-Month Prison Sentence for Lotfi Mraihi,” November 26, 2024. Last accessed: December 4, 2024

<https://www.mosaïquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D9%88%D8%B7%D9%86%D9%8A%D8%A9/1347805/6-%D8%A3%D8%B4%D9%87%D8%B1-%D9%86%D8%A7%D9%81%D8%B0%D8%A9-%D9%81%D9%8A-%D8%AD%D9%82-%D9%84%D8%B7%D9%81%D9%8A-%D8%A7%D9%84%D9%85%D8%B1%D8%A7%D9%8A%D8%AD%D9%8A>



December 2024



Breakdown by Governorates

01

in Sidi Bouzid

01

in Kasserine

Adel (Kasserine)

On December 13, 2024, security forces raided the home of Adel, a resident of Kasserine, and arrested him following a detention order issued by the Public Prosecution in Sbeitla (Kasserine Governorate). During the investigation, authorities accused him of publishing and sharing Facebook videos glorifying armed opposition movements in Syria, along with posts criticizing the political trajectory following the events of July 25, 2021, and calling on

opposition supporters to stage protests to overthrow the regime.

Upon conclusion of the interrogation, authorities ordered his detention until December 16, 2024, after which he was referred to the Judicial Pole for Counterterrorism under the provisions of Articles 49, 51, and 55 of the Code of Criminal Procedure, Article 43 of Organic Law No. 26 of 2015 on Counterterrorism and Anti-Money Laundering, and Article 86 of the Telecommunications Code. The latter states: “Anyone who deliberately harms others or disturbs their peace through public telecommunications networks shall be punished with imprisonment for a period ranging between one and two years and a fine.”

Adel remained in pretrial detention at the Bouchoucha Detention Center from December 16 to December 27, 2024. On December 27, 2024, he appeared before an investigative judge at the Counterterrorism Judicial Pole. During the hearing, his defense lawyer requested an adjournment to review the case, leading the court to postpone proceedings until February 12, 2025. Meanwhile, Adel was released under judicial supervision, with a travel ban imposed against him

21.

.Phone call with the lawyer of the violation victim on January 14, 2024

Activist from Sidi Bouzid

On December 23, 2024, authorities arrested a civil society activist from Sidi Bouzid due to a Facebook post critical of Tunisia's economic and political situation.

On December 25, 2024, he appeared before the Public Prosecutor at the Sidi Bouzid Court of First Instance. After questioning, he was released the same day.

Human Rights Violations

During the last six months of 2024, Tunisia witnessed a deliberate and systematic wave of repression targeting individuals critical of the President's decisions since July 25, 2021. Many Tunisian citizens faced severe violations of their fundamental rights, particularly the right to freedom of opinion and expression, which has significantly deteriorated compared to previous years. Despite being constitutionally protected, this right continues to be undermined by authorities through judicial harassment, arbitrary prosecutions, and restrictive legislation that blatantly violate international human rights standards. What makes the right to freedom of opinion and expression a cornerstone of democratic systems is its guarantee at all levels, allowing individuals to express their views freely without prior censorship. At the international level, Article 19 of the Universal Declaration of Human Rights (UDHR) affirms: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers." This right is classified as a civil and political right, as reaffirmed in Article 19 of the International Covenant on Civil and Political Rights (ICCPR): "Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally,

in writing or in print, in the form of art, or through any other media of their choice.”

At the regional level, Article 9 of the African Charter on Human and Peoples’ Rights guarantees: “Every individual shall have the right to receive information. Every individual shall have the right to express and disseminate his opinions within the law.”

At the constitutional level, Article 37 of the 2022 Tunisian Constitution asserts: “Freedom of opinion, thought, expression, information, and publication shall be guaranteed. Prior censorship on these freedoms is prohibited.”

Despite the enshrinement of this right at the international, regional, and constitutional levels, the legal framework employed to prosecute and persecute the victims documented in this report constitutes a blatant violation of international and regional standards. Moreover, it directly contradicts the Tunisian Constitution, which holds supreme legal authority.

The Tunisian judiciary relies on vague and overly broad legal provisions to suppress dissent, granting judicial authorities excessive discretionary power in interpreting charges. These laws serve as tools of repression to silence opposition voices, intimidate activists, and prosecute journalists and bloggers. Among these legal provisions is Article 67 of the

Tunisian Penal Code, which criminalizes «offending the dignity of the President» and states: “Whoever commits an offense of defamation or insult against the President of the Republic shall be punished by imprisonment for up to three years and a fine of 240 dinars.” Similarly, Article 86 of the Telecommunications Code provides for: “A prison sentence ranging from one to two years and a fine of between 100 and 1,000 dinars for anyone who deliberately harms others or disturbs their peace through public telecommunications networks.” Decree Law No. 54 of 2022, which criminalizes digital expression, has been widely used against journalists, bloggers, and activists. Article 24 of the decree states: “Whoever deliberately uses information and communication networks to produce, promote, publish, transmit, or prepare false news, statements, or rumors, or fabricated or falsified documents attributed falsely to others, with the intention of violating others’ rights, harming public security, national defense, or inciting panic among the population, shall be punished with five years’ imprisonment and a fine of 50,000 dinars. The penalty is doubled if the targeted person is a public official or a person of similar status.”

These broad and imprecise legal texts allow for wide judicial discretion, facilitating their systematic use as tools of suppression against opposition figures, activists, journalists, and bloggers.

This report clearly shows a systematic pattern of violations against freedom of opinion and expression in Tunisia during the second half of 2024. At least 31 cases have been

recorded in which Tunisian authorities targeted journalists, politicians, bloggers, lawyers, and ordinary citizens simply for peacefully expressing their opinions

Statistics

In July 2024, the Observatory of Violations of Freedom of Opinion and Expression published a report²² highlighting opinion trials that took place in Tunisia between January and June 2024. Opinion trials refer to judicial proceedings targeting individuals based on their thoughts and positions critical of the President's policies. The proliferation of such trials is one of the key indicators of democratic decline, as it reflects an authoritarian approach aimed at suppressing human rights, silencing dissent, and eradicating freedom of expression.

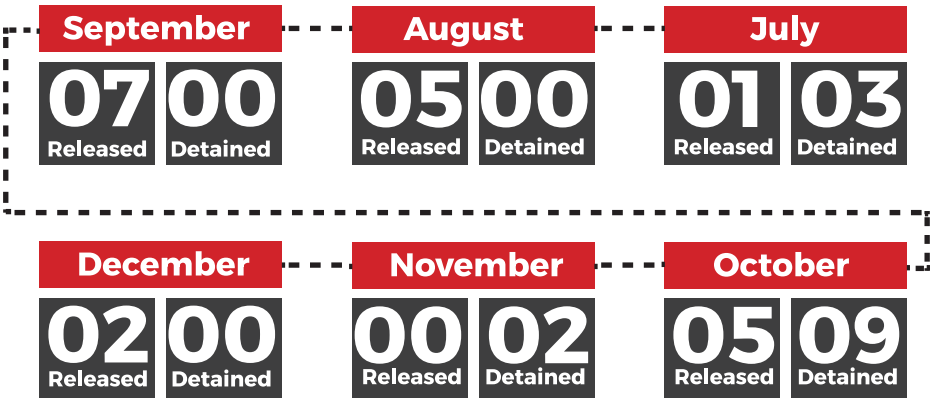
Between January and June 2024, the Observatory documented 25 cases of legal proceedings initiated against individuals for expressing their opinions. These cases included the prosecution of 7 journalists, 3 politicians, 6 bloggers, 3 lawyers, 2 members of the current parliament, 1 senior official, 1 public sector employee, 1 citizen, and 1 university student.

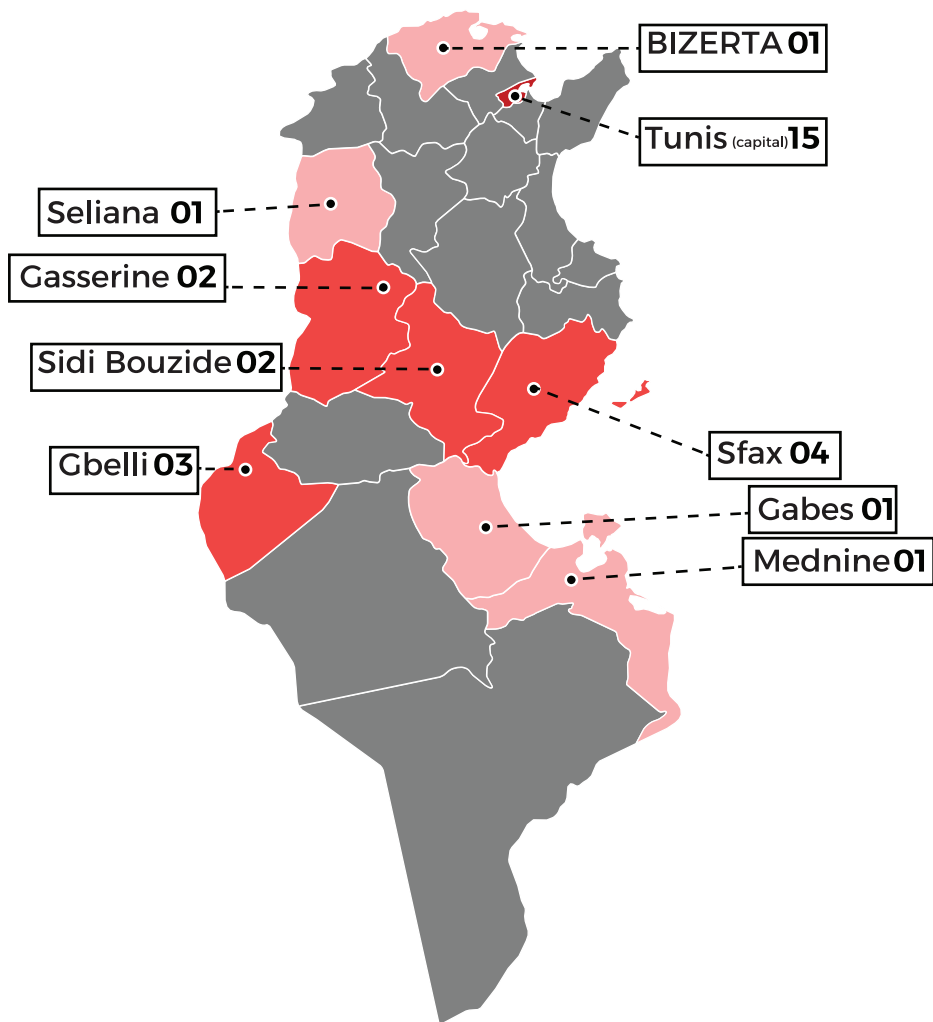
In contrast, between July and December 2024, the Observatory recorded an increase in prosecutions,

Observatory of Violations of Freedom of Opinion and Expression, Stifling
Voices, July 31, 2024. [https://intersection.uno/stifling-voices-semi-annual-report-on-
/violations-of-freedom-of-opinion-and-expression](https://intersection.uno/stifling-voices-semi-annual-report-on-violations-of-freedom-of-opinion-and-expression)

documenting 31 cases. These included the prosecution of 3 journalists, 2 politicians, 2 bloggers, 1 trade unionist, 4 university students, 2 teachers, 1 farmer, 2 activists, 1 rapper, 1 sound engineer, and 10 social media influencers.

This increase in judicial harassment highlights a systematic strategy to stifle dissent and criminalize free expression across various sectors of society. The rise in prosecutions during the latter half of the year reflects a deliberate escalation in state repression, further eroding fundamental rights and deepening Tunisia’s democratic decline.







Conclusion:

One of the most fundamental pillars for establishing a democratic system and a state that respects human rights is protecting freedom of opinion and expression. However, Tunisian authorities continue to mobilize executive and judicial state apparatuses to suppress and restrict this fundamental right.

During the second half of 2024, the scope of targeted individuals expanded, as Tunisia witnessed a significant increase in human rights violations against citizens across various sectors. The continued prosecution of journalists for simply carrying out their work and exercising their right to free expression further demonstrates that the Tunisian state is persistently reinforcing a repressive system designed to silence dissenting voices. This ongoing trend is a clear indication

of the continuous deterioration of human rights in Tunisia.

The patterns of repression documented by the Observatory during this period reflect the state's deliberate efforts to instill fear and intimidation among Tunisians by persisting in its crackdown on freedom of opinion and expression. Between July and December 2024, 31 cases related to freedom of expression were recorded, affecting 3 journalists, 2 politicians, 2 bloggers, 1 trade unionist, 4 university students, 2 teachers, 1 farmer, 2 activists, 1 rapper, 1 sound engineer, and 10 social media influencers. These individuals faced judicial prosecution simply for expressing their opinions in various ways on political or social issues, only to find themselves accused of spreading false information, misusing social media networks, or committing offenses against the President of the Republic.

This escalation in judicial persecution underscores the Tunisian authorities' growing intent to restrict and criminalize freedom of expression. The state has strengthened its repressive legislation, introducing severe punitive measures that are entirely disproportionate to the alleged offenses. This reflects a deliberate and systematic strategy to suppress dissent and tighten state control over public discourse.

Recommendations

The Observatory of Violations of Freedom of Opinion and Expression calls on Tunisian authorities to take immediate measures to end the violations of freedom of opinion and expression and to align national laws with international human rights standards. The Observatory presents the following recommendations:

Halt all forms of prosecution against individuals for peacefully expressing their opinions, and release all detainees in cases related to freedom of opinion and expression.

Review repressive laws and legislations that restrict freedom of opinion and expression and ensure compliance with international human rights standards

Ensure the independence and integrity of the judiciary and prevent its use as a tool to suppress opposition.

Provide a safe environment for journalists and media professionals to perform their work freely. Stop all forms of censorship on the internet and social media networks.

جمعية المساءلة الاجتماعية
Social Accountability Association
من حقّي نسائك



OBSERVATORY OF VIOLATIONS
OF THE FREEDOM OF OPINION
AND EXPRESSION



INTERSECTION
ASSOCIATION



تيتوك

