Joint statement: Crackdown on Civil Society and Human Rights in Tunisia: Arrests and Intimidation in the Wake of the 2024 Presidential Elections.

Joint Statements · Tunisia · 22 October 2024

We, the undersigned rights organizations and groups, are deeply alarmed by the recent arrests and harassment of prominent activists and journalists following the Tunisian presidential elections on 6 October 2024. This is part of a broader and troubling crackdown on civil society and human rights defenders in Tunisia. These arrests signal an alarming trend of government efforts to suppress dissent and silence those who advocate for freedom of expression, the right to peaceful assembly, justice, and democratic values in the country.

Following the Presidency Tunisian elections, on 8 October 2024, the Tunisian authorities raided the houses of activists Wael Nawar, Jawaher Shenna, and Louay Khammassi. They were arrested for their leading roles in organizing a pro-Palestine protest and charged with “forming a group to disturb the public order and attack police officers.” They were released on the same day and await their appearance before the court.

These activists have been vocal in their peaceful opposition to policies threatening the hard-earned democratic gains of the Tunisian revolution. Their arrest represents a blatant violation of the rights to free expression and assembly, both of which are guaranteed under Tunisia’s constitution and international human rights law.

In HuMENA for Human Rights and Civic Engagement’s interview with Wael Nawar, he shared about the efforts of authorities to silence and other activities in their advocacy for freedom of expression, association, and assembly in Tunisia.

On October 9, 2024, Saber Ayari from “Tunifact,” a fact-checking platform of the National Syndicate of Tunisian Journalists, appeared before the Fifth Central Division for Combating Information and Communication Technology Crimes of the National Guard in Aouina, Tunis. Saber Ayari was “suspected” of “publishing the results of the opinion poll” within the meaning of Article 70 of the Electoral Law, based on a press statement he made on a radio station. Ayari’s prosecution is just one example of many legal actions and judicial rulings against journalists, media workers, and those expressing themselves in the digital space.

In recent weeks, there has been an alarming increase in the targeting of civil society groups, including international organizations operating in Tunisia and individuals who have been at the forefront of advocating for democracy, human rights, and social justice. The General Directorate of Taxes of the Finance Ministry contacted fourteen national and international civil society

organizations and stated that the organizations must retain accounting documents for ten years. The authorities gave the organizations only one week to send the required documents. The timing came just three days before the Presidential elections.

In October 2024, at least two organizations had their bank accounts frozen by a judicial decision despite the organization presenting all necessary documents ordered by the "Financial judiciary to combat money laundering and terrorist crimes." This was an arbitrary decision because there had been no formal charge. Also, recently, activists who collaborated with these and other organizations were banned from leaving Tunisia.

These organizations play a vital role in ensuring government accountability, promoting political dialogue, and safeguarding Tunisia's democratic institutions. By targeting them, the Tunisian government risks undermining the very foundation of its democracy and institutional integrity..

We strongly condemn these actions and call on the Tunisian authorities to respect the rule of law and the rights of all citizens to engage in peaceful activism. It is even more critical that the government ensures an open and accessible space for civil society to operate without fear of reprisal.

In addition, the recent Presidential Elections in Tunisia, which took place on 6 October 2024, marked a significant setback in the country's democratic journey. The elections were conducted in an atmosphere of unfairness and persecution of several presidential candidates.

The judiciary has been used to restrict the right to run for office by tracking down a candidate for the presidential elections and issuing rulings against him with record speed. The Tunisian Court sentenced Al-Ayachi Zammal to 12 years in prison in 4 cases, which prevented him from voting, based on accusations of fabricating documents and falsifying people's endorsements.

This paved the way for the President to win without any real competition and without allowing the imprisoned candidate to carry out his electoral campaign.

For the first time since 2011, some components of civil society, such as Mourakiboun and I Watch, were denied permission to observe the 2024 elections, resulting in a lack of transparency in the electoral process and an undermining of the citizen's right to information.

Through their revision of the electoral law one week before polling day, the Assembly of People's Representatives contributed to facilitating the path for the President to win without any serious competition or accountability through their revision of the electoral law one week before polling day. This was a legislative "function" in establishing elections with known results.

We are deeply concerned by the increasing government actions targeting activists, civil society organizations, and voices advocating for human rights and freedoms around the period during the elections. These developments risk undermining the very principles of democracy that Tunisia has worked hard to uphold since the 2011 revolution.

We call on the Tunisian authorities to drop all charges brought against activists and human rights

defenders and to stop the harassment and intimidation of activists and civil society organizations. The state should adhere to constitutional provisions and respect the rights of the people, maintain the law and order, and ensure that there is freedom of expression, association, and assembly. The authorities must set free all prisoners, who have been detained for exercising their right to free expression, especially journalists. The success of every democracy depends on the existence of an active and free civic space, and it is the responsibility of the Tunisian authorities to foster a diverse environment of voices who may speak without fear of state persecution.

Signatories:

- HuMENA for Human Rights and Civic Engagement
- CALAM
- Egyptian Front for Human Rights (EFHR)
- Innovation for Change – MENA Hub
- Organisation Tchadienne Anti-corruption (OTAC)
- Link – For Tunisian Diaspora
- MENA Rights Group
- Robert F. Kennedy Human Rights

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