Advocacy dossier

Sihem Bensedrine

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At liberty **Tunisia**

Sihem Bensedrine is a Tunisian journalist and human rights defender who co-founded the National Council for Liberties in Tunisia in 1998 and headed the Truth and Dignity Commission, the body of Tunisia's transitional justice process, between 2014 and 2018. Every case against her arises from that work, although article 69 of the law that created the commission bars holding its members responsible for the content of their reports. She was detained on 1 August 2024, went on hunger strike in prison, and was provisionally released on 19 February 2025. In June 2026 a Tunis court sentenced her to twenty-five years in two cases, and in November 2026 to five years in a third. She is at liberty pending appeal and faces seven cases in all.

01

The case at a glance

Sihem Bensedrine is a Tunisian journalist and human rights defender who co-founded the National Council for Liberties in Tunisia in 1998 and headed the Truth and Dignity Commission, the body of Tunisia's transitional justice process, between 2014 and 2018. Every case against her arises from that work, although article 69 of the law that created the commission bars holding its members responsible for the content of their reports. She was detained on 1 August 2024, went on hunger strike in prison, and was provisionally released on 19 February 2025. In June 2026 a Tunis court sentenced her to twenty-five years in two cases, and in November 2026 to five years in a third. She is at liberty pending appeal and faces seven cases in all.

Status	Arrested	Country
At liberty	**1 Aug 2024**	**Tunisia**

Charges: Using her position to gain unfair advantage for herself or a third party, fraud and forgery (charges of 7 March 2024)
Fraud, use of forged documents and abuse of official capacity to harm the administration (the two cases sentenced on 26 June 2026)

What we ask

We call on the authorities to:

01 Immediately lift the travel ban imposed on Sihem Bensedrine and on any family members affected by the same order.

02 Restore valid travel documents and remove any border-watch flags placed in connection with peaceful human rights work.

03 Comply with the ICCPR Article 12 guarantee of freedom of movement.

02

How the case unfolded

1987

Other act

First imprisonment, under President Bourguiba

Human Rights Watch records that Sihem Bensedrine was first imprisoned for two weeks in 1987, under President Habib Bourguiba. The record of her prosecution therefore runs across four decades and three Tunisian presidencies.

1998

Other act

Co-founds the National Council for Liberties in Tunisia

Bensedrine co-founded the National Council for Liberties in Tunisia, an independent organisation that monitored and published information on human rights conditions in the country at a time when no such reporting was tolerated. She later served as its spokesperson.

2001

Other act

Imprisoned for two months after a television interview, and co-founds a press freedom observatory

Bensedrine was imprisoned for two months in 2001 after denouncing torture, corruption and the lack of judicial independence in an interview with a foreign television station. In the same year she co-founded the Observatory for Freedom of the Press, Publishing and Creation. Human Rights Watch also records beatings by Tunisian police, smear campaigns against her, the confiscation or destruction of her property, and the persecution of people close to her, including her children.

2009

Other act

Kalima is shut down and she leaves Tunisia

The authorities shut down Kalima, the independent news website and radio station she co-founded and which they had frequently raided, and she left the country. The two Human Rights Watch accounts differ on the year she went into exile: the 2012 profile says she left in 2009, the 2024 release says she was in exile from 2010 until the 2011 revolution. The difference is recorded rather than resolved.

January 2011

Other act

Returns to Tunis after the ouster of Ben Ali

She returned to Tunis after President Zine El Abidine Ben Ali was ousted in January 2011.

December 2013

Other act

The Truth and Dignity Commission is established

Tunisia established the Truth and Dignity Commission in December 2013 as the body of its transitional justice process, mandated to examine human rights violations committed under the former authorities.

2014

Other act

Heads the Truth and Dignity Commission

Bensedrine headed the Truth and Dignity Commission between 2014 and 2018. Every case later brought against her arises from that work.

31 December 2018

Other act

The commission report is presented to the president

A version of the commission report was presented to President Beji Caid Essebsi on 31 December 2018. Human Rights Watch, which reviewed the commission minutes, says that version was an unfinished draft and that members were expected to edit it in January 2019.

May 2020

Complaint filed

A former commission member files a complaint over the report

A former member of the commission filed a complaint in May 2020 claiming that Bensedrine had falsified the commission official report. Her lawyers told Human Rights Watch that her later detention rested solely on this one complaint.

8 February 2021

Other act

UN rapporteurs warn that financial allegations must not void the commission's work

Four United Nations special rapporteurs wrote in February 2021 that financial allegations against the commission should in no way serve as a pretext to invalidate its substantive work.

February 2023

Investigation opened

The Tunis prosecutor opens an investigation

The public prosecutor of the Tunis First Instance Court opened an investigation into Bensedrine in February 2023.

2 March 2024

Travel ban imposed

A travel ban is imposed

Bensedrine was placed under a travel ban on 2 March 2024. None of the sources consulted reports it lifted.

7 March 2024

Charge filed

Charges are brought

An investigative judge charged Bensedrine on 7 March 2024 with using her position to gain unfair advantage for herself or a third party, with fraud and with forgery. The statutory basis of the charges is not stated in the sources consulted. Amnesty International later described the charges in the two cases tried in 2026 as fraud, use of forged documents and abuse of official capacity to harm the administration.

1 August 2024

Deprivation of liberty

An investigative judge orders her detention

An investigative judge of a Tunis court ordered Bensedrine detained on 1 August 2024, after a hearing. She was held in pre-trial detention in Manouba prison. Amnesty International describes the detention as arbitrary; Human Rights Watch says it was apparently in retaliation for her work on accountability for decades of human rights abuses. She was 73 at the time.

5 August 2024

Other act

Twenty-three organisations call the prosecution a breach of the transitional justice law

Twenty-three Tunisian and international organisations, among them the Tunisian League for Human Rights, the Tunisian Forum for Economic and Social Rights, the Tunisian Association of Democratic Women, Al Bawsala, the Tunisian magistrates association and Avocats Sans Frontieres, said the prosecution breaches article 69 of Organic Law No. 53 of 2013, which bars holding commission members responsible for the content of the final report, and described it as aimed at nullifying that report.

8 August 2024

Other act

United Nations experts say the arrest appears aimed at discrediting the report

Three United Nations experts issued a statement on 8 August 2024 saying the case could amount to judicial harassment for work she had undertaken, and that the arrest appeared to be aimed at discrediting the commission report.

20 September 2024

Pretrial detention renewed

The judge rejects her release request

The investigative judge rejected her request for release on 20 September 2024.

14 January 2025

Other act

She begins a hunger strike in Manouba prison

Bensedrine began a hunger strike on 14 January 2025 while detained in Manouba prison, and was taken to hospital twelve days later as her health deteriorated. The sources consulted do not report when the strike ended, and the record therefore says nothing about her health after her release on 19 February 2025.

26 January 2025

Medical emergency

She is taken to hospital

She was transferred to a hospital on 26 January 2025 because her health was deteriorating.

28 January 2025

Pretrial detention renewed

Her pre-trial detention is extended by four months

A judge extended her detention for a further four months on 28 January 2025. At that point she faced prosecution in four other cases arising from her work as president of the commission, besides the case she was held in.

30 January 2025

Other act

Avocats Sans Frontieres on the four-month extension

Avocats Sans Frontieres, which had worked with the commission for years, said the authorities carry the responsibility to safeguard her health and protect her fundamental rights after her detention was extended despite the hunger strike and her hospitalisation.

19 February 2025

Conditional release

She is provisionally released after more than six months in detention

Judicial authorities ordered her provisional release on 19 February 2025, after more than six months of pre-trial detention. The release did not end the proceedings, and the travel ban imposed in March 2024 is not reported lifted.

24 April 2026

Summons

Summoned in three further cases

She was summoned on 24 April 2026 in three additional criminal cases, also arising from her work at the commission. The sources consulted do not say what those three concern.

1 June 2026

Hearing postponed

The first hearing opens before the defence has the indictment decision

The first hearing was held on 1 June 2026 although Bensedrine and her defence team had not received a copy of the indictment chamber's decision. Her lawyer obtained an adjournment on that ground.

18 June 2026

Hearing postponed

The hearing is listed on the day of a national lawyers' strike

The court listed the trial for 18 June 2026, the day of a nationwide lawyers' strike, which the International Commission of Jurists said put her right to legal representation in question. The adjournment was granted on another ground, a hospitalised co-defendant, rather than the absence of counsel. Family members, journalists and civil society representatives were excluded from the courtroom and no reasons were given.

25 June 2026

Hearing

She appears in both cases and observers are turned away

She appeared before the court in both cases on 25 June 2026. A delegation of Amnesty International observers was refused entry to the courtroom without any clear justification, although the hearing was public.

26 June 2026

Verdict

Twenty-five years, in the early hours, from the financial corruption chamber

In the early hours of 26 June 2026, after a hearing that ran past one in the morning, the Specialised Criminal Chamber for financial corruption at the Tunis Court of First Instance, sitting in the Economic and Financial Judicial Pole, sentenced Bensedrine in two cases heard together. In the first, over an arbitration and reconciliation agreement the commission concluded with the businessman Slim Chiboub, she and Khaled Krichi, who had headed the commission's arbitration and reconciliation committee, received five years each, the former minister of state domains Mabrouk Korchid six, and Chiboub five for complicity, all with immediate effect, with a fine reported at 1,776,170,000 dinars on each defendant and joint liability to restore the same sum to the state. In the second, over the chapter of the final report on the Franco-Tunisian Bank, she, Krichi and Korchid were convicted of abusing their capacity as public officials to harm the administration, five years each for her and Krichi and six for Korchid, and the bank's former chairman Abdelmajid Bouden six years for complicity, each fined 16,985,003 dinars and 774 millimes with joint restitution. Against her alone the court added forgery and the possession and use of forged documents, treated as one indivisible set under article 55 of the Penal Code, and sentenced her to fifteen years. The twenty-five years are those five, plus five and fifteen. Outside reports rendered the total as twenty and five, five and twenty, or ten and fifteen; all three are the same judgment counted differently. She appealed and remained at liberty.

13 July 2026

Other act

HuMENA publishes a legal study of the verdict

HuMENA published a legal study of the judgment, in English and Arabic. It argues that the conduct punished is placed beyond liability by article 69 of Organic Law No. 2013-53; that the factual premise of the central charge fails on chronology, because the report said to have harmed the state in an international arbitration was published after the tribunal had already decided liability, and the arbitration ended in 2023 with the claimant's multi-billion-dollar demand dismissed; and that the case belongs to a documented pattern of states turning ordinary criminal law against the people who staff accountability. The study is careful about its own limits: it says the argument that article 69 survives the commission's dissolution is a construction from the statutory text that no Tunisian court has ruled on.

17 July 2026

Other act

Twenty-eight organisations ask for the judgment to be quashed

Twenty-eight organisations, HuMENA among them, called on the authorities to quash the judgment and drop the charges arising from her work at the commission, to guarantee public hearings on appeal, and to respect the protection article 69 of the transitional justice law gives commission members for the content of their reports. They said the proceedings had undermined the right to a fair trial, naming access to the case file, public hearings and judicial independence.

20 November 2026

Verdict

Five years in a third case, over an arbitration decision

A further sentence of five years was reported on 20 November 2026, in a third case: an arbitration and reconciliation decision the commission adopted involving the businessman Lazhar Sta. It is a separate file from the two in which she was sentenced in June. Her lawyer Fathi Rebii said Khaled Krichi received four years and the former minister Mabrouk Korchid six years, tried as a fugitive. Amnesty International said the charges concern the commission's findings on corruption in the banking sector, which are protected by freedom of expression, that she faces seven criminal cases in all, that she has so far remained free pending appeal, and that she is at imminent risk of imprisonment.

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The full story

Update, 29 November 2026: Sihem Bensedrine is at liberty pending appeal before the Tunis Court of Appeal, which has not yet been scheduled. A travel ban imposed on 2 March 2024 is not reported lifted. She faces seven criminal cases in all, and Amnesty International says she is at imminent risk of imprisonment.

Sihem Bensedrine has worked as a journalist and a human rights defender in Tunisia for four decades, under three presidencies. She was first imprisoned for two weeks in 1987, under Habib Bourguiba. Under Zine El Abidine Ben Ali she was jailed again, beaten by police, the target of smear campaigns, and had property confiscated or destroyed, and people close to her, including her children, were persecuted. In 1998 she co-founded the National Council for Liberties in Tunisia, which monitored and published information on human rights conditions when no such reporting was tolerated, and she later became its spokesperson. In 2001 she co-founded the Observatory for Freedom of the Press, Publishing and Creation, and was imprisoned for two months after denouncing torture, corruption and the lack of judicial independence in an interview with a foreign television station. Kalima, the independent news website and radio station she co-founded, was raided repeatedly and shut down by the authorities in 2009, and she left the country until the 2011 revolution.

From 2014 to 2018 she headed the Truth and Dignity Commission, established in December 2013 to examine violations committed under the former authorities. The commission closed in December 2018 and referred 205 cases to thirteen specialised criminal chambers, among them cases involving twenty-three state officials over corruption in the banking sector. Her presidency was contested from inside: three of the fifteen commissioners resigned in the first year, one was removed by his colleagues in 2015 after writing to parliament about other members, and six of the fifteen seats were vacant by March 2018. In January 2017 parliament came one vote short of opening an inquiry into corruption allegations against her. A ten-month investigation by the Court of Auditors found no evidence to substantiate the allegations of mismanagement, and in February 2021 four United Nations special rapporteurs wrote that financial allegations should in no way be used as a pretext to invalidate the commission's substantive work.

The case that put her in prison turns on a passage about the Banque Franco-Tunisienne in the chapter of the final report on corruption. A former member of the commission complained that it was added after the fact, pointing to the version handed to President Beji Caid Essebsi on 31 December 2018 and the version published online on 26 March 2019. She answers that a report of some three thousand pages could not have been final on 31 December, that the commission voted at the end of December 2018 to allow corrections until the end of January 2019, and that the Banque Franco-Tunisienne material already appeared in a presentation at the closing conference of 14 December 2018 and in an indictment referred to the courts on 31 December. Above all of this stands article 69 of Organic Law No. 53 of 2013, which provides that members and staff of the commission shall not bear responsibility for

the content of reports, conclusions, opinions or recommendations issued under the law. The United Nations experts, Human Rights Watch and the twenty-eight organisations that signed the joint statement of 17 July 2026, HuMENA among them, all invoke it.

The charges rest on identifiable provisions. Abuse of function is article 96 of the Penal Code, amended by Law No. 2025-14 of 28 July 2025 to reduce the penalty from ten years to six and to require that the exploitation be deliberate. The definition of a public official is article 82, and it reaches Bensedrine only because article 35 of the Organic Law deems commission members public officials, so the state relied on a provision of the transitional justice law to satisfy an element of the charge against her. The forgery counts engage articles 172 to 178 on forgery and the use of forged documents; no source names the article the court applied and no court document is public. Against all of this stands article 69 of the same Organic Law, which provides that commission members and employees, and anyone who performed a task entrusted by the commission, shall not be held liable for the contents, conclusions, points of view or recommendations of the report. The United Nations experts, Human Rights Watch, the twenty-eight organisations that signed the statement of 17 July 2026 and HuMENA's own legal study all invoke it. Whether it survives the commission's dissolution has not been ruled on by a Tunisian court.

Latest updates on this case Scan the code or visit: https://humena.org/defenders/sihem-bensedrine/

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