

ADVOCACY DOSSIER

ZIED EL HENI

زياد الهاني

Imprisoned (serving sentence) **Tunisia**

Tunisian journalist sentenced to one year in prison for criticizing a court ruling in a colleague's case. The prosecution used telecommunications law rather than Tunisia's press framework, part of a wider crackdown on independent media. In October 2026 he was sentenced to four more years in prison on terrorism charges in a separate case.

HuMENA.

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Case reference HM-TN-2026-021

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THE CASE AT A GLANCE

Tunisian journalist sentenced to one year in prison for criticizing a court ruling in a colleague's case. The prosecution used telecommunications law rather than Tunisia's press framework, part of a wider crackdown on independent media. In October 2026 he was sentenced to four more years in prison on terrorism charges in a separate case.

STATUS	**Imprisoned (serving sentence)**
ARRESTED	**24 Apr 2026**
COUNTRY	**Tunisia**
SENTENCE	**One year in prison (Article 86 of the Telecommunications Code, 7 May 2026), upheld on appeal on 26 June 2026. Four years in prison plus five years of police supervision on terrorism charges in the audio leaks case (first instance, 27 October 2026).**
CHARGES	**Violation of Article 86 of the Telecommunications Code for social media post and media commentary criticizing a judicial decision Audio leaks case: forming a terrorist organisation, disclosing secrets for a terrorist group, failing to report a terrorist offence, and communicating with agents of a foreign state Carthage municipal land case: abusing public office for undue advantage, harming the administration, breaching procedures, and forgery and use of forgery**

WE CALL ON THE AUTHORITIES TO:

WHAT WE ASK

01 Release Zied El Heni immediately and unconditionally.

02 Drop all charges related to the peaceful exercise of fundamental rights.

03 Ensure unrestricted access to legal counsel, family, and adequate medical care while in detention.

Latest updates on this case
Scan the code or visit:
https://humena.org/defenders/zied-el-heni/

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DOCUMENTED VIOLATIONS

	INTERNATIONAL STANDARD
Arbitrary detention	International Covenant on Civil and Political Rights, Article 9
Denial of family visits	UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), Rule 58
Judicial harassment	UN Declaration on Human Rights Defenders, Articles 9, 12
Press freedom violation	International Covenant on Civil and Political Rights, Article 19
Unfair trial	International Covenant on Civil and Political Rights, Article 14

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HOW THE CASE UNFOLDED

13 September 2013

ARREST

Jailed after accusing a prosecutor on television

He was detained after accusing a prosecutor on television of fabricating evidence against a cameraman, and charged under Article 128 of the Penal Code.

16 September 2013

RELEASE

Released on bail from Mornaguia prison

He was released on bail from Mornaguia prison after three days.

June 2023

ARREST

Detained for two nights over radio comments

In June 2023, he was detained for two nights over comments made on the radio programme “Émission Impossible”

June 2023

RELEASE

Released after two nights in detention

In June 2023, he was detained for two nights over comments made on the radio programme “Émission Impossible” and then released.

September 2023

INVESTIGATION OPENED

Investigation opened after Facebook pages were monitored

the investigation was initiated after the Fifth Central Unit for Combating Information and Communication Technology Crimes monitored information circulating on at least two Facebook pages in September 2023

16 September 2023

INTERROGATION

Questioned by National Guard anti-terrorism unit

officers from the National Anti-Terrorism Unit of the National Guard questioned him that day in L’Aouina

16 September 2023

DEVICE SEIZED OR SEARCHED

Hands over his phone

He then handed over his phone

December 2023

RE-ARREST

Re-arrested after criticising the commerce minister

He was arrested again in December 2023 after criticizing then-Commerce Minister Kalthoum Ben Rejeb.

January 2024

CONVICTION

Six-month suspended prison sentence

received a six-month suspended prison sentence

10 January 2024

RELEASE

Released on 10 January 2024

He was released on 10 January 2024

24 January 2024

SUMMONS

Summoned before an anti-terrorism investigating judge

El Heni was summoned to appear on 30 January 2024 before the investigating judge of Office No. 12 at the anti-terrorism judicial pole of the Tunis Court of First Instance, to be questioned as a defendant, under a summons issued on 24 January 2024.

24 April 2026

RE-ARREST

Arrested after answering a summons from the cybercrime unit

26 April 2026

PRETRIAL DETENTION ORDERED

Detention order issued outside judicial hours

A detention order was issued against El Heni on a Sunday evening, outside normal judicial working hours, over his public criticism of a court decision in the case of journalist Khalifa Guesmi.

30 April 2026

HEARING

Trial hearing with multiple procedural violations

The trial hearing took place at the Tunis courthouse. Journalists were barred from entering the courtroom, El Heni's daughter was denied access, and his lawyer's pleadings were interrupted during the session.

7 May 2026

CONVICTION

Sentenced to one year in prison

The Criminal Chamber of the Tunis Court of First Instance sentenced El Heni to one year in prison under Article 86 of the Telecommunications Code, on the same day the UN High Commissioner for Human Rights called on Tunisia to end its repression of journalists and civil society.

June 2026

PRETRIAL DETENTION ORDERED

Detention ordered in a separate Carthage land case

The indictment chamber of the Tunis Court of Appeal issued detention orders against five defendants, including El Heni, a former Carthage municipal council member, in a case over the sale of municipal land in Carthage.

26 June 2026

APPEAL: JUDGMENT UPHELD

Sentence upheld on appeal

On 26 June 2026, El-Heni’s sentence was upheld by a judge in the correctional chamber of the Tunis Court of Appeal.

30 June 2026

HEARING POSTPONED

Trial postponed to an undetermined date

On 30 June 2026, the criminal chamber of the Tunis Court of First Instance postponed the trial in the Carthage land case to an undetermined date.

30 June 2026

PRETRIAL DETENTION RENEWED

Release requests rejected

In the Carthage land case, the release requests submitted by El Heni and his co-defendants were rejected.

27 October 2026

CONVICTION

Sentenced to four years on terrorism charges in audio leaks case

Sentenced to four years on terrorism charges in the audio leaks case, plus five years of police supervision

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THE FULL STORY

Background and Work

Zied El Heni worked as a journalist in Tunisia during a period of profound institutional change. After 2011, Tunisia adopted Decree-Law 115, a legal framework intended to regulate the relationship between public authorities and journalistic work while protecting freedom of expression. El Heni's professional activity included media commentary, analysis of judicial decisions, and public discussion of cases involving fellow journalists. His engagement with the case of journalist Khalifa Guesmi exemplified this work: when Guesmi faced prosecution, El Heni offered public criticism of the judicial decision in that matter through both social media and expert media interventions.

The Prosecution and Arrest

On the evening of 26 April 2026, a Sunday, a detention order was issued against El Heni outside normal judicial working hours. The case stemmed from his public commentary criticizing a judicial decision in the Khalifa Guesmi case. Rather than applying Decree-Law 115 of 2011, which governs journalistic expression in Tunisia, the prosecution invoked Article 86 of the Telecommunications Code. That provision was originally intended to protect public communications networks, not to regulate journalistic work. The reliance on Article 86 formed part of a broader pattern in which general criminal provisions, including Decree-Law 54 of 2022, with its vague references to "false information" and "rumors", have been used to criminalize legitimate journalistic expression.

Legal Proceedings and Trial Violations

The trial hearing took place on 30 April 2026 at the Tunis courthouse. Journalists were prevented from entering the courtroom to cover the proceedings, despite the principle that hearings must be public. El Heni's daughter was denied access to the hearing. During the session, his lawyer's pleadings were interrupted. The Prosecutor of the Republic refused to meet with the President of the National Union of Tunisian Journalists, who had come to inquire about the exclusion of journalists from the courtroom. These procedural violations undermined fair trial guarantees and the right to a public hearing, protections enshrined in both Tunisian and international law.

Verdict and Sentence

On the evening of 7 May 2026, the Criminal Chamber of the Tunis Court of First Instance sentenced El Heni to one year in prison under Article 86 of the Telecommunications Code. The verdict was issued on the same day that United Nations High Commissioner for Human Rights Volker Türk publicly called on the Tunisian authorities to end their pattern of increasing repression against civil society organizations, journalists, human rights defenders, political opponents, activists, and members of the judiciary through criminal proceedings and administrative obstacles. The timing underscored the international concern

over the trajectory of civic and media freedoms in Tunisia. The prosecution of El Heni for criticizing a judicial decision raised additional concerns regarding judicial independence, as the judiciary itself became an actor in the prosecution of expression whose subject matter was a judicial practice.

Earlier and Later Cases

This was not his first prosecution. In September 2013 he was jailed for three days after accusing a prosecutor on television of fabricating evidence against a cameraman. In 2023 he was detained twice, over radio comments in June and over criticism of the commerce minister in December, and in January 2024 he received a six-month suspended sentence. On 26 June 2026 the Tunis Court of Appeal upheld the one-year sentence. In June 2026 the indictment chamber of the Tunis Court of Appeal also ordered his detention in a separate case over the sale of municipal land in Carthage, linked to his former seat on the municipal council. On 27 October 2026 the terrorism chamber of the Tunis Court of First Instance sentenced him to four years in prison and five years of police supervision in the audio leaks case, which grew out of a 2023 radio discussion of leaked recordings.

Context and Pattern of Repression

El Heni's case did not occur in isolation. In the four weeks surrounding his trial and conviction, the Tunisian authorities suspended the activities of the Tunisian League for Human Rights, a recipient of the 2015 Nobel Peace Prize, and Avocats Sans Frontières. The Presidency of the Government filed a request to dissolve Al Khatt Association, which manages the independent media platform Inkyfada. Prison sentences were issued against journalists Ghassen Ben Khalifa (two years) and Sonia Dahmani (18 months), in addition to earlier convictions against journalists Mourad Zeghidi and Borhen Bsaies. These successive measures revealed an accumulating pattern of redrawing the relationship between the state, independent media, and human rights organizations through interlinked judicial, administrative, and financial pressure. In the 2026 Reporters Without Borders World Press Freedom Index, Tunisia ranked 137 out of 180 countries.

International Standards and Regional Context

Article 19 of the International Covenant on Civil and Political Rights, to which Tunisia is a State Party, protects criticism directed at public authorities, including the judiciary. General Comment 34 of the Human Rights Committee makes clear that imprisonment should not be a routine response to expression-related cases. El Heni's prosecution intersects with a broader pattern of judicial decisions and administrative measures in Tunisia, including the death sentence issued in October 2025 in relation to Facebook posts, prolonged detention of human rights defenders in cases related to migration and economic and social rights, and the prosecution of lawyers and judges in connection with their professional activities. Tunisia's current trajectory forms part of a wider regional pattern across the Middle East and North Africa, where general criminal provisions, including cybercrime laws, counterterrorism legislation, and broadly framed provisions on "harm to others", are used to criminalize legitimate expression outside the specific legal protections guaranteed by constitutional and international standards for journalistic work.

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SAMPLE LETTER

Copy it, adapt it and send it from your own address.

Your Excellency,

I am writing to demand the immediate release of Zied El Heni, long-standing Tunisian journalist and press freedom advocate, prosecuted repeatedly since 2013, currently detained in Tunisia since 24 April 2026, and an end to all reprisals tied to this case.

In brief: Tunisian journalist sentenced to one year in prison for criticizing a court ruling in a colleague's case. The prosecution used telecommunications law rather than Tunisia's press framework, part of a wider crackdown on independent media. In October 2026 he was sentenced to four more years in prison on terrorism charges in a separate case.

I respectfully urge your authorities to:
1. Release Zied El Heni immediately and unconditionally;
2. Drop all charges related to the peaceful exercise of fundamental rights;
3. Ensure unrestricted access to legal counsel, family, and adequate medical care while in detention.

I will continue to monitor this case until Zied El Heni is free.

Respectfully,

[Your name]
[Your city, country]
8 November 2026