Tunisia | Detention of MP Ahmed Saeedani and Risks to Parliamentary Independence

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Tunisian Member of Parliament Ahmed Saeedani was suspended following a Facebook post in which he criticized the executive authority's handling of the country's worsening economic situation, particularly its management of the recent floods, which exposed the fragility of infrastructure in several regions.

According to documentation collected by HuMENA, MP Ahmed Saeedani was arrested on 4 February 2026 at a café in the city of Mateur, in the governorate of Bizerte. Later the same day, the Public Prosecutor's Office at the Tunis Court of First Instance authorized officers of the Fifth Central Unit for Combating Cybercrime of the National Guard in El Aouina to place him in custody.

On 6 February 2026, the Public Prosecutor's Office at the Tunis Court of First Instance issued a detention order against MP Ahmed Saeedani, referring him to the criminal chamber and maintaining him in custody, pursuant to Article 86 of the Telecommunications Code. This provision criminalizes what is referred to as "assaulting or disturbing others via communication networks." These details were confirmed by his lawyer, Mr. Hossameddine Ben Attia, in a media statement to Jawhara FM radio.

It should be recalled that Article 86 of the Telecommunications Code has, for years, been the subject of repeated criticism by human rights organizations due to its vague wording and broad scope of interpretation. Such ambiguity renders it a potential tool for criminalizing the peaceful exercise of freedom of expression, particularly when it involves criticism of public authorities or public policies.

It is also important to note that Ahmed Saeedani is an elected member of the Tunisian Parliament, whose legitimacy derives from the will of voters expressed through general elections. Under constitutional principles and democratic standards, parliament serves as a forum for political pluralism and the convergence of diverse opinions and intellectual currents, reflecting society's ideological diversity. Beyond its legislative function, parliament plays a fundamental oversight role by monitoring and holding the executive accountable, as the authority that represents the will of the people and defends the public interest.

In this context, the suspension and detention of a member of parliament for expressing political opinions and criticizing public policies raises serious concerns regarding respect for freedom of expression. This is particularly troubling given that public discourse enjoys the highest level of protection under international human rights standards, notably Article 19 of the International Covenant on Civil and Political Rights.

This arrest also occurs within a broader context of increasing restrictions on public freedoms in Tunisia and the targeting of critical voices, whether within elected institutions or civil society. MP Ahmed Saeedani is known for his support for prisoners of conscience, his repeated criticism of the authorities' treatment of the opposition and civil society, his efforts to raise issues related to administrative corruption, his criticism of the performance of public media, and his denunciation of the authorities' handling of the recent floods, which resulted in the deaths of five people and severe harm to many families.

The resort to criminal prosecution, based on Article 86 of the Telecommunications Code, against an elected member of parliament for his political positions undermines the principle of separation of powers, restricts parliament's oversight role, and infringes upon citizens' right to be represented by officials who are able to express their views and defend their interests without fear of prosecution or punishment.

HuMENA strongly condemns the arrest and criminal prosecution of Tunisian MP Ahmed Saeedani for the peaceful exercise of his right to freedom of expression and for criticizing public policies. The organization considers this measure a serious violation of freedom of opinion and expression, an erosion of the independence of the legislative authority and its oversight role, and an infringement on citizens' right to have their elected representatives carry out their duties without fear of reprisal.

Accordingly, HuMENA calls on the Tunisian authorities to:

- Immediately release MP Ahmed Saeedani and drop all judicial proceedings related to his peaceful expression of political opinions.
- Ensure full respect for international fair trial standards, including the principles of proportionality and the presumption of innocence, and refrain from using criminal legislation to restrict freedom of expression.
- Move toward reviewing, repealing, or amending punitive legislation used to curb freedom of expression, in particular Article 86 of the Telecommunications Code and Decree-Law No. 54 of 2022 on combating crimes related to information and communication systems.

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