

Five Years of Entrenched Presidential Rule in Tunisia

Human Rights Regression
Since 25 July 2021



HuMENA For Human Rights and Civic Engagement
HuMENA pour les Droits de l'Homme et l'Engagement Civique
هيومينا لحقوق الإنسان والمشاركة المدنية

HuMENA for Human Rights and Civic Engagement

Five Years of Entrenched Presidential Rule in Tunisia

Human Rights Regression Since 25 July 2021

Published by:

HuMENA for Human Rights and Civic Engagement



HuMENA For Human Rights and Civic Engagement
HuMENA pour les Droits de l'Homme et l'Engagement Civique
هـمـومـينا لحقوق الإنسان والمشاركة المدنية

About

HuMENA for Human Rights and Civic Engagement

HuMENA for Human Rights and Civic Engagement is an independent, non-profit organization dedicated to protecting and expanding civic space in the Middle East and North Africa. With headquarters in Brussels and a regional office in Beirut, HuMENA supports human rights defenders and civil society actors, particularly those in exile and diaspora, through strategic advocacy, evidence-based research, and capacity-building initiatives.

Operating across the region, HuMENA works to uphold fundamental freedoms, including the rights to expression, peaceful assembly, and association. Its programs equip individuals and movements with the tools and networks needed to navigate repression, organize safely, and sustain their activism.

HuMENA places a strong emphasis on inclusive justice, working alongside women, refugees, LGBTQ+ individuals, and marginalized communities. By integrating social justice, gender equity, and climate justice into its work, HuMENA fosters resilient civic ecosystems and supports transformative change driven by people and movements.

HuMENA for Human Rights and Civic Engagement © 2026

www.humena.org

15/4 Rue Alphonse Hottat, Ixelles, 1050,
Brussels, Belgium

Downtown, Uruguay St. - Marfaa 246, Elkora Bldg,
Beirut, Lebanon

Table of Contents

Executive Summary	6
Methodology	7
1. From Exceptional Powers to Presidential Rule	7
2. Criminalising Expression and Media Work	9
3. Restricting Protest and Trade Union Activity	10
4. Political Participation, Elections and Opposition Rights	11
5. Pretrial Detention, Fair Trial and Prison Conditions	11
6. Attacks on Lawyers and the Legal Profession	12
7. Migrants, Refugees, Asylum Seekers and Racialised Repression	13
8. Criminalising Humanitarian and Human Rights Work	14
9. Transitional Justice and the Erosion of Accountability	14
Failure to implement the Truth and Dignity Commission's findings	15
Specialised criminal chambers without judgments	16
Reparations and the Dignity Fund	16
Penal reconciliation and executive control of economic cases	17
Prosecutions linked to the Commission's work	17
What the collapse of the process means for victims	18
10. Groups Facing Specific or Intersecting Risks	19
Women defenders and differentiated harms in detention	19
Black Tunisian defenders and anti-racism work	20
Racialised and gendered risks facing migrants, refugees and asylum seekers	21
LGBTQI+ persons and human rights defenders	21
Barriers to protection and remedy	22
11. Applicable Human Rights Standards and International Scrutiny	22
12. International Response and the Role of Tunisia's Partners	23
13. Key Findings	24
Presidential rule has displaced constitutional and judicial checks	24
Criminal law now controls opposition and public debate	24
Civil society faces prosecution, suspension and financial pressure	24

Table of Contents

Racialised migration policy has produced a protection crisis	24
Elections no longer provide meaningful pluralistic competition	24
Transitional justice has been paralysed	25
Recommendations	25
A. To the Tunisian Authorities	25
B. To International Partners, the United Nations and African Mechanisms	26
Endnotes	27

Executive Summary

On 25 July 2021, President Kais Saied invoked exceptional powers that he presented as a temporary response to political paralysis. Five years later, those measures underpin a system of concentrated presidential rule.^[1] Parliament was suspended and dissolved, most of the 2014 Constitution was set aside, and the 2022 Constitution expanded presidential authority while weakening legislative and judicial checks.^[2]

The dissolution of the Supreme Judicial Council and the summary dismissal of 57 judges and prosecutors removed further safeguards against executive interference.^[3] Political opposition and public criticism have increasingly been managed through detention, state-security prosecutions, cybercrime charges and other broadly framed offences. The mass 'conspiracy against state security' proceedings have involved prolonged pretrial detention, collective prosecution and trials that human rights organisations found incompatible with basic fair-trial guarantees.^[4]

Decree-Law No. 54 of 2022 widened the use of criminal law against public-interest speech. Article 24 criminalises broadly defined 'false news' and increases penalties when a public official is involved.^[5] HuMENA has documented how the decree creates legal uncertainty and enables selective prosecution of critical expression.^[6] During the same period, executive interference in judicial governance and the failure to implement court decisions reinstating dismissed judges reduced defendants' ability to challenge arbitrary state action.^[7]

Civil society organisations, anti-racism groups, legal-aid providers, trade unions and journalists' bodies have faced suspension orders, investigations, asset restrictions, raids and smear campaigns. The prosecution of Saadia Mosbah and other Mnemty staff exposed anti-racism work itself to criminal sanction.^[8] Court-ordered suspensions of prominent organisations have further reduced independent monitoring and access to assistance.^[9]

Peaceful assembly remains formally protected, yet organisers and participants increasingly face surveillance, police intervention and prosecution after demonstrations.^[10] Decree-Law No. 88 of 2011 still governs associations.^[11] Financial investigations, suspension orders and official rhetoric portraying independent organisations as foreign agents have nevertheless made lawful civil-society work increasingly precarious, including work on migration, women's rights, accountability and access to justice.^[12]

After President Saied's February 2023 speech alleging a demographic conspiracy, Black migrants and Black Tunisians faced a documented wave of racist violence, forced eviction, arbitrary arrest and exclusion from essential services.^[13] Women, children and people requiring medical care were among those collectively expelled or transferred to remote border areas without adequate safeguards.^[14]

The institutions created to address past violations have also been paralysed. The Truth and Dignity Commission's final report remains largely unimplemented.^[15] The specialised criminal chambers have not delivered judgments.^[16] Public information about reparations and the Dignity and Rehabilitation Fund remains inadequate.^[17] Severe sentences imposed on former Commission officials in proceedings linked to their work have created new risks for those involved in accountability efforts.^[18]

International concern has continued alongside political, financial, security and migration cooperation. European support for border control has proceeded without adequate transparency, independent monitoring or effective human rights safeguards.^[19] Constitutional restructuring, executive control over the judiciary, abusive prosecutions, pressure on civil society and racialised migration policies now reinforce one another. Their effects fall unevenly across gender, race, migration status, sexual orientation, gender identity, age, health and care responsibilities.

Methodology

The reporting period runs from 25 July 2021 to 6 August 2026. The analysis covers constitutional, legislative, judicial, administrative and security developments and their effects on civil and political rights, civic space, equality and access to justice. It focuses on recurring practices and institutional change rather than attempting to catalogue every reported violation.

Sources include legislation, constitutional texts, available judicial information, United Nations and African human rights mechanisms, HuMENA's research and case documentation, reports by Tunisian and international human rights organisations, professional bodies, official statements and credible media reporting. Primary legal and institutional sources were used wherever available. Individual cases are included where they illuminate a wider practice. Allegations of torture, ill-treatment, discriminatory abuse or politically motivated prosecution are attributed to the people or organisations that reported them and are not presented as judicial findings. Where public sources differ or proceedings remain pending, the uncertainty is stated.

The legal assessment applies the International Covenant on Civil and Political Rights, the Convention against Torture, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the African Charter on Human and Peoples' Rights, together with relevant United Nations standards.

1. From Exceptional Powers to Presidential Rule

On 25 July 2021, President Kais Saied invoked Article 80 of the 2014 Constitution, suspended the Assembly of the Representatives of the People, dismissed Prime Minister Hichem Mechichi and lifted parliamentary immunity.^[20] Military forces prevented elected representatives from entering the parliament building.^[21] The President assumed control of the executive and began governing through exceptional measures that were not subject to effective constitutional review.

Article 80 allowed exceptional measures only in response to an imminent danger, required the Constitutional Court to remain in continuous session and prohibited the dissolution of parliament.^[22] Tunisia had never established the Constitutional Court envisaged by the 2014 Constitution.^[23] The President's decisions therefore faced no independent constitutional review.

The scope of the measures expanded rapidly. Former officials and political figures were subjected to

house arrest, travel bans, detention and criminal investigations, in some cases without an effective avenue for timely judicial challenge.^[24] Secret or unacknowledged detention under emergency powers raised further due-process concerns.^[25] Military courts continued to prosecute civilians for criticism of the President and state institutions.^[26] The authorities also restricted independent media, including by preventing Al Jazeera staff from returning to their Tunis office after a security raid.^[27]

HuMENA's research on the state of exception concluded that the measures did not comply with the substantive and procedural requirements of Article 80.^[28] Its later report, Under Siege, documented how the exceptional framework facilitated broader restrictions on peaceful assembly and civic participation.^[29]

A September 2025 communication from the United Nations Special Rapporteur on the independence of judges and lawyers described the post2021- measures as having consolidated presidential control across the executive, legislative and judicial branches and gravely weakened the separation of powers.^[30] The communication also addressed the continuing harassment and prosecution of judges.

Presidential Decree No. 117-2021 of 22 September 2021 converted the exceptional measures into an open-ended system of rule by decree. It maintained the suspension of parliament, vested legislative authority in the President, placed executive power under presidential direction and barred annulment proceedings against decree-laws.^[31] The decree also abolished the provisional body responsible for reviewing the constitutionality of draft laws.

Presidential Decree No. 117-2021 became the legal basis for restructuring the judiciary, electoral system and constitutional order. It replaced legislative checks and consultation with unilateral presidential law-making.

The new Constitution was submitted to referendum on 25 July 2022 after a drafting process that lacked broad political participation and meaningful public consultation. Critics warned that the text would give the President near-total control over the political system.^[32] The Constitution was promulgated in August 2022.^[33]

The 2022 Constitution strengthened presidential authority over the executive, limited parliamentary oversight and weakened the institutional conception of the judiciary as an independent power. It also removed several explicit guarantees contained in the 2014 Constitution, including the constitutional obligation to implement transitional justice. By mid2022-, temporary emergency rule had been replaced by a durable presidential system. The same concentration of power later shaped restrictions on judicial independence, electoral competition, expression, assembly and civil society.

2. Criminalising Expression and Media Work

Since July 2021, authorities have increasingly prosecuted journalists, lawyers, political figures and other peaceful critics. Amnesty International documented at least 39 investigations or prosecutions for protected expression during the first two years.^[34] Decree-Law No. 54 widened this practice through broadly worded offences concerning 'false news' and severe custodial penalties for speech involving public officials.^[35]

Authorities used both Decree-Law No. 54 and older communications offences against journalist Zied El Heni. After he criticised the Minister of Commerce on air in December 2023, he was detained under Article 24 of Decree-Law No. 54 and then prosecuted under Article 86 of the Telecommunications Code. On 10 January 2024, the Tunis Court of First Instance imposed a six-month suspended sentence and ordered his release.^[36]

El Heni was rearrested on 24 April 2026 after comments criticising a judicial decision. The Tunis Court of First Instance sentenced him to one year in prison under Article 86 on 7 May, and the Court of Appeal upheld the sentence on 26 June. HuMENA concluded that the case formed part of a wider pattern in which legal, administrative and security measures have narrowed civic and media space.^[37]

Pressure on media workers extended well beyond El Heni. Journalist Chadha Hadj Mbarek, convicted in the Instalingo case, was unconditionally released on appeal on 14 January 2026 after prolonged detention and serious reported health problems.^[38] In January 2026, journalists Mourad Zghidi and Borhen Bsaies received additional three-and-a-half-year sentences on financial charges that the Committee to Protect Journalists described as retaliatory.^[39] Lawyer and media commentator Sonia Dahmani was conditionally released on 27 November 2025 after approximately eighteen months in detention, while proceedings arising from her public commentary remained unresolved.^[40]

Military courts have also been used against civilian expression. On 13 December 2023, a military court sentenced opposition activist and human rights defender Chaima Issa to a one-year suspended prison term for radio comments concerning the military's role in elections.^[41] The Military Court of Appeal later converted the sentence into an enforceable one-year term. Trying a civilian before a military tribunal for public commentary is incompatible with the requirement that restrictions on expression be adjudicated by independent and impartial civilian courts. Military prosecution of civilian critics predates 2021. Yassine Ayari has repeatedly faced military proceedings for Facebook posts criticising senior military officials.^[42] Its continued use after 2021 has left provisions protecting the reputation or 'morale' of state institutions available to punish non-violent criticism.

Article 19 of the International Covenant on Civil and Political Rights protects political expression and public-interest reporting.^[43] Article 9 of the African Charter protects the right to receive information and to express and disseminate opinions.^[44] Criminal penalties for criticism of public authorities must meet strict tests of legality, necessity and proportionality. The breadth of Decree-Law No. 54, repeated reliance on detention and the use of military jurisdiction fall outside those limits.

3. Restricting Protest and Trade Union Activity

Protest has remained a central form of political participation since the 2011 uprising. People have mobilised over constitutional change, political detention, labour rights, Palestine solidarity, public services and socioeconomic conditions. Since 2021, organisers and participants have faced increased surveillance, police intervention and prosecution after demonstrations.^[45]

Authorities have not imposed a general ban on demonstrations. Restrictions are applied through identity checks, heavy police deployments, administrative obstruction, complaints by security officers and criminal investigations opened after an event. The cost of joining or organising a protest has increased even when police allow the gathering to proceed.

After a July 2022 protest against the constitutional referendum, journalist and then-president of the National Syndicate of Tunisian Journalists Mohamed Yassine Jlassi, human rights defender Nawres Douzi and other participants were referred for investigation on allegations including incitement to disobedience and assaulting a public official.^[46] Peaceful participants were left facing prolonged legal pressure arising from a policing operation.

In March 2026, authorities detained organisers associated with the Global Sumud Flotilla, including Wael Nawar, Jawaher Channa, Nabil Channoufi, Sana Msahli and Mohamed Amine Ben Nour. The arrests followed police restrictions on planned flotilla activities and were investigated as financial offences.^[47]

Jawaher Channa and Sana Msahli were later released subject to restrictive conditions. According to the flotilla's June 2026 update, Wael Nawar, Nabil Channoufi, Ghassen Henchiri, Ghassen Boughediri and remained detained.^[48] The authorities had not publicly identified evidence connecting the alleged financial offences to unlawful conduct by the solidarity initiative. Plainclothes officers arrested Chaima Issa during a peaceful protest in Tunis on 29 November 2025, shortly after an appeal court imposed a twenty-year sentence in the 'conspiracy' case.^[49] HuMENA considers imprisonment arising solely from peaceful political activity or expression to be arbitrary and has called for the release of people detained on that basis.

Relations between the executive and the Tunisian General Labour Union have become increasingly confrontational. The International Trade Union Confederation documented prosecutions, restrictions on collective bargaining, refusal of social dialogue and measures that weakened the union's organisational capacity.^[50] Socioeconomic protests have continued over inflation, unemployment, shortages, declining purchasing power and failures in water, electricity and other public services.^[51]

On 25 July 2026, thousands of people marched in central Tunis to mark five years since the exceptional measures. Demonstrators called for the release of political prisoners, an end to democratic regression and President Saied's departure, and revived the slogan 'the people want the fall of the regime'.^[52] The protest reflected the persistence of public mobilisation despite the risks described in this report.

Under Article 21 of the International Covenant on Civil and Political Rights, restrictions on peaceful assembly must be prescribed by law and necessary and proportionate to a legitimate aim.^[53] Article 11 of the African Charter provides parallel protection.^[54] Criminal proceedings, surveillance and policing measures that are not tied to an individualised and demonstrable risk of violence cannot be justified by general references to public order or state security.

4. Political Participation, Elections and Opposition Rights

Authorities narrowed political participation through changes to electoral rules and proceedings against potential challengers. Before the October 2024 presidential election, prospective candidates were prosecuted, imprisoned or excluded, and the electoral commission approved only three candidates, including President Saied.^[55]

The pre-election period was also marked by mass arrests, restrictions on campaign activity and disregard for administrative-court decisions concerning candidate eligibility. In September 2024, at least 97 members of the Ennahda movement were arrested within two days, while journalists, human rights defenders and civil-society organisations faced additional pressure.^[56] Days before the vote, parliament removed the Administrative Court's jurisdiction over electoral disputes, further weakening independent review.

The use of criminal proceedings against organised opposition continued after the election. In April 2025 defendants in the first 'conspiracy against state security' case received prison terms of between four and sixty-six years after a brief mass trial that Human Rights Watch found failed to provide an adequate opportunity to present a defence.^[57] The appeal proceedings in November 2025 again took place without the principal detained defendants being present. Article 25 of the International Covenant on Civil and Political Rights protects the right to take part in public affairs and to vote and stand in genuine periodic elections.^[58] Genuine elections also depend on freedom of expression, association and assembly, independent electoral administration and effective judicial review. The exclusion of challengers, detention of opposition figures and removal of judicial oversight have sharply reduced those conditions.

5. Pretrial Detention, Fair Trial and Prison Conditions

Authorities have relied extensively on pretrial detention in politically sensitive cases. Human Rights Watch documented repeated extensions and a failure to provide individualised reasons showing why detention was necessary in the 'conspiracy against state security' cases.^[59] Journalists, lawyers, opposition figures, human rights defenders and humanitarian workers have faced the same practice.

Article 9 of the International Covenant on Civil and Political Rights requires pretrial detention to remain exceptional, based on an individual assessment and subject to effective judicial review.^[60] The seriousness of an accusation or the political sensitivity of a case does not, by itself, justify continued detention. Courts must consider less restrictive measures and provide reasons addressing concrete risks such as flight, interference with evidence or the commission of a serious offence.

Fair-trial guarantees have also been weakened by delayed access to case files, restrictions on confidential lawyer-client communication and the use of remote hearings. Video participation can impair a defendant's ability to follow proceedings, consult counsel and challenge evidence, particularly in mass trials. Article 14 of the Covenant requires a practical and effective opportunity to prepare and present a defence.^[61]

Family accounts raised acute concerns about conditions in Mornaguia Prison during the July 2026 heatwave. After visiting her father, opposition figure Ahmed Nejib Chebbi, Haifa Chebbi described extreme heat and said she had witnessed Rached Ghannouchi lose consciousness. Ghannouchi's family and lawyers later told Al Jazeera that they had been unable to see or contact him for eleven days after his collapse and hospitalisation.^[62] These accounts require an independent official response.

Authorities remain responsible for the health and safety of every person in custody. The Nelson Mandela Rules require equivalent healthcare, clinical independence, continuity of treatment and prompt access to specialist care.^[63] The government should publish reliable information on heat-mitigation measures, investigate allegations of denied medical care and consider release where detention creates a serious and avoidable risk to health.

6. Attacks on Lawyers and the Legal Profession

Prosecuting lawyers for public statements, client representation or criticism of executive interference undermines professional independence and defendants' right to an effective defence. Former administrative judge and lawyer Ahmed Souab's detention and reported health emergency illustrate the consequences of custodial measures against legal professionals engaged in prominent rights cases.^[64]

In May 2024, security forces entered the Tunisian Bar Association's premises to arrest Sonia Dahmani and Mehdi Zagrouba. International legal and human rights organisations later raised concerns about the arrests, alleged ill-treatment and a wider campaign of intimidation against lawyers and judges.^[65] Every allegation of torture or ill-treatment requires a prompt, independent and effective investigation.

Ayachi Hammami, a lawyer and human rights defender who represented dismissed judges and political detainees, was prosecuted under Decree-Law No. 54 and later imprisoned following the 'conspiracy' proceedings. In June 2026, forty organisations reported that at least twelve other lawyers faced judicial harassment, travel bans or asset freezes.^[66] The consequences reach every defendant who depends on independent counsel.

The UN Basic Principles on the Role of Lawyers require governments to ensure that lawyers can perform their functions without intimidation, harassment or improper interference and are not identified with their clients or their clients' causes.^[67] Authorities must distinguish conduct supported by admissible evidence from legal representation, advocacy for fair-trial rights and public criticism of interference in the administration of justice.

7. Migrants, Refugees, Asylum Seekers and Racialised Repression

President Saied's speech of 21 February 2023 alleged a criminal plan to alter Tunisia's demographic composition through migration from sub-Saharan Africa.^[68] The speech legitimised a racialised policy environment in which Black migrants and Black Tunisians faced increased violence, arrest, eviction and exclusion from essential services.

In the days following the speech, human rights organisations documented racist attacks, forced evictions, job losses and discriminatory arrests.^[69] After violence in Sfax in July 2023, security forces transferred groups of migrants, refugees and asylum seekers towards the Libyan and Algerian borders. People, including women and children, were left in remote areas without adequate food, water, shelter or medical assistance; deaths were later reported near the border.^[70]

At the same time, Tunisia expanded cooperation with European partners on migration control. The July 2023 EU-Tunisia Memorandum of Understanding included substantial support for border management. Human Rights Watch and other organisations documented violent interceptions, arbitrary detention and collective expulsions and warned that assistance without effective safeguards, monitoring and suspension mechanisms creates a risk of complicity.^[71]

Collective expulsion is prohibited under Article 5(12) of the African Charter.^[72] The principle of non-refoulement also prohibits removal where a person faces a real risk of torture or other prohibited treatment.^[73] Racial profiling, removal without an individual assessment and denial of access to asylum procedures are incompatible with these obligations.

8. Criminalising Humanitarian and Human Rights Work

Authorities have prosecuted and suspended organisations that assist migrants and refugees. The measures have affected legal aid, accommodation referrals, asylum assistance and services for people in vulnerable situations. HuMENA documented how the suspension of *Avocats Sans Frontières* restricted civic space and access to justice for groups already facing substantial barriers.^[74]

The *Terre d'Asile Tunisie* case involved former director Sherifa Riahi, staff members Mohamed Joo and others, and former municipal official Imen Ouardani. They spent approximately twenty months in detention before their release in January 2026. HuMENA welcomed the release while stressing that the underlying prosecution reflected the wider criminalisation of civil-society work supporting migrants and refugees.^[75]

The Tunisian Council for Refugees had worked with the Office of the United Nations High Commissioner for Refugees on initial asylum screening. Authorities closed the organisation in May 2024 and prosecuted founder Mustapha Djemali, programme manager Abderrazek Krimi and other staff. The Court of Appeal upheld the convictions of Djemali and Krimi on 13 May 2026. Human Rights Watch described the case as an abusive prosecution arising from lawful assistance to refugees and asylum seekers.^[76]

The prosecutions took place as UNHCR asylum registration was suspended and no national asylum system was available to replace it. By July 2026, Amnesty International reported that authorities had dismantled crucial protection safeguards and subjected refugees and asylum seekers to a cycle of racialised abuse.^[77] Closing independent organisations under these conditions deprives people of legal advice, documentation and a practical route to international protection.

9. Transitional Justice and the Erosion of Accountability

Tunisia's transitional justice framework was adopted to address serious violations committed between July 1955 and December 2013. Organic Law No. 53 of 2013 defined the process broadly: truth-seeking, criminal accountability, reparations, restoration of victims' dignity, preservation of memory, institutional reform and guarantees of non-recurrence. It also established specialised criminal chambers to hear cases involving gross human rights violations. The law remains in force. Its principal mechanisms, however, have been left without the political support, judicial continuity and administrative follow-through required to deliver results.^[78]

The process was already contested before 25 July 2021. State bodies had resisted cooperation with the Truth and Dignity Commission, implementation was slow, and the first specialised-chamber trials faced repeated delays. The period since 2021 has deepened those failures. The executive dismantled safeguards for judicial independence, the specialised chambers lost judges and prosecutors through judicial rotations, official reporting on reparations largely disappeared, and senior figures associated with the Commission were prosecuted in cases linked to its work.

Organic Law No. 53 did not envisage transitional justice as a commission that would close after publishing a historical record. It required state institutions to use the Commission's findings, prosecute the gravest violations, repair individual and collective harm, reform abusive institutions and preserve archives and memory. That work depends on cooperation across the executive, judiciary, legislature, security institutions, local authorities and public administration. When an institution withholds records, ignores summonses or refuses to implement recommendations, the entire process stalls.^[79]

The concentration of power after 2021 deepened the pre-existing implementation deficit. Institutions expected to scrutinise executive conduct lost independence, and victims and civil society had fewer avenues through which to demand compliance. Administrative silence, judicial interruption and political efforts to discredit the process became mutually reinforcing.

Failure to implement the Truth and Dignity Commission's findings

The Truth and Dignity Commission completed its mandate in December 2018 and issued its final report in March 2019. The report was formally published in the Official Gazette on 24 June 2020. Under Article 70 of Organic Law No. 53, the government was required to prepare, within one year of publication, a plan and programmes for implementing the Commission's recommendations and submit them to the legislature for scrutiny. No comprehensive public plan has been adopted that identifies responsible institutions, budgets, deadlines and measurable progress for each recommendation.^[80]

For victims, non-implementation means years of testimony and evidence have not produced the recognition, reparation or reform they were promised. There is no transparent mechanism showing which recommendations the state accepted, what it has done or when further action will follow. United Nations experts have repeatedly raised concerns about the institutional, judicial and political obstacles.^[81]

The constitutional environment has also changed. Article 9(148) of the 2014 Constitution expressly required the state to apply the transitional justice system in all its domains and within the time limits set by the relevant legislation. The 2022 Constitution does not reproduce that obligation. This omission did not repeal Organic Law No. 53, but it removed an explicit constitutional guarantee at the same time that the executive was extending its control over the judiciary.^[82]

No coordinated programme has followed the Commission's findings on the security sector, judiciary, administration, media and economic governance. The necessary work includes legislative reform, evidence-based disciplinary or vetting measures, preservation of archives and

access to records subject to legitimate privacy safeguards. Public reporting shows no programme of this kind.

Non-implementation also leaves the historical record vulnerable. The Commission sought to document violations and the institutional practices that enabled them. Without integration into archives, education, memorialisation and public policy, victims are left to defend that record individually while implicated institutions face little pressure to acknowledge or reform their conduct.^[83]

Specialised criminal chambers without judgments

The Commission referred more than 200 cases to thirteen specialised criminal chambers. The files concern alleged killings, torture and other ill-treatment, enforced disappearance, rape and sexual assault, arbitrary detention, corruption and other serious abuses. The first hearings began on 29 May 2018. Seven years later, no chamber had issued a judgment. In June 2025, Justice Info reported that none of the cases had reached the pleadings stage.^[84] Open case files do not amount to accountability. The chambers need stable and trained judicial panels, specialised investigative support, clear procedural rules, access to archives, enforceable summonses and protection against intimidation. Without those conditions, they cannot decide the merits of the cases before them.^[85]

The record on sexual and gender-based crimes is especially weak. The Commission received at least 795 complaints of rape and 3,274 complaints concerning other forms of sexual abuse, but referred only 25 such cases to the specialised chambers. Survivors face gaps in domestic legal definitions, repeated questioning, stigma and insufficient protection against retraumatisation. Delay increases these harms and reduces the prospect that evidence, witnesses and defendants will remain available when a case is finally heard.^[86]

Victim participation has also suffered from the length and instability of proceedings. Hearings that repeatedly end in adjournment require victims and families to travel, relive testimony and absorb costs without a clear prospect of a judicial outcome. The passage of time weakens documentary trails, complicates the location of witnesses and increases the risk that defendants or victims die before judgment. In cases involving violations committed decades ago, delay can convert a formally available remedy into one that is practically inaccessible.

Reparations and the Dignity Fund

Organic Law No. 53 recognised reparation as a right, not a discretionary form of assistance. The Dignity and Rehabilitation Fund was intended to implement individual and collective reparations ordered through the transitional justice process. According to the International Center for Transitional Justice, the measures of 25 July 2021 directly affected the Fund: its head was dismissed and no official information was subsequently made available about its work. Public information remains insufficient to assess the Fund's resources, decisions or implementation record.^[87]

Victims cannot determine whether compensation, rehabilitation, official recognition and collective

measures addressing regional marginalisation are being delivered. Public scrutiny is impossible without information on the Fund's governance, budget, eligibility decisions and implementation of individual and collective reparations.

Collective reparation matters in regions that experienced systematic economic exclusion, excessive force or chronic underinvestment. Violations affected communities through discriminatory development policies, land and resource decisions, exclusion from public services and the suppression of social protest. Individual payments alone cannot address those territorial and institutional harms.

A credible programme should distinguish urgent interim assistance from full reparation, publish objective eligibility criteria, and explain how individual awards relate to collective measures. It should also include rehabilitation, psychosocial support, healthcare, restoration of civil and professional status, memorialisation and measures designed with affected communities. None of these elements can be assessed without regular public information from the Fund and the institutions responsible for implementation.^[88]

Penal reconciliation and executive control of economic cases

In March 2022, President Kais Saied issued Decree-Law No. 13 on penal reconciliation in economic and financial offences. The decree created a commission attached to the Presidency and allows covered prosecutions, trials and sentences to be replaced by payments or development projects. The President appoints the commission's members and may dismiss them. Recovery of public funds and regional investment are legitimate objectives, but this mechanism does not require truth disclosure, victim participation, acknowledgement of responsibility, institutional reform or guarantees of non-recurrence.^[89]

A financial settlement may recover public funds, but it cannot establish how abuse occurred, identify those responsible, recognise victims or determine the institutional reforms needed to prevent recurrence. Where penal reconciliation overlaps with files examined or referred by the Truth and Dignity Commission, an executive-managed settlement risks displacing the victim-centred process required by Organic Law No. 53.

Because the reconciliation commission sits under presidential authority, the President controls its appointments and strategic direction. The body can terminate or replace proceedings in economically and politically sensitive cases without independent oversight, public reasoning or victim participation. The authorities should publish the cases admitted, the valuation method, sums recovered, projects financed and the relationship between reconciliation decisions and pending criminal or transitional justice proceedings.^[90]

Prosecutions linked to the Commission's work

Proceedings against former Commission president Sihem Bensedrine now shape the fate of transitional justice itself. Authorities accused her of fraud, forgery, bribery and abuse of official capacity in cases concerning the Commission's final report and its arbitration and reconciliation work. She was remanded in pretrial detention on 1 August 2024 and released on bail in February 2025 after a hunger strike that led to hospitalisation. A travel ban remained in place, and she

received additional summonses in April 2026 in cases linked to her work at the Commission.^[91]

On 26 June 2026, the Tunis Court of First Instance sentenced Bensedrine to a total of twenty-five years in prison in two cases. She remained free pending appeal at the research cut-off date, and the appeal hearing had not been scheduled. In the same proceedings, lawyer and former Commission member Khaled Krichi, arrested on 3 June 2026, received a ten-year prison sentence in connection with his work at the institution.^[92]

Former office-holders are not immune from lawful investigation. Any proceedings must nevertheless comply with the principle of legality, the presumption of innocence, fair-trial guarantees and Article 69 of Organic Law No. 53, which protects Commission members, staff and persons acting on its instructions from liability for reports, conclusions, views and recommendations produced under the law. Human rights organisations and United Nations experts have raised concerns that the cases are retaliatory and are being used to discredit the Commission's work. The proceedings have also raised specific fair-trial concerns. The International Commission of Jurists reported that Bensedrine and her lawyers had not received the indictment chamber's decision detailing the charges before the first trial hearing, and that the court excluded journalists, civil society representatives and family members from the 18 June 2026 hearing without publicly stating reasons.^[93]

Article 69 permits investigation of conduct outside the lawful exercise of the Commission's mandate. It also requires courts to distinguish alleged ordinary criminal conduct from reports, conclusions, opinions and recommendations protected by the law. Charges relating to amendments to the final report or arbitration work must identify the alleged act, the applicable offence, the evidence of individual responsibility and the basis on which statutory protection is said not to apply.

The combined sentences and the conduct of the hearings require close scrutiny. Long prison terms imposed in accelerated or closed proceedings may deter former staff from cooperating with courts, discourage witnesses from defending the historical record and reinforce official narratives that treat the Commission as illegitimate. Appellate review must address the evidence, Article 69 protection, access to the case file, publicity of hearings and individual responsibility.^[94]

What the collapse of the process means for victims

The erosion of transitional justice now operates at several levels: the final report remains largely unimplemented; the specialised chambers have not delivered judgments; reparations lack a transparent delivery mechanism; the judiciary has lost essential safeguards; and prosecutions connected to the Commission's work have created new risks for those involved in accountability processes. Victims face diminishing prospects of truth, judicial determination and reparation. Witnesses, investigators and future office-holders also receive a clear warning about the personal cost of pursuing sensitive cases.

Institutions implicated in past violations were never fully reformed. Security bodies and judicial institutions still exercise broad powers without the safeguards envisaged by the transitional justice framework. The same conditions continue to enable arbitrary detention, torture, unlawful

surveillance and politically motivated prosecution.

Any recovery plan must start with victims' rights. Victims and their representatives should set priorities, monitor implementation, help design reparations and assess the work of the specialised chambers. Participation must be accessible to people outside Tunis and to those facing poverty, disability, age-related barriers or security risks.^[95]

A credible recovery requires a time-bound plan for implementing the Commission's recommendations, transparent and independent governance of the Dignity Fund, stable judicial panels for the specialised chambers, execution of lawful summonses, protection of victims and witnesses, and fair proceedings for former Commission members under Organic Law No. 53.

10. Groups Facing Specific or Intersecting Risks

Repression since 2021 has affected political opponents, journalists, lawyers, civil society organisations and ordinary critics, but its consequences are not uniform. Gender, race, migration status, sexual orientation, gender identity, age, health and care responsibilities influence the form and severity of harm and a person's ability to obtain protection. The relevant assessment is whether identity or status affected state conduct, treatment in custody, exposure to private violence or access to an effective remedy.

Women defenders and differentiated harms in detention

Women active in public life have faced the same criminal laws and coercive measures used against male colleagues. Pregnancy, breastfeeding, care responsibilities, age and serious health conditions can, however, create additional and foreseeable harm. These factors are relevant to the necessity and proportionality of detention, access to medical care, family contact and the rights of affected children.

Women defenders also face sexualised insults, attacks on family reputation and allegations framed around morality. Such abuse can restrict movement, increase physical risk and transfer pressure to relatives. Authorities must prevent and investigate gender-based violence, including threats amplified through official or pro-government platforms.^[96]

Sherifa Riahi, former director of Terre d'Asile Tunisie, was arrested in May 2024 while on maternity leave and breastfeeding her newborn child. She was prosecuted with current and former colleagues in a case arising from work assisting refugees and migrants. On 5 January 2026, a Tunis court suspended the remainder of two-year sentences and ordered the release of Riahi, Mohamed Joo, another staff member and former municipal official Imen Ouadani. They had spent approximately twenty months in detention. HuMENA welcomed the release but concluded that the case reflected the wider criminalisation of civil-society work supporting migrants and refugees.^[97]

Riahi's maternity and breastfeeding status were directly relevant to the rights of her child. Article 3 of the Convention on the Rights of the Child requires the child's best interests to be a primary

consideration in decisions affecting them.^[98] The Bangkok Rules require authorities to consider non-custodial measures for women with dependent children where appropriate.^[99] These standards require an individualised assessment of foreseeable harm and available alternatives. Sihem Bensedrine was seventy-four when she began a hunger strike against the extension of her pretrial detention in January 2025 and was hospitalised. Whatever the merits of the proceedings, the authorities had a separate duty to assess her medical needs and whether detention remained necessary and proportionate.^[100]

Detention decisions should account for continuity of care, access to medication, specialist treatment and the foreseeable effect of prison conditions on chronic illness. The Nelson Mandela Rules require clinical independence and healthcare equivalent to that available in the community. Where necessary care cannot be provided, courts should consider release or a less restrictive measure rather than allowing detention to impose additional punishment before final judgment.^[101]

Black Tunisian defenders and anti-racism work

Saadia Mosbah is a Black Tunisian human rights defender and president of Mnemty. Authorities arrested her on 6 May 2024, and she remained in prolonged pretrial detention during the crackdown on organisations working on migration and racial discrimination.^[102] On 19 March 2026, the Tunis Court of First Instance sentenced her to eight years in prison on financial charges. The Court of Appeal upheld the conviction on 23 June, and Mosbah and her co-defendants filed a cassation appeal on 29 June.^[103]

Amnesty International described the prosecution as an abusive response to Mnemty's human rights work and called for the convictions to be quashed. Mosbah and her family also reported racist abuse and physical assault in detention.^[104] United Nations Special Procedures addressed her case in communications concerning anti-racism and migrant-rights defenders, prolonged pretrial detention, fair-trial concerns and alleged ill-treatment.^[105]

Mnemty documents abuse, supports complaints, refers victims to lawyers and challenges discriminatory narratives. Detaining and prosecuting its staff removes protection from Black Tunisians, migrants and refugees, especially where state institutions are themselves implicated in the alleged abuse.

Tunisia's 2018 law on the elimination of racial discrimination created an important legal basis for complaints and public policy, but enforcement depends on accessible institutions and defenders able to assist victims. The weakening of organisations such as Mnemty limits the practical reach of the law. Victims may lack information, legal representation, documentation or confidence that complaints against officials will be examined independently.^[106]

The racist campaign preceding Mosbah's arrest, her public role as a Black woman leading an anti-racism organisation and the reported abuse in detention all require investigation. Authorities must examine discriminatory motives and protect her from violence irrespective of the eventual ruling on the financial charges.

Racialised and gendered risks facing migrants, refugees and asylum seekers

Black migrants, refugees and asylum seekers have faced racially targeted arrests, violent interceptions at sea, arbitrary detention and collective expulsion. Amnesty International documented at least seventy collective expulsion operations between June 2023 and May 2025 involving more than 11,500 people. Security forces abandoned people, including pregnant women and children, in remote border areas with Libya and Algeria, often after confiscating phones, identity documents and money.^[107]

Women and girls face specific risks during interception, detention, transfer and expulsion, including rape and other sexual violence. Pregnant women face additional danger when transported or abandoned without food, water, shelter or medical care. Migration status also restricts access to justice. A person who fears arrest or removal may be unable to report violence by security officials, obtain medical evidence, recover documents or maintain contact with counsel. The closure and prosecution of organisations providing legal and humanitarian assistance has further reduced access to asylum procedures and independent protection.^[108]

Survivors of sexual violence may be unable to report abuse without risking detention, prosecution for irregular entry or expulsion. Confiscated phones and documents cut off contact with relatives, lawyers and protection agencies and can destroy evidence of identity, residence or prior abuse. Pregnant women, unaccompanied children and people requiring ongoing treatment face additional danger when transferred to remote border areas without screening or referral.

Non-refoulement requires an individual assessment before removal where a person may face torture or other prohibited treatment.^[109] Collective transfers based on nationality, race or presumed migration status are prohibited under the African Charter.^[110] Access to interpretation, legal advice, asylum procedures and a remedy capable of suspending removal is essential. European cooperation does not reduce Tunisia's responsibility for conduct by its own security forces.

LGBTQI+ persons and human rights defenders

Article 230 of the Penal Code continues to criminalise consensual same-sex relations. Public-morality provisions, including Articles 226 and 226 bis, have also been used against people because of their actual or perceived sexual orientation or gender identity. Between 26 September 2024 and 31 January 2025, Damj documented the arrest of at least eighty-four people, mainly gay men and trans women, in Tunis, Hammamet, Sousse and El Kef.^[111]

Amnesty International documented arrests based on appearance and gender stereotypes, entrapment through online platforms, searches of phones and social media accounts, disclosure of private information and prosecutions relying on digital content. Men accused of same-sex conduct continued to be subjected to forced anal examinations, a practice without evidentiary value that constitutes cruel, inhuman or degrading treatment and may amount to torture.^[112]

Police searches of phones and social-media accounts require a clear legal basis, a legitimate investigative purpose and strict limits on the data examined. Using private conversations, photographs or dating applications to establish consensual adult relationships turns a personal device into an instrument of identity surveillance. Public outing can lead to family violence, eviction, dismissal or forced displacement even without a conviction.^[113]

Public visibility creates further risk for LGBTQI+ defenders. Mira Ben Salah, a trans woman human rights defender and coordinator of Damj's southern office in Sfax, has faced repeated police summonses and online smear campaigns. In February 2025, pro-government social media pages published her telephone number and home address and called for her imprisonment. She had previously filed complaints concerning police harassment, threats and violence, but reported no progress in those complaints while investigations against her continued.^[114]

Publishing defenders' addresses or telephone numbers can expose them to immediate violence and prevent them from maintaining hotlines, meeting survivors or working outside the capital. Authorities must investigate threats, protect confidential information and ensure that official procedures do not reinforce private campaigns demanding a defender's arrest or the closure of an organisation.

Barriers to protection and remedy

Discrimination affects who is arrested, how people are treated in custody and whether they can safely seek a remedy. Protection must match the abuse alleged: independent investigation of racist, misogynistic, homophobic and transphobic threats and violence; access to counsel and medical care; protection of privacy; trauma-informed complaint procedures; and non-custodial measures where detention is unnecessary.

The authorities should repeal Article 230, end forced anal examinations, stop racial profiling and collective expulsions, restore access to asylum procedures, and allow organisations working on migration, anti-racism and LGBTQI+ rights to operate without retaliation. Data on arrests, prosecutions, detention and complaints of abuse should be disaggregated where this can be done without exposing individuals to further harm.

11. Applicable Human Rights Standards and International Scrutiny

Tunisia's international and regional human rights obligations remain binding despite domestic constitutional change and regardless of how the authorities classify a defendant, organisation or protest.

The International Covenant on Civil and Political Rights protects expression, assembly, association, liberty, fair trial, privacy and political participation, and requires lawful, necessary and

proportionate restrictions backed by an effective remedy.^[115] The African Charter provides parallel regional guarantees and prohibits mass expulsion of non-nationals.^[116]

The Convention against Torture prohibits torture and other cruel, inhuman or degrading treatment, requires prompt and impartial investigation of credible abuse in custody and bars removal where a person faces a substantial risk of torture.^[117] The Convention on the Elimination of All Forms of Racial Discrimination requires equal protection and an effective remedy for racist violence and discriminatory official conduct.^[118]

The Convention on the Elimination of All Forms of Discrimination against Women requires action against gender-based violence and discrimination, including abuse directed at women because of their public or human rights work.^[119] The Convention on the Rights of the Child makes the child's best interests a primary consideration in decisions on parental detention, migration enforcement and removal.^[120]

The Nelson Mandela Rules set minimum standards for prison conditions and healthcare.^[121] The Bangkok Rules require gender-responsive treatment and consideration of non-custodial measures for women with dependent children.^[122] The Basic Principles on the Role of Lawyers require protection from intimidation, harassment and improper interference in professional work.^[123] United Nations Special Procedures have repeatedly addressed judicial independence, arbitrary detention, transitional justice, lawyers, human rights defenders, migrants and racial discrimination in Tunisia. Their communications identify credible allegations and request information or remedial action. Weak domestic institutions and limited official responses have left many victims without an effective national remedy.

12. International Response and the Role of Tunisia's Partners

The European Union and other international partners have continued political, financial, security and migration cooperation while publicly expressing concern about human rights violations. The July 2023 EU-Tunisia Memorandum of Understanding placed migration management at the centre of bilateral relations. Human rights organisations later documented abuses linked to interception, detention and expulsion and warned that support without independent monitoring, transparency and suspension clauses creates a risk of complicity.^[124]

Human rights benchmarks should govern every area of cooperation. Partners should publish risk assessments, allow independent monitoring, disclose the destination of funds and equipment, and suspend assistance where it may facilitate serious violations. Support for independent civil society, legal aid, media and victims' groups should not depend on approval from the Tunisian authorities.

13. Key Findings

Five years after 25 July 2021, HuMENA identifies seven findings:

✿ Presidential rule has displaced constitutional and judicial checks

The suspension and dissolution of parliament, Presidential Decree No. 117-2021 and the 2022 Constitution transferred extensive governing and legislative power to the Presidency. The absence of an operational Constitutional Court, dissolution of the Supreme Judicial Council, dismissal of 57 judges and prosecutors and executive influence over judicial governance removed effective checks on presidential action.

✿ Criminal law now controls opposition and public debate

Mass state-security prosecutions, prolonged pretrial detention and cases against opposition figures, journalists, lawyers and human rights defenders have made criminal proceedings a principal means of political control. Decree-Law No. 54, the Telecommunications Code, military jurisdiction and financial charges have widened the chilling effect on public-interest speech and legal advocacy.

✿ Civil society faces prosecution, suspension and financial pressure

Independent organisations have faced suspension orders, financial investigations, raids, asset measures and smear campaigns. The pressure falls heavily on groups providing legal aid or working on migration, anti-racism, women's rights, accountability and humanitarian protection, reducing the services available to people already at risk.

✿ Racialised migration policy has produced a protection crisis

Racist official rhetoric has been followed by discriminatory arrest, violence, collective expulsion, abandonment at borders and the dismantling of asylum and assistance mechanisms. Migration cooperation has expanded without safeguards capable of preventing abuse or establishing accountability.

✿ Elections no longer provide meaningful pluralistic competition

Changes to electoral institutions, exclusion and prosecution of prospective candidates, mass arrests of opposition members and the removal of judicial oversight from electoral disputes have

sharply reduced the possibility of genuine political competition.

Transitional justice has been paralysed

The state has not implemented the Truth and Dignity Commission's final report, the specialised criminal chambers have not delivered judgments and reparations remain opaque. Proceedings linked to the Commission's work have created additional risks for victims, witnesses and accountability actors and increased the likelihood of recurring violations.

Repression falls hardest on people already facing discrimination

Race, gender, migration status, sexual orientation, gender identity, age, health and care responsibilities shape exposure to arrest, abuse, sexual violence, denial of healthcare and barriers to remedy. Criminalising the organisations that serve affected communities intensifies those harms.

Recommendations

A. To the Tunisian Authorities

HuMENA calls on the Tunisian authorities to:

- ◆ Restore constitutional and judicial safeguards, including an independent judicial council, compliance with administrative-court decisions and effective review of executive action.
- ◆ Release all persons detained solely for peacefully exercising freedom of expression, association, assembly, political participation or human rights work, and review politically sensitive convictions through proceedings that meet fair-trial standards.
- ◆ Ensure that pretrial detention is exceptional, individually reasoned and regularly reviewed; guarantee access to case files, confidential communication with counsel and meaningful participation in hearings.
- ◆ Repeal or comprehensively amend Decree-Law No. 54 and other provisions used to criminalise protected expression, and end military trials of civilians for speech-related conduct.
- ◆ Guarantee peaceful assembly and trade-union activity, and end surveillance, intimidation and criminal proceedings against organisers and participants unless there is evidence of a recognisable criminal offence.

- ◆ End retaliation against lawyers, journalists, judges, human rights defenders and humanitarian workers, and investigate allegations of torture, ill-treatment, doxxing and discriminatory threats.
- ◆ Lift arbitrary suspension orders and financial restrictions affecting independent associations, and ensure that organisations can receive funding and provide legal, humanitarian and protection services without interference.
- ◆ End racial profiling, collective expulsions and abandonment at borders; restore access to asylum procedures; and investigate deaths, disappearances, torture, sexual violence and racist abuse linked to interception and removal operations.
- ◆ Repeal Article 230 of the Penal Code, end forced anal examinations, and cease arrests and prosecutions based on actual or perceived sexual orientation, gender identity, private digital content or gender expression.
- ◆ Publish a time-bound and adequately funded plan for implementing the Truth and Dignity Commission's recommendations, restore the specialised criminal chambers, reactivate the Dignity and Rehabilitation Fund and ensure that proceedings involving former Commission officials comply with Organic Law No. 53 and fair-trial guarantees.

B. To International Partners, the United Nations and African Mechanisms

- ◆ Apply clear and measurable human rights benchmarks to political, financial, migration and security cooperation with Tunisia, and publish the methodology and findings of human rights risk assessments.
- ◆ Suspend or revise assistance where there is a substantial risk that it will facilitate racial profiling, abusive interception, arbitrary detention, collective expulsion, surveillance or other serious violations.
- ◆ Monitor politically sensitive trials and detention conditions, seek access to proceedings and places of detention, and raise documented fair-trial violations and discriminatory treatment directly with the Tunisian authorities.
- ◆ Request public information on implementation of the Truth and Dignity Commission's report, the specialised criminal chambers, the Dignity Fund and safeguards governing penal reconciliation.
- ◆ Provide sustained and flexible support to victims' groups, anti-racism and LGBTQI+ organisations, legal-aid providers, independent media, professional associations and organisations assisting migrants, refugees and asylum seekers. Protect this support from political interference and burdensome short-term funding conditions.

Endnotes

- 1 Human Rights Watch. (2025, January 16). Tunisia: Drastic closure of civic space. <https://www.hrw.org/news/2025/01/16/tunisia-drastic-closure-civic-space>
- 2 Amara, T., & McDowall, A. (2022, July 25). Tunisia's Saied holds referendum, critics fear for democracy. Reuters. <https://www.reuters.com/world/africa/tunisians-vote-constitution-expanding-presidents-power-2022-07-25/>
- 3 Amnesty International. (2022, September 9). Tunisia: Reinstate revoked judges and prosecutors. <https://www.amnesty.org/en/documents/mde30/6040/2022/en/>
- 4 Human Rights Watch. (2025, April 16). "All conspirators": How Tunisia uses arbitrary detention to crush dissent. <https://www.hrw.org/report/2025/04/16/all-conspirators/how-tunisia-uses-arbitrary-detention-crush-dissent>
- 5 Tunisia. (2022, September 13). Decree-Law No. 2022-54 on combating offences relating to information and communication systems (art. 24). <https://legislation-securite.tn/latest-laws/decret-loi-n-2022-54-du-13-septembre-2022-relatif-a-la-lutte-contre-les-infractions-se-rapportant-aux-systemes-dinformation-et-de-communication/>
- 6 Hammedi, N. (n.d.). Decree Law 54 in Tunisia: Between protecting digital space and threatening freedoms. HuMENA for Human Rights and Civic Engagement. Retrieved August 6, 2026, from <https://humena.org/blogs/decret-54-tunisia/>
- 7 Amnesty International. (2022, September 9). Tunisia: Reinstate revoked judges and prosecutors. <https://www.amnesty.org/en/documents/mde30/6040/2022/en/>
- 8 Amnesty International. (2026, June 1). Tunisia: Quash unjust convictions of anti-racism activists Saadia Mosbah and Mnenmy staff. <https://www.amnesty.org/en/latest/news/2026/06/tunisia-quash-unjust-convictions-of-anti-racism-activists-saadia-mosbah-and-mnenmy-staff/>
- 9 Reuters. (2026, April 25). Tunisia suspends Nobel Peace Prize-winning LTDH rights group. <https://www.reuters.com/world/africa/tunisia-suspends-nobel-peace-prize-winning-ltdh-rights-group-2026-04-25/>
- 10 HuMENA for Human Rights and Civic Engagement. (2024, September 2). Under siege: The shrinking space for peaceful assembly in Tunisia. <https://humena.org/under-siege-the-shrinking-space-for-peaceful-assembly-in-tunisia/>
- 11 Tunisia. (2011, September 24). Decree-Law No. 2011-88 on associations. <https://legislation-securite.tn/latest-laws/decret-loi-n-2011-88-du-24-septembre-2011-relatif-aux-associations/>
- 12 HuMENA for Human Rights and Civic Engagement. (2026, May 6). Tunisia: Suspension of Avocats Sans Frontières restricts civic space and threatens access to justice for vulnerable groups. <https://humena.org/suspension-avocats-sans-frontieres-access-to-justice/>
- 13 Amnesty International. (2023, March 10). Tunisia: President's racist speech incites a wave of violence against Black Africans. <https://www.amnesty.org/en/latest/news/2023/03/tunisia-presidents-racist-speech-incites-a-wave-of-violence-against-black-africans/>
- 14 Amnesty International. (2025, November 6). Tunisia: Rampant violations against refugees and migrants expose EU's complicity risk. <https://www.amnesty.org/en/latest/news/2025/11/tunisia-rampant-violations-against-refugees-migrants-eu-risks-complicity/>
- 15 Office of the United Nations High Commissioner for Human Rights. (2025, June 10). Joint allegation letter TUN 2/2025 concerning obstacles to the implementation of transitional justice in Tunisia. <https://spcommreports.ohchr.org/TmSearch/RelCom?code=TUN%202/2025>
- 16 Taieb, A. (2025, June 13). Tunisia's transitional justice in agony. Justice Info. <https://www.justiceinfo.net/en/146482-tunisia-transitional-justice-ago-ny.html>
- 17 International Center for Transitional Justice. (n.d.). Tunisia. Retrieved August 6, 2026, from <https://www.ictj.org/where-we-work/tunisia>
- 18 Human Rights Watch. (2026, July 7). Tunisia: Harsh sentences for rights defenders. <https://www.hrw.org/news/2026/07/07/tunisia-harsh-sentenc->

[es-for-rights-defenders](#)

- 19 Human Rights Watch. (2026, July 16). "A blueprint for complicity": Three years on, the EU-Tunisia deal continues to fuel human rights violations. <https://www.hrw.org/news/2026/07/16/a-blueprint-for-complicity-three-years-on-eu-tunisia-deal-continues-to-fuel-human>
- 20 Yerkes, S., & Muasher, M. (2021, July 26). Kais Saied's power grab in Tunisia. Brookings Institution. <https://www.brookings.edu/articles/kais-saieds-power-grab-in-tunisia/>
- 21 Human Rights Watch. (2021, July 27). Tunisia: President's seizure of powers threatens rights. <https://www.hrw.org/news/2021/07/27/tunisia-presidents-seizure-powers-threatens-rights>
- 22 Tunisia. (2014, January 27). Constitution of the Republic of Tunisia (art. 80). <https://www.coe.int/en/web/venice-commission/-/cdl-ref-2014-010-e>
- 23 Columbia Political Review. (2024, March). Tunisia's forgotten court: Constitutional oversight and the rise of authoritarianism. <https://www.cpreview.org/articles/2024/3/tunisias-forgotten-court-a-constitutional-oversight-and-the-rise-of-authoritarianism>
- 24 Human Rights Watch. (2022, January 6). Tunisia: Free arbitrarily detained ex-justice minister. <https://www.hrw.org/news/2022/01/06/tunisia-free-arbitrarily-detained-ex-justice-minister>
- 25 Human Rights Watch. (2022, February 9). Tunisia: Secret detentions under cover of state of emergency. <https://www.hrw.org/news/2022/02/09/tunisia-secret-detentions-under-cover-state-emergency>
- 26 Human Rights Watch. (2022, March 14). Tunisia: Military court jails prominent lawyer. <https://www.hrw.org/news/2022/03/14/tunisia-military-court-jails-prominent-lawyer>
- 27 Human Rights Watch. (2021, November 17). Evicted from their office, Al Jazeera works from a front yard in Tunisia. <https://www.hrw.org/news/2021/11/17/evicted-their-office-al-jazeera-works-front-yard-tunisia>
- 28 HuMENA for Human Rights and Civic Engagement. (2022). State of exception in Tunisia under President Kais Saied [Research paper, Arabic]. <https://humena.org/ar/state-of-exception-in-tunisia/>
- 29 HuMENA for Human Rights and Civic Engagement. (2024, September 2). Under siege: The shrinking space for peaceful assembly in Tunisia [Arabic version]. <https://humena.org/ar/under-siege-the-shrinking-space-for-peaceful-assembly-in-tunisia/>
- 30 Office of the United Nations High Commissioner for Human Rights. (2025, September 10). Allegation letter TUN 6/2025 concerning the situation of judges in Tunisia. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=30341>
- 31 Tunisia. (2021, September 22). Presidential Decree No. 2021-117 on exceptional measures (arts. 4–8, 20–21). <https://legislation-securite.tn/latest-laws/decret-presidentiel-n-2021-117-du-22-septembre-2021-relatif-aux-mesures-exceptionnelles/>
- 32 Amara, T., & McDowall, A. (2022, July 25). Tunisia's Saied holds referendum, critics fear for democracy. Reuters. <https://www.reuters.com/world/africa/tunisians-vote-constitution-expanding-presidents-power-2022-07-25/>
- 33 Tunisia. (2022, August 17). Constitution of the Republic of Tunisia, promulgated by Presidential Decree No. 2022-691. <https://legislation-securite.tn/latest-laws/decret-presidentiel-n-2022-691-du-17-aout-2022-portant-promulgation-de-la-constitution-de-la-republique-tunisienne/>
- 34 Amnesty International. (2023, July 24). Tunisia: Human rights at risk two years after President Saied's power grab. <https://www.amnesty.org/en/latest/news/2023/07/tunisia-human-rights-at-risk-two-years-after-president-saieds-power-grab/>
- 35 Tunisia. (2022, September 13). Decree-Law No. 2022-54 on combating offences relating to information and communication systems. <https://legislation-securite.tn/latest-laws/decret-loi-n-2022-54-du-13-septembre-2022-relatif-a-la-lutte-contre-les-infractions-se-rapportant-aux-systemes-dinformation-et-de-communication/>
- 36 HuMENA for Human Rights and Civic Engagement. (2026, May 11). Tunisia: Criminalising journalistic expression in the case of Zied El Heni [Position paper]. <https://humena.org/criminalizing-journalistic-expression-tunisia-zied-el-heni/>

- 37 HuMENA for Human Rights and Civic Engagement. (2026, May 11). Tunisia: Criminalising journalistic expression in the case of Zied El Heni [Position paper]. <https://humena.org/criminalizing-journalistic-expression-tunisia-zied-el-heni/>
- 38 Committee to Protect Journalists. (n.d.). Chadha Hadj Mbarek. Retrieved August 6, 2026, from <https://cpj.org/data/people/chadha-hadj-mbarek/>
- 39 Committee to Protect Journalists. (2026, January 26). Tunisia issues fresh three-and-a-half-year jail terms to journalists Mourad Zghidi and Borhen Bsaies. <https://cpj.org/2026/01/tunisia-issues-fresh-3%C2%BD-year-jail-terms-to-journalists-mourad-zghidi-and-borhen-bsaies/>
- 40 Reuters. (2025, November 27). Tunisia frees prominent lawyer Sonia Dahmani, a critic of the president. <https://www.reuters.com/world/africa/tunisia-frees-prominent-lawyer-sonia-dahmani-critic-president-2025-11-27/>
- 41 Associated Press. (2023, December 13). A military court convicts Tunisian opposition activist Chaima Issa of undermining security. <https://apnews.com/article/19c7071434f5c033d769f3d0441dc0a4>
- 42 Human Rights Watch. (2018, January 24). Tunisia: Parliament member prosecuted for insulting army. <https://www.hrw.org/news/2018/01/24/tunisia-parliament-member-prosecuted-insulting-army>
- 43 United Nations. (1966). International Covenant on Civil and Political Rights (art. 19). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- 44 Organization of African Unity. (1981). African Charter on Human and Peoples' Rights (art. 9). <https://au.int/en/treaties/african-charter-human-and-peoples-rights>
- 45 Human Rights Watch. (2023). World report 2023: Tunisia. <https://www.hrw.org/world-report/2023/country-chapters/tunisia>
- 46 Committee to Protect Journalists. (2023, February 24). Tunisian police file complaint against journalist Mohamed Mehdi Jlassi over July protests. <https://cpj.org/2023/02/tunisian-police-file-complaint-against-journalist-mohamed-mehdi-jlassi-over-july-protests/>
- 47 Ben Mbarek, G. (2026, March 6). Tunisian authorities detain pro-Palestinian activists preparing new Gaza aid flotilla. Associated Press. <https://apnews.com/article/gaza-flotilla-sumud-activists-detained-tunisia-ea32ef32c8d3b0d364ef81c3e41d041d>
- 48 Global Sumud Flotilla. (2026). A call to our Tunisian and global allies: Palestinian solidarity and humanitarianism are not crimes. <https://globalsumudflotilla.org/press/a-call-to-our-tunisian-and-global-allies-palestinian-solidarity-and-humanitarianism-are-not-crimes-multilingual-pdf/>
- 49 Reuters. (2025, November 29). Tunisian police arrest opposition figure Chaima Issa to enforce 20-year jail term. <https://www.reuters.com/world/africa/tunisian-police-arrest-prominent-opposition-figure-chaima-issa-enforce-20-year-2025-11-29/>
- 50 International Trade Union Confederation. (2025, December 5). Tunisia: ITUC alarmed by escalating violations of trade union rights. <https://www.ituc-csi.org/tunisia-ituc-alarmed-by-escalating-violations>
- 51 Al Jazeera. (2026, July 26). Tunisia grapples with five years of crisis since Saied's power grab. <https://www.aljazeera.com/economy/2026/7/26/tunisia-grapples-with-five-years-of-crisis-since-saieds-power-grab>
- 52 Al Jazeera. (2026, July 26). Tunisians mark fifth year of emergency rule with calls for Saied to go. <https://www.aljazeera.com/news/2026/7/26/tunisians-mark-fifth-year-of-emergency-rule-with-calls-for-saied-to-go>
- 53 United Nations. (1966). International Covenant on Civil and Political Rights (art. 21). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- 54 Organization of African Unity. (1981). African Charter on Human and Peoples' Rights (art. 11). <https://au.int/en/treaties/african-charter-human-and-peoples-rights>
- 55 Human Rights Watch. (2024, August 20). Tunisia: Prospective presidential candidates barred. <https://www.hrw.org/news/2024/08/20/tunisia-prospective-presidential-candidates-barred>
- 56 Amnesty International. (2024, September 17). Tunisia: At least 97 arrested as authorities escalate pre-election crackdown. <https://www.amnesty.org>

[org/en/latest/news/2024/09/tunisia-at-least-97-arrested-as-authorities-escalate-pre-election-crackdown/](https://www.hrw.org/en/latest/news/2024/09/tunisia-at-least-97-arrested-as-authorities-escalate-pre-election-crackdown/)

- 57 Human Rights Watch. (2025, April 22). Tunisia: Harsh sentences in 'conspiracy case' sham trial. <https://www.hrw.org/news/2025/04/22/tunisia-harsh-sentences-conspiracy-case-sham-trial>
- 58 United Nations. (1966). International Covenant on Civil and Political Rights (art. 25). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- 59 Human Rights Watch. (2025, April 16). Tunisia: Arbitrary detention crushes dissent. <https://www.hrw.org/news/2025/04/16/tunisia-arbitrary-detention-crushes-dissent>
- 60 United Nations. (1966). International Covenant on Civil and Political Rights (art. 9). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- 61 United Nations. (1966). International Covenant on Civil and Political Rights (art. 14). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- 62 Al Jazeera. (2026, July 27). Tunisia bars family and lawyers from seeing Ghannouchi after prison collapse. <https://www.aljazeera.com/news/2026/7/27/tunisia-bars-family-lawyers-from-seeing-ghannouchi-after-prison-collapse>
- 63 United Nations Office on Drugs and Crime. (2015). United Nations standard minimum rules for the treatment of prisoners (the Nelson Mandela Rules) (Rules 24–35). https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf
- 64 HuMENA for Human Rights and Civic Engagement. (2026, January 8). Tunisia: A life-threatening health emergency for lawyer and former administrative judge Ahmed Souab in detention. <https://humena.org/tunisia-ahmed-souab-health-emergency-detention/>
- 65 International Commission of Jurists et al. (2026, June 9). International legal and human rights organisations condemn the Tunisian authorities' escalating attacks on the legal profession, the independence of the judiciary and civil society. <https://www.icj.org/international-legal-and-human-rights-organizations-condemn-the-tunisian-authorities-escalating-attacks-on-the-legal-profession-the-independence-of-the-judiciary-and-civil-society/>
- 66 International Commission of Jurists et al. (2026, June 9). International legal and human rights organisations condemn the Tunisian authorities' escalating attacks on the legal profession, the independence of the judiciary and civil society. <https://www.icj.org/international-legal-and-human-rights-organizations-condemn-the-tunisian-authorities-escalating-attacks-on-the-legal-profession-the-independence-of-the-judiciary-and-civil-society/>
- 67 United Nations. (1990). Basic principles on the role of lawyers (Principles 16, 18, 23). <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-role-lawyers>
- 68 Le Monde. (2023, February 23). Tunisia's President Saïed claims sub-Saharan migrants threaten country's identity. https://www.lemonde.fr/en/le-monde-africa/article/2023/02/23/in-tunisia-president-kais-saied-claims-sub-saharan-migrants-threaten-country-s-identity_6016898_124.html
- 69 Associated Press. (2023, February 25). Hundreds of protesters denounce racism in Tunisia. <https://apnews.com/article/tunisia-government-kais-saied-tunis-racism-9accbfdf8669edb103412275eaeabb>
- 70 Jeffery, J. (2023, August 9). At least 27 migrants found dead in the desert near the Tunisian border, Libyan government says. Associated Press. <https://apnews.com/article/libya-migrants-deaths-desert-tunisia-d1030c82521aa6c32095f9098c0f9f35>
- 71 Human Rights Watch. (2026, July 16). EU: Tunisia migration deal worsening human rights violations. <https://www.hrw.org/news/2026/07/16/eu-tunisia-migration-deal-worsening-human-rights-violations>
- 72 Organization of African Unity. (1981). African Charter on Human and Peoples' Rights (art. 12[5]). <https://au.int/en/treaties/african-charter-human-and-peoples-rights>
- 73 United Nations. (1984). Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (art. 3). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>
- 74 HuMENA for Human Rights and Civic Engagement. (2026, May 6). Tunisia: Suspension of Avocats Sans Frontières restricts civic space and threatens access to justice for vulnerable groups. <https://humena.org/suspension-avocats-sans-frontieres-access-to-justice/>

- 75 HuMENA for Human Rights and Civic Engagement. (2026, January 6). Tunisia: HuMENA welcomes the release of Sharifa Riahi and her colleagues, but release is not enough. <https://humena.org/tunisia-sharifa-riahi-release-criminalisation-civil-society/>
- 76 Human Rights Watch. (2026, May 11). Tunisia: End abusive prosecution of refugee aid workers. <https://www.hrw.org/news/2026/05/11/tunisia-end-abusive-prosecution-of-refugee-aid-workers>
- 77 Amnesty International. (2026, July 2). Tunisia: Refugees and asylum seekers trapped in cycle of abuse after authorities dismantle crucial safeguards. <https://www.amnesty.org/en/latest/news/2026/07/tunisia-refugees-and-asylum-seekers-trapped-in-cycle-of-abuse-after-authorities-dismantle-crucial-safeguards/>
- 78 Tunisia. (2013, December 24). Organic Law No. 2013-53 on the establishment and organisation of transitional justice (arts. 1, 8, 69–70). <https://legislation-securite.tn/latest-laws/loi-organique-n2013-53-du-24-decembre-2013-relative-a-linstauration-de-la-justice-transitionnelle-et-son-organisation/>
- 79 Tunisia. (2013, December 24). Organic Law No. 2013-53 on the establishment and organisation of transitional justice (arts. 1–4, 39–43, 67–70). <https://legislation-securite.tn/latest-laws/loi-organique-n2013-53-du-24-decembre-2013-relative-a-linstauration-de-la-justice-transitionnelle-et-son-organisation/>
- 80 Truth and Dignity Commission. (2018, December 31). Decision No. 2018-15 on publication of the Commission's final report in the Official Gazette. <https://legislation-securite.tn/latest-laws/decision-du-conseil-de-linstance-verite-et-dignite-ivd-n2018-15-du-31-decembre-2018-portant-sur-la-publication-du-rapport-final-au-journal-officiel-de-la-republique-tunisienne/>
- 81 Office of the United Nations High Commissioner for Human Rights. (2025, June 10). Joint allegation letter TUN 2/2025 concerning obstacles to the implementation of transitional justice in Tunisia. <https://spcommreports.ohchr.org/TmSearch/RelCom?code=TUN%202/2025>
- 82 Tunisia. (2014, January 27). Constitution of the Republic of Tunisia (art. 148[9]). <https://www.coe.int/en/web/venice-commission/-/cdl-ref-2014-010-e>
- 83 Truth and Dignity Commission. (2019). Final comprehensive report. <https://www.ivd.tn/rapport/>
- 84 Taieb, A. (2025, June 13). Tunisia's transitional justice in agony. Justice Info. <https://www.justiceinfo.net/en/146482-tunisia-transitional-justice-ago-ny.html>
- 85 International Commission of Jurists. (2020, October). Tunisia: Strengthening accountability through the specialised criminal chambers. <https://www.icj.org/wp-content/uploads/2020/10/Tunisia-Strengthening-Accountability-SCC-Advocacy-Analysis-brief-2020-ENG.pdf>
- 86 International Commission of Jurists. (2021, July 15). Tunisia: Ensure specialised criminal chambers' effective adjudication of sexual and gender-based crimes. <https://www.icj.org/resource/tunisia-ensure-specialized-criminal-chambers-effective-adjudication-of-sexual-and-gender-based-crimes/>
- 87 International Center for Transitional Justice. (n.d.). Tunisia. Retrieved August 6, 2026, from <https://www.ictj.org/where-we-work/tunisia>
- 88 Tunisia. (2013, December 24). Organic Law No. 2013-53 on the establishment and organisation of transitional justice (arts. 10–12, 41). <https://legislation-securite.tn/latest-laws/loi-organique-n2013-53-du-24-decembre-2013-relative-a-linstauration-de-la-justice-transitionnelle-et-son-organisation/>
- 89 Tunisia. (2022, March 20). Decree-Law No. 2022-13 on penal reconciliation and allocation of its resources (arts. 1–2, 7–8, 12). <https://legislation-securite.tn/latest-laws/decret-loi-n-2022-13-du-20-mars-2022-portant-sur-la-reconciliation-penale-et-laffectation-de-ses-ressources/>
- 90 Tunisia. (2022, March 20). Decree-Law No. 2022-13 on penal reconciliation and allocation of its resources (arts. 7–12). <https://legislation-securite.tn/latest-laws/decret-loi-n-2022-13-du-20-mars-2022-portant-sur-la-reconciliation-penale-et-laffectation-de-ses-ressources/>
- 91 HuMENA for Human Rights and Civic Engagement. (2026, July 14). Criminalising the truth: Legal analysis of the Sihem Bensedrine verdict and the criminalisation of transitional justice as a method. <https://humena.org/sihem-bensedrine-legal-analysis/>
- 92 Human Rights Watch. (2026, July 7). Tunisia: Harsh sentences for rights defenders. <https://www.hrw.org/news/2026/07/07/tunisia-harsh-sentences-for-rights-defenders>
- 93 HuMENA for Human Rights and Civic Engagement. (2026, July 14). Criminalising the truth: Legal analysis of the Sihem Bensedrine verdict and the criminalisation of transitional justice as a method. <https://humena.org/sihem-bensedrine-legal-analysis/>

- 94 HuMENA for Human Rights and Civic Engagement. (2026, July 14). Criminalising the truth: Legal analysis of the Sihem Bensedrine verdict and the criminalisation of transitional justice as a method. <https://humena.org/sihem-bensedrine-legal-analysis/>
- 95 Tunisia. (2013, December 24). Organic Law No. 2013-53 on the establishment and organisation of transitional justice (arts. 10–11, 39–43, 67–70). <https://legislation-securite.tn/latest-laws/loi-organique-n2013-53-du-24-decembre-2013-relative-a-linstauration-de-la-justice-transitionnelle-et-son-organisation/>
- 96 Committee on the Elimination of Discrimination against Women. (2017). General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 (CEDAW/C/GC/35). https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CE-DAW%2FC%2FGC%2F35
- 97 HuMENA for Human Rights and Civic Engagement. (2026, January 6). Tunisia: HuMENA welcomes the release of Sharifa Riahi and her colleagues, but release is not enough. <https://humena.org/tunisia-sharifa-riahi-release-criminalisation-civil-society/>
- 98 United Nations. (1989). Convention on the Rights of the Child (art. 3). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>
- 99 United Nations Office on Drugs and Crime. (2010). United Nations rules for the treatment of women prisoners and non-custodial measures for women offenders (the Bangkok Rules) (Rules 57–64). https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf
- 100 HuMENA for Human Rights and Civic Engagement. (2026, July 14). Criminalising the truth: Legal analysis of the Sihem Bensedrine verdict and the criminalisation of transitional justice as a method. <https://humena.org/sihem-bensedrine-legal-analysis/>
- 101 United Nations Office on Drugs and Crime. (2015). United Nations standard minimum rules for the treatment of prisoners (the Nelson Mandela Rules) (Rules 24–35). https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf
- 102 HuMENA for Human Rights and Civic Engagement. (2026, February 25). Tunisian authorities face a test of their commitment to combating racism: Human rights defender Saadia Mosbah remains in pretrial detention since 2024. <https://humena.org/saadia-mosbah-pretrial-detention-tunisia-2026/>
- 103 Amnesty International. (2026, July 16). Tunisia: Sentence upheld for anti-racism activist Saadia Mosbah. <https://www.amnesty.org/en/documents/mde30/1208/2026/en/>
- 104 Amnesty International. (2026, July 16). Tunisia: Sentence upheld for anti-racism activist Saadia Mosbah. <https://www.amnesty.org/en/documents/mde30/1208/2026/en/>
- 105 Office of the United Nations High Commissioner for Human Rights. (2026, April 23). Joint allegation letter TUN 3/2026 concerning Saadia Mosbah. <https://spcommreports.ohchr.org/TmSearch/RelCom?code=TUN%203/2026>
- 106 Tunisia. (2018, October 23). Organic Law No. 2018-50 on the elimination of all forms of racial discrimination. <https://legislation-securite.tn/latest-laws/loi-organique-n-2018-50-du-23-octobre-2018-relative-a-lelimination-de-toutes-les-formes-de-discrimination-raciale/>
- 107 Amnesty International. (2025, November 6). Tunisia: Rampant violations against refugees and migrants expose EU's complicity risk. <https://www.amnesty.org/en/latest/news/2025/11/tunisia-rampant-violations-against-refugees-migrants-eu-risks-complicity/>
- 108 Amnesty International. (2025, November 6). Nobody hears you when you scream: Dangerous shift in Tunisia's migration policy. <https://www.amnesty.org/en/documents/mde30/0180/2025/en/>
- 109 United Nations. (1984). Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (art. 3). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>
- 110 Organization of African Unity. (1981). African Charter on Human and Peoples' Rights (art. 12[5]). <https://au.int/en/treaties/african-charter-human-and-peoples-rights>
- 111 Amnesty International. (2025, February 6). Tunisia: Authorities step up crackdown on LGBTI individuals with wave of arrests. <https://www.amnesty.org/en/latest/news/2025/02/tunisia-authorities-step-up-crackdown-on-lgbti-individuals-with-wave-of-arrests/>
- 112 Amnesty International. (2025, February 6). Tunisia: Authorities step up crackdown on LGBTI individuals with wave of arrests. <https://www.amnesty.org/en/latest/news/2025/02/tunisia-authorities-step-up-crackdown-on-lgbti-individuals-with-wave-of-arrests/>

[org/en/latest/news/2025/02/tunisia-authorities-step-up-crackdown-on-lgbti-individuals-with-wave-of-arrests/](https://www.amnesty.org/en/latest/news/2025/02/tunisia-authorities-step-up-crackdown-on-lgbti-individuals-with-wave-of-arrests/)

113 Amnesty International. (2025, February 6). Tunisia: Authorities step up crackdown on LGBTI individuals with wave of arrests. <https://www.amnesty.org/en/latest/news/2025/02/tunisia-authorities-step-up-crackdown-on-lgbti-individuals-with-wave-of-arrests/>

114 Front Line Defenders. (2025, February 28). Tunisia: Solidarity with trans woman human rights defender Mira Ben Salah and Damj. <https://www.frontlinedefenders.org/fr/statement-report/tunisia-solidarity-trans-woman-human-rights-defender-mira-ben-salah-and-damj>

115 United Nations. (1966). International Covenant on Civil and Political Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

116 Organization of African Unity. (1981). African Charter on Human and Peoples' Rights. <https://au.int/en/treaties/african-charter-human-and-peoples-rights>

117 United Nations. (1984). Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

118 United Nations. (1965). International Convention on the Elimination of All Forms of Racial Discrimination. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>

119 United Nations. (1979). Convention on the Elimination of All Forms of Discrimination against Women. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

120 United Nations. (1989). Convention on the Rights of the Child. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

121 United Nations Office on Drugs and Crime. (2015). United Nations standard minimum rules for the treatment of prisoners (the Nelson Mandela Rules) (Rules 24–35). https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

122 United Nations Office on Drugs and Crime. (2010). United Nations rules for the treatment of women prisoners and non-custodial measures for women offenders (the Bangkok Rules) (Rules 57–64). https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf

123 United Nations. (1990). Basic principles on the role of lawyers (Principles 16, 18, 23). <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-role-lawyers>

124 Human Rights Watch. (2026, July 16). "A blueprint for complicity": Three years on, the EU-Tunisia deal continues to fuel human rights violations. <https://www.hrw.org/news/2026/07/16/a-blueprint-for-complicity-three-years-on-eu-tunisia-deal-continues-to-fuel-human>