

The State of the World's Human Rights; Tunisia 2025

Authorities escalated the crackdown on freedom of expression, peaceful assembly and all forms of dissent. Human rights organizations were targeted with investigations or asset freezes, with human rights defenders and NGO staff prosecuted and detained for their human rights work. Mass trials and harsh sentencing of opposition members under counterterrorism or cybercrime laws further contributed to a crisis in the rule of law. Tunisia maintained its suspension of access to asylum and committed widespread human rights violations against migrants, asylum seekers and refugees. These included collective expulsions amounting to refoulement, arbitrary detention, torture and other ill-treatment, and reckless interceptions at sea.

Background

On 20 March, Prime Minister Sarra Zaafarani formed a new cabinet, the sixth under President Kais Saied. Days later, Prime Minister Zaafarani's government communicated to the AU Commission its decision to withdraw its declaration under Article 34(6) of the Protocol to the African Charter on Human and Peoples' Rights. When the withdrawal comes into effect in March 2026, it will prevent individuals and NGOs bringing cases against Tunisia before the African Court on Human and Peoples' Rights.

Repression of dissent

The authorities intensified their targeting of political opposition leaders and activists, with new criminal trials opening and lengthy prison sentences confirmed on appeal.

Two such examples were the mass trials of opposition politicians and dissidents. In April the Tunis Court of First Instance convicted 37 opposition members from different political affiliations and human rights defenders on unfounded state security and terrorism charges, imposing prison sentences ranging from four to 66 years, in what was known as the "Conspiracy Case". In November the Tunis Court of Appeal upheld the convictions of 34 defendants and sentenced them to between five and 45 years in prison. A few days after the verdict, lawyer and human rights defender Ayachi Hammami and political opposition activists Chaima Issa and Ahmed Nejib Chebbi were arrested to enforce their sentences of five, 20 and 12 years respectively.

In June the Tunis Court of Appeal confirmed the 10-year prison sentence against senior Ennahdha leader and former minister of justice Nouredine Bhiri for "trying to change the

form of the government and inciting people against each other". The charge was based on a social media post attributed to him, which he denied having written.

Also in June, the Tunis Court of First Instance sentenced Abir Moussi, leader of the opposition PDL party, to a two-year prison sentence for criticizing the electoral commission. On 30 December the Tunis Court of Appeal upheld the conviction and sentence. In November, in a separate case, Abir Moussi was sentenced to 12 years' imprisonment on unfounded charges of "trying to change the form of the government and inciting people against each other".

In July the Tunis Court of First Instance convicted 21 senior members of the Ennahdha opposition party on unfounded and vague terrorism and state security charges in a separate case known as "Conspiracy Case two", imposing sentences of 12 to 35 years' imprisonment.

In November, the trial of human rights defender and former president of the Truth and Dignity Commission, Sihem Bensedrine, opened on charges of "fraud and forgery" and "abuse of official capacity" for allegedly falsifying the final report of the Truth and Dignity Commission denouncing corruption in the banking sector. She had been provisionally released in January after five months' arbitrary detention and placed under a travel ban.

Freedom of expression

Judicial authorities continued to use Decree Law 2022-54 on Cybercrime (Decree Law 54) to silence dissenting journalists, social media users, lawyers, artists and activists. By September, according to the National Syndicate of Journalists, 29 journalists were facing investigations or prosecutions under Decree Law 54.

In September the Nabeul Court of First Instance sentenced Saber Chouchane to death for his Facebook posts, including criticism of President Saied and calls for a public protest and political change. He was pardoned by President Saied and released after a few days.

On 6 October the Jendouba Court of First Instance convicted Moncef El-Houaidi under Article 24 of Decree Law 54, based on social media posts in which he criticized President Saied. He was sentenced to two years in prison and fined TND 1,000 (approximately USD 339).

The trial of lawyer Dalila Ben Mbarek Msaddak opened with a first hearing on 17 October, on charges of "spreading false news" for comments she made on television in November 2023 defending her clients detained in the Conspiracy Case. She had told television presenter Borhene Bsaies, whom she was indicted alongside, that the charges against her clients were unfounded and the case fabricated. The trial was postponed to January 2026.

In November, media figure Sonia Dahmani was provisionally released after spending 18 months in arbitrary detention. She had been sentenced to a total of four years and four months in prison in three cases based on Decree Law 54. She continued to face charges under the same decree in two separate cases.

Freedom of association

Human rights defenders and NGO workers faced arbitrary detention, prosecutions and/or harassment through criminal investigations in relation to their legitimate work.¹ At least 40 individuals remained under investigation or had been indicted, and eight were brought to trial during the year. Banks began regularly delaying incoming transfers from abroad, in some cases for up to 10 weeks, pending re-submission of paperwork to show compliance with government regulations on associations.

On 24 November the Tunis Court of First Instance convicted human rights defenders Mustapha Djemali and Abderrazak Krimi from the NGO Tunisian Council for Refugees. The court sentenced them to two years in prison on charges of “assisting the clandestine entry” of foreign nationals and “providing them shelter” in relation to their work as implementing partners of UNHCR, the UN refugee agency.² They were released after the court suspended the remainder of their sentence as they had already spent more than 18 months in pretrial detention.

On 15 December the criminal trial opened of six human rights defenders and NGO workers from the Tunisian branch of the French humanitarian organization France Terre d’asile. The trial was in relation to their work providing critical assistance to migrants and refugees and was adjourned to 5 January 2026.

Other organizations targeted by the authorities included anti-racism organization Mnemty – of which nine staff and partners had been under investigation since May 2024 for financial crimes – and the children’s rights NGO Children of the Moon of Medenine.

The Tax Evasion Investigation and Prevention Unit intensified its investigation of at least 18 NGOs, including Amnesty International’s International Secretariat Regional Office in the capital, Tunis. In November the Gorjani financial crimes unit opened a criminal investigation into the Amnesty International office and summoned its auditor and legal representative to appear for questioning.

In July the financial investigations unit launched a new investigation into the Tunisian Forum for Social and Economic Rights. The complex financial crimes police unit launched investigations into dozens of NGOs including independent journalism outlet Nawaat and the anti-corruption NGO IWatch. Elections monitoring NGO Mourakiboun continued to face an asset freeze.

Between July and November, the authorities issued at least 17 suspension orders to associations. In July the Tunis Court of First Instance ordered the suspension of the activities of IWatch for 30 days. In August the same court arbitrarily suspended the activities of the women’s rights organization Aswat Nissa (Voices of Women). Aswat Nissa confirmed that it did not receive the prior notice and hence the procedure for suspension was not respected. Both organizations appealed the decision.

Freedom of peaceful assembly

Authorities continued to use baseless “obstruction” charges, a provision lacking legal clarity, to arbitrarily detain, prosecute and convict individuals simply for exercising their rights to freedom of peaceful assembly and association, including the rights to form and join a union and to organize and participate in a strike.³ Authorities particularly targeted individuals from marginalized and impoverished communities for attempting to raise concerns through protests, strikes and comments in the media, in relation to socio-economic and environmental issues such as poor working conditions, pollution and access to water.

In April, police forces in Tunis prevented a mock trial organized by civil society organizations from taking place at the Rio Hall. The event aimed to shed light on the violations committed against political detainees and prisoners of conscience in Tunisia, and to defend the right to a fair trial.

Right to a fair trial

Trials of opposition members and government critics were marked by serious due process violations and a lack of transparency. For most of the year, terrorism-related trials took place without defendants being allowed to attend, with the Tunis Court of First Instance citing unspecified “real dangers”. Defendants were forced to participate via video link, severely restricting their ability to communicate with legal counsel and engage with the court. In high-profile trials, judges frequently barred independent journalists, families and international observers – including diplomats – from attending proceedings, severely undermining the transparency of the trials.

Lawyers representing members of political opposition groups and victims of violations were targeted with criminal investigations under bogus charges such as “offending others” and “spreading false information”. In April, lawyer Ahmed Souab was arrested by the anti-terrorism brigade after criticizing the Conspiracy Case trial, highlighting the procedural violations and lack of independence of the court in a press conference after the trial. He was charged under counterterrorism legislation and Decree Law 54. On 31 October the Tunis Court of First Instance convicted him and sentenced him to five years in prison and a three-year additional sentence of administrative supervision after a trial that lasted seven minutes.

Independence of the judiciary

The Tunisian Judges’ Association (AMT) documented the continued direct interference of the executive in the appointment and careers of judges, undermining the independence of the judiciary. This included, according to AMT, direct orders of appointment by the minister of justice, and transfer or suspension of judges and prosecutors through hundreds of executive memoranda without due process. AMT also reported that executive memoranda were used to punish several judges of various ranks by arbitrarily transferring them to courts far from their homes, with no fair and transparent disciplinary process.

Judges and prosecutors who were summarily dismissed by presidential decree in June 2022 continued to be denied reparation and to suffer professional, economic and reputational

harm. No judicial action was taken following individual complaints filed on 23 January 2023 by 37 of the dismissed judges against the minister of justice. The complaints contested the minister's failure to implement a court order to reinstate 49 of the 57 dismissed judges and prosecutors.

Refugees' and migrants' rights

Migration and asylum policies and practices continued to be characterized by widespread human rights violations, predominantly affecting Black refugees and migrants.⁴ Officials continued to carry out life-threatening collective expulsions to Libya and Algeria on a routine basis, in violation of the principle of non-refoulement, following often reckless sea interceptions or racially targeted arrests, frequently accompanied by torture and other ill-treatment, including dehumanizing sexual violence. The government's suspension in June 2024 of UNHCR's registration and refugee status determination activities continued to deprive people of the right to seek asylum.

From February onwards, public comments from parliamentary and governmental figures contributed to a spike in racist violence against Black migrants, with social media users sharing videos of themselves "tracking down [Black] Africans" and threatening violence and other abuses against them. In April, authorities announced an "operation of dismantlement" in the eastern region of Sfax and carried out forced evictions of makeshift camps established by refugees and migrants in the previous two years.

In April a preliminary draft law on expulsions of irregular migrants was submitted to the relevant parliamentary commissions for examination. The draft failed to protect refugees, asylum seekers and migrants against the risk of summary expulsions and refoulement.

LGBTI people's rights

LGBTI groups reported an increase in prosecutions for consensual same-sex sexual conduct between adults under Article 230 of the Penal Code as well as other articles pertaining to morality and indecency.

According to the Tunisian LGBTI organization Damj, between July and November, 79 people – mostly trans women – were arrested under Articles 230, 226, 226 bis, and 231 of the Tunisian Penal Code, solely based on their actual or perceived sexual orientation or gender identity. By the end of the year, 37 had been sentenced to prison terms ranging from six months to three years in Greater Tunis and various governorates including Medenine, Sousse and Sfax.

Right to a healthy environment

In late September and October, thousands of residents took to the streets in the eastern city of Gabès to protest against severe pollution caused by toxic smoke emanating from the factories of the state-owned Tunisian Chemical Group. Police made excessive use of tear gas

against the demonstrators. Despite the protests and demands from residents, the factories continued to operate. In October and November, local media and civil society reported that hundreds of people, particularly children, in Gabès were taken to emergency care with respiratory issues and other health complaints. The region has long suffered environmental degradation from industrial and chemical activity. Residents claimed that emissions contributed to rising cancer rates, respiratory disease and ecological harm.

