

Tunisia: Human Rights Council should address rapidly growing rights crisis

The Human Rights Council should urgently address the deterioration of the human rights situation in Tunisia, four human rights organizations said today as the 53rd Council's session is underway.

In [a letter](#) sent to UN Member States' Representatives on 5 June 2023, the undersigned organizations warned against the rapidly worsening situation in Tunisia, and urged States to seize the opportunity of the ongoing Human Rights Council's session to address it. The organizations called on the Council and Member States to press the Tunisian authorities to comply with their obligations under international human rights law particularly those guaranteeing the rights to fair trial, freedom of expression, freedom of peaceful assembly and association, and non-discrimination.

The Human Rights Council should urge Tunisia to end the ongoing crackdown on peaceful dissent and freedom of expression, and drop charges against, and release, all individuals being detained and prosecuted solely on the basis of their peaceful political activities and the exercise of their human rights. The Council should also call on Tunisia to conduct a prompt, thorough, independent, impartial and transparent investigation into a wave of anti-Black violence – including assaults and summary evictions – against Black African foreign nationals, including migrants, asylum seekers and refugees, and bring to justice anyone reasonably suspected to be responsible, and provide victims with access to justice and effective remedies.

Over the past two years, Tunisia has witnessed a significant rollback on human rights. Judicial independence guarantees have been [dismantled](#) and individual judges and prosecutors have been subjected to [arbitrary dismissal](#), politicized criminal prosecutions and increased interference by the executive. Lawyers are being [prosecuted](#) for the discharge of their professional duties and exercise of their right to freedom of expression.

“The Tunisian authorities’ interference in the judiciary and attacks on lawyers have greatly undermined the right to fair trial and public trust in the integrity of the justice system. The authorities must ensure that the courts are not weaponized to crush dissent and free expression,” said International Commission of Jurists’ MENA director Said Benarbia.

Under the guise of “fighting offences related to information and communication systems”, punishable by up to a 10 years’ imprisonment and a hefty fine according to [Decree Law 54](#), at least 13 individuals, including journalists, political opponents, lawyers, human rights defenders and activists, have been subject to police or judicial investigations and are facing possible prosecutions.

“With Tunisia facing political uncertainty and economic crisis, it’s more important than ever that Tunisians be free to debate their country’s future without fear of reprisal. The authorities should strive to allow the effective enjoyment of the right to freedom of expression of everyone; instead, they are attacking it,” said Rawya Rageh, Amnesty International’s acting deputy director for the Middle East and North Africa.

Last week, the UN High Commissioner for Human Rights called on the Tunisian authorities to stop restricting media freedoms and criminalizing independent journalism. In a [statement](#) published on 23 June, Volker Türk expressed deep concern at the increasing restrictions on the right to freedom of expression and press freedom in Tunisia, noting that vague legislation is being used to criminalize independent journalism and stifle criticism of the authorities. *“It is troubling to see Tunisia, a country that once held so much hope, regressing and losing the human rights gains of the last decade,”* said the High Commissioner.

Since February 2023, a [wave of arrests](#) targeted political opponents and perceived critics of Tunisia’s President, Kais Saied. In the absence of credible evidence of any offences, judges are

investigating at least 48 people, such as [dissidents](#), [opposition figures](#), and [lawyers](#), for allegedly conspiring against the State or threatening State security, among other charges. At least 17 of them are being investigated under Tunisia's 2015 counter-terrorism law.

“By jailing political leaders and banning opposition meetings, the authorities are dangerously trampling on the fundamental rights that underpin a vibrant democracy. The democratic backsliding and the human rights violations, which are unprecedented since the 2011 revolution, require urgent attention from the Human Rights Council and Member States,” said Salsabil Chellali, Tunisia director at Human Rights Watch.

Signatories:

- 1. International Commission of Jurists (ICJ)**
- 2. International Service for Human Rights (ISHR)**
- 3. Amnesty International**
- 4. Human Rights Watch (HRW)**