

Freedom on the Net 2023



header1 Overview

Despite attacks against online expression following Tunisian president Kaïs Saïed's July 2021 seizure of extraordinary powers, Tunisia's internet freedom score has remained the highest in the Arab world. However, individuals risk prosecution for publishing online content that is critical of the president, security forces, or the government, and some users have experienced harassment in response to their online activity. Several laws criminalize online speech, and the newly enforced Decree Law 2022-54 imposes harsh penalties for speech-related offenses and expands state surveillance capabilities. The state of emergency was once again renewed in January 2023, granting government agencies the ability to access the contents of electronic devices without a court order. While government-ordered censorship is uncommon, an increase in misinformation and self-censorship has negatively impacted the reliability and diversity of online content.

After the ouster of a longtime autocrat in 2011, Tunisia held a series of free multiparty elections, and citizens enjoyed considerable political rights and civil liberties under a constitution promulgated in 2014. However, political polarization, endemic corruption, economic challenges, security threats, and unresolved problems related to transitional justice remained obstacles to full democratic consolidation. In 2021, President Saïed took a number of emergency measures aimed at transforming the political system and expanding his own executive power. Having unilaterally replaced the prime minister and suspended the parliament, in 2022 Saïed formally dissolved the old legislature, issued a new constitution and electoral law, and continued campaigns of legal harassment against his political opponents.

header2 Key Developments, June 1, 2022 - May 31, 2023

- Several online defamation campaigns orchestrated by progovernment social media accounts targeted government critics during the coverage period (see B5 and C7).
- False and misleading information about immigration was widely shared after President Saïed made racist comments targeting sub-Saharan African migrants in a Facebook video (see B7).

- Internet users were arrested during the coverage period due to their online content, including several students who tried to mobilize protests on social media (see B8 and C3).
- In September 2022, Decree Law 2022-54 was adopted, containing several provisions that criminalize online speech and expand the government's surveillance capabilities (see C2 and C6).
- In February 2023, Kashf Media's website was subject to a cyberattack after publishing an interview with the wife of an arrested judge (see C8).

A Obstacles to Access

A1 1.00-6.00 pts0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?	4.004
	6.006

Tunisia's information and communication technology (ICT) infrastructure is relatively robust and has continued to improve in recent years.¹

As of January 2023, there were about 9.8 million internet users in Tunisia, and internet penetration stood at 79 percent.² There were roughly 1.6 million fixed-line broadband subscriptions as of December 2022.³ Mobile connectivity is widespread. The mobile penetration rate stood at 89.3 percent in December 2022,⁴ and there were 16.48 million mobile connections as of January 2023.⁵ According to the National Telecommunications Authority (INT), 99.9 percent of the Tunisian population is covered by either fourth-generation (4G), third-generation (3G), or second-generation (2G) technology for mobile networks, and the 4G network alone covers 94.9 percent of the population.⁶

Internet speeds remain relatively slow. According to Ookla's Speedtest Global Index, as of May 2023 the median mobile upload speed stood at 14.19 megabits per second (Mbps), while the median broadband upload speed stood at 1.88 Mbps. The median mobile download speed was 23.28 Mbps, and the median broadband download speed was 8.66 Mbps.⁷ According to the Ministry of Communication Technologies (MTC), international bandwidth capacity has increased from 82.5 gigabits per second (Gbps) in 2012 to 1210 Gbps in 2022.⁸

The three main mobile service providers—Tunisie Telecom,⁹ Ooredoo Tunisie,¹⁰ and Orange Tunisie¹¹—successfully implemented the first tests of fifth-generation (5G) technology in Tunisia in 2020. The MCT granted permission for the three companies to carry out the tests ahead of the official launch of 5G service, which has been delayed until 2024.¹²

A2 1.00-3.00 pts0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?	2.002
	3.003

Internet access is affordable in Tunisia relative to many other countries in the region, and internet service providers (ISPs) offer a wide variety of packages and data capacities.¹³

While prices are affordable, they have increased in recent years. In 2022, subscribers spent, on average, 9.30 Tunisian dinars (\$3.20) per month and 21.6 Tunisian dinars (\$6.80) per month on 3G and 4G data packages for smartphones and key subscriptions, respectively.¹⁴ According to Cable UK's 2023 report, the average cost of a monthly broadband subscription was \$14.57.¹⁵ According to an International Telecommunication Union (ITU) report on pricing trends in 2020, the cost of a mobile data package of 2 GB per month represents 0.92 percent of gross national income (GNI) per capita.¹⁶

In April 2022, the MCT announced the completion of the “white zones” coverage project. The five-year plan increased internet access and mobile coverage while providing public internet centers and access for people with disabilities in 94 underserved areas, known as white zones.¹⁷ The effort covered white zones across 15 governorates and provided improved access to around 180,000 inhabitants, 164 educational establishments, and 59 health centers.¹⁸

As part of an effort to digitize Tunisian municipalities, the Tunisian Internet Agency (ATI), the country’s state-run internet service provider, has collaborated with approximately 40 municipal councils to offer free outdoor Wi-Fi service for citizens.¹⁹ Free internet without registration is available in many cafés and restaurants in major cities.

There is a slight gender divide when it comes to internet access. According to ITU estimations in 2021, 61 percent of women use the internet, compared to 72 percent of men.²⁰

A3 1.00-6.00 pts0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?	5.005
	6.006

While authorities do not deliberately disrupt access to the internet, the government has some control over the internet backbone through its ownership stakes in the country’s major technology infrastructure companies (see A4).

The government-controlled Tunisie Telecom manages more than 30,000 kilometers of the country’s fiber-optic network,²¹ while Ooredoo Tunisie and Orange Tunisie, both of which are partially owned by the government, manage the remaining 5,000 kilometers.

In 2014, Ooredoo Tunisie and Orange Tunisie inaugurated their own international submarine cable, breaking Tunisie Telecom’s monopoly on the country’s international undersea connections.²² The 175-kilometer-long cable, which links Tunisia to Italy, was the first privately owned cable to enter service in Tunisia.

In 2017, the MCT signed an agreement with Level 4, a new company owned by the ATI, to provide high-speed broadband infrastructure that would be available to telecommunications firms and ISPs.²³ Also that year, the cabinet approved Decree Law 2017-912, which specifies the general conditions for using public telecommunications networks and access networks that regulate the sharing of infrastructure among different companies.²⁴

A4 1.00-6.00 pts0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?	3.003
	6.006

There are no major obstacles to market entry for telecommunications companies. However, there are some regulatory requirements for ISPs, and the Tunisian state retains ownership of several key service providers.

The main mobile service companies are Tunisie Telecom, Ooredoo Tunisie, and Orange Tunisie. The state controls a 65-percent stake in Tunisie Telecom; the remaining shares are held by the private equity firm Abraaj Group.²⁵ The government has a small stake in Ooredoo Tunisie, a subsidiary of the Qatar-based Ooredoo. The state has also controlled a 51-percent stake in Orange Tunisie since 2011, while the remaining 49-percent stake is owned by the multinational group Orange.²⁶ A smaller mobile operator, Lycamobile Tunisia, entered the market in late 2015, having secured a five-year renewable license and the use of Tunisie Telecom’s infrastructure.

Tunisie Telecom, Ooredoo Tunisie, and Orange Tunisie also provide fixed-line internet service. As of December 2022, Topnet, owned by Tunisie Telecom, dominated the asymmetric digital

subscriber line (ADSL) broadband market with a share of 51.9 percent, followed by Tunisie Telecom (14.5 percent), GlobalNet (13.4 percent), Orange Tunisie (8.6 percent), HexaByte (4.4 percent), Ooredoo Tunisie (2.4 percent), and Bee (3.7 percent), all of which depend on the ATI for network management.²⁷ In March 2023, Nety, owned by the Tunisian firm Chifco, entered the market as the newest internet service provider.²⁸

In December 2020, the private firm Standard Sharing Software (3S), the owner of GlobalNet, acquired a majority stake in HexaByte.²⁹ Yassine Ayari, a former member of parliament, accused the two companies of concentrating the market, acting against customers' interests, and failing to obtain the required authorizations.³⁰

Both individuals and legal entities may apply to become an ISP. Individuals must be Tunisian citizens and hold a graduate degree or a training certificate at an equivalent level in information technology, telecommunications, or multimedia. A legal entity needs to be constituted in accordance with Tunisian law and have a standing capital of at least 1 million Tunisian dinars (\$350,000), with a majority stake held by Tunisian owners. Licensing applications must be answered by the MCT within one month; a one-time license fee of 150,000 Tunisian dinars (\$52,000) must be paid once a license is obtained.³¹

Decree Law 2022-54, which was adopted in September 2022, requires services providers to store user data for a minimum of two years (see C6).³² The public prosecutor, investigative judge, or judicial officers can request in writing access to digital data stored on IT systems or servers.³³ Service providers are required to respond to these requests or court orders relating to access, collection, or interception of user data.³⁴

A5 1.00-4.00 pts0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?	2.002
	4.004

The MCT is the main government body responsible for regulating the ICT sector. The INT is the regulator for all telecommunications and internet-related activities and has the responsibility of resolving technical issues and disputes between actors.

The INT seems to enjoy a certain level of independence from the government, derived from an institutional layout that provides it with exclusive jurisdiction over the regulatory tasks assigned to it by the legal code. This jurisdiction ensures functional separation from other government bodies. However, the lack of a formal requirement of independence and weak institutional safeguards against politicization leaves the agency exposed to the risk of external intervention or political pressure.³⁵

The INT's governing board is made up of seven members, including a vice president who is appointed from among members of the Court of Cassation, the highest court in Tunisia, and a permanent member appointed from among members of the Court of Accounts, which oversees the management of public funds. The INT's board members are appointed by government decree in a process that lacks transparency. Since 2012, the vice president of the INT board has been directly selected by the Supreme Judicial Council, an independent body tasked with overseeing the functioning of the judicial system (see C1), before being appointed by government decree.³⁶ The INT has initiated some positive changes in internet policy, namely through the introduction of a more liberal domain-name chart and an invitation to independent arbitrators from civil society to help develop a new alternative process for resolving disputes over domain names.

A 2014 government decree regulates the granting of business licenses to ISPs.³⁷ Under the decree, ISPs are subject to prior authorization from the MCT, after consulting with the Interior Ministry and the INT. Article 8 of the decree established a new advisory board tasked with examining licensing requests and advising on matters related to infractions and sanctions. The board is led by the minister of communication technologies and composed of representatives from the Ministries of

Defense, Interior, Communication Technologies, and Commerce; the INT; and the Union for Industry and Commerce (UTICA).

In an effort to encourage investment in the telecommunications sector, the government in 2019 issued an ordinance that simplified the conditions and procedures related to the following activities: installation and exploitation of a private independent telecommunications network, integration of telecommunications networks, providing internet traffic exchange points, and audits in the field of computer security.³⁸

B Limits on Content

B1 1.00-6.00 pts0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?	6.006 6.006
--	----------------

Score Change: The score improved from 5 to 6 because no websites or communications platforms were blocked during the coverage period.

Content censorship remains uncommon in Tunisia. Popular social media tools, such as Facebook, YouTube, X (previously known as Twitter), and international blog-hosting services are freely available.

In March 2022, however, members of the media and civil society reported disruptions to two online communications platforms.³⁹ Zoom and Microsoft Teams were blocked for a short period of time while members of the parliament, which had been suspended by the president in July 2021, were attempting to hold an online plenary session.⁴⁰ Hours after the session, President Saïed permanently dissolved the parliament.⁴¹ Testing data from the Open Observatory of Network Interference (OONI) showed that Zoom.us presented signs of TCP/IP (transmission control protocol/internet protocol) blocking.⁴² Authorities did not take responsibility for the disruptions.

B2 1.00-4.00 pts0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?	2.002 4.004
---	----------------

Government authorities and various other entities sometimes seek the removal of online content.

In March 2023, the editorial board of the Tunis Afrique News Agency (TAP), one of Tunisia's public media institutions, restricted access to six online articles, claiming they were biased. The articles were not blocked or removed but were only available to the agency's clients. The decision to restrict the content lacked transparency.⁴³ In April 2023, TAP journalist and acting editor-in-chief Behija Ben Mabrouk claimed she had been pressured by the assistant director general to remove an article she had published about sub-Saharan migrants following the President Saïed's controversial statements on the subject. The article was removed and republished only for the agency's subscribers, not the general public.⁴⁴

In June 2022, an Indian citizen living in Tunisia was summoned to a police station and asked to remove a post on Twitter she had published about the difficulties she faced getting a residence permit. The police asked her to remove the post and related photos while at the station.⁴⁵

In March 2022, an article published on the news website of the Mosaïque FM radio station was removed after the author was detained by security officials (see C3). The article in question, which

talked about the “dismantling of a terrorist group” in the city of Kairouan, remained available on other outlets. It was unclear whether Mosaique FM was asked to remove the article from its website or chose to remove it after the author was arrested.⁴⁶

Ahead of the 2023 legislative elections, the Independent High Authority for Elections sent a notice to Business News, an online news outlet, after they published an article criticizing the election authority’s mandate. The notice claimed that the website was broadcasting false news and hinted at criminal prosecutions based on Article 24 of Decree Law 2022-54 (see C2).⁴⁷

At times authorities ask social media companies to remove content from their platforms.⁴⁸

B3 1.00-4.00 pts0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?	3.003
	4.004

Formal cases of content removal and blocking are mostly transparent, and the decisions can be appealed through the courts. However, some legislation from the Ben Ali era remains and could be used to censor online content.⁴⁹

In March 2018, the Court of First Instance in Sousse ordered the ATI to block access to the online games Blue Whale and Meriam, which, the court claimed, encouraged teenagers to commit suicide. The ATI appealed the court’s decision and called for a national dialogue on protecting children in cyberspace without impeding internet access.⁵⁰

In February 2018, the Court of First Instance in Tunis rejected a request from the National Syndicate of Imams and Mosque Workers to block the website of Shams Rad, Tunisia’s first LGBT+ online radio station. The court stated that the syndicate lacked the standing to be a plaintiff in the case and that the content produced by Shams Rad did not undermine the rights of others.⁵¹

B4 1.00-4.00 pts0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?	2.002
	4.004

While the 2011 democratic revolution cleared the way for a proliferation of new online news outlets, a pattern of arrests, detentions, and harassment aimed at people who have spoken out online against public officials has prompted bloggers, journalists, and online activists to practice self-censorship in recent years.⁵²

Self-censorship has increased dramatically since July 2021, when the president seized unilateral control over the political system. Since then, several new laws and decrees have been passed to assign harsh penalties for online speech; these laws could encourage not only activists and journalists but ordinary internet users to self-censor (see C2).⁵³ Critics of President Saïed’s actions have been subject to intimidation and defamation campaigns on social media, which has led previously outspoken activists to reconsider what they post online (see C7).⁵⁴

During the coverage period, the National Syndicate of Tunisian Journalists (SNJT) organized several actions to protest the shrinking space for media freedom. For example, in February 2023, a National Day of Anger was declared to protest “the harassment and pressures exerted against the media sector.”⁵⁵ In a statement, the press council, an independent self-regulatory body for the media sector, warned of judicial control over media institutions’ editorial lines and the culture of increasing self-censorship.⁵⁶

Members of the media have faced harassment and in some cases have considered leaving their profession in response. Wejdan Bouabdallah, the editor-in-chief of Tunigate, and other journalists working for the outlet were deliberately harassed by state authorities after they reported on a virtual

parliamentary session that was held in March 2022.⁵⁷ According to Bouabdallah, the intimidation led three of the website's journalists to consider resigning.⁵⁸

Despite such pressure, users in Tunisia still discuss political, religious, and controversial social issues online, where there is more space for such debates than in traditional media. Religious issues, for example, are debated more openly online than in the mainstream media or on the streets.

B5 1.00-4.00 pts0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?	3.003
	4.004

Authorities have significant control over public media institutions, including multiple television channels and regional radio stations that have a strong online presence. At times, authorities issue threatening statements that could be seen as attempts to control the editorial line of online media outlets (see C2).⁵⁹

Since July 2021, President Saïed and his government have taken measures to consolidate and influence the online media space. That month, for example, the president dismissed and replaced the executive director of the Tunisian Television Establishment, the country's national public television broadcaster, which maintains a popular online and social media presence.⁶⁰ In a report on political pluralism that covered the period following President Saïed's seizure of power, the Independent High Authority for Audio-visual Communication (HAICA) concluded that the content aired by the broadcaster, including content published on its website, was biased in favor of the president and excluded the views of opposing political parties.⁶¹

In March 2023, the National Syndicate of Journalists released a statement expressing concern over new appointments to key positions at several public media institutions, including TAP, Tunisian Radio, and Tunisian Television. The choice of appointees, who may further align the editorial line of the three outlets with the government's position, could be seen as an effort to increase President Saïed's control over public media institutions.⁶²

Several online defamation campaigns orchestrated by progovernment social media accounts targeted government critics during the coverage period. President Saïed has openly defamed political opposition members and judges in his social media videos, in an apparent attempt to discredit them.⁶³ For example, after the president accused a female magistrate of adultery, progovernment social media accounts shared highly sensitive personal information about her, including medical information and non-consensual videos.⁶⁴ Additional progovernment Facebook bloggers then circulated other defamatory information about the magistrate.

In March 2023, a journalism collective criticized a viral defamation campaign against journalist Nouredine Boutar, the director of Mosaique FM, a local radio station and news website (see C3). Progovernment social media accounts had published and amplified fabricated conversations about Boutar in an attempt to sway public opinion against the journalist.⁶⁵

Propaganda campaigns orchestrated abroad also affected online discourse. Following President Saïed's seizure of power in July 2021, a wave of inauthentic social media activity sought to either celebrate or denounce Saïed's actions.⁶⁶

B6 1.00-3.00 pts0-3 pts

Are there economic or regulatory constraints that negatively affect users' ability to publish content online?	3.003
	3.003

No license is required to publish content on websites, blogs, or social media platforms.

Both print and online outlets have been affected by the country's general economic hardships, as companies have cut their advertising budgets.

Many outlets avoid critical coverage of major private advertisers, including banks and telecommunications companies, in order to avoid losing out on advertising contracts.⁶⁷

B7 1.00-4.00 pts0-4 pts

Does the online information landscape lack diversity and reliability?	3.003 4.004
---	-------------

Tunisia's online media landscape is generally vibrant and open. Since the 2011 revolution, numerous online news websites have been launched alongside traditional media outlets, enriching the information environment through the addition of viewpoints from a diverse range of social actors. However, self-censorship and fear of judicial proceedings among users limit the availability of content addressing some sensitive topics, such as religion and LGBT+ issues.⁶⁸ In addition, reduced government transparency over the past year has created a climate that is more conducive to the spread of rumors and misinformation.

Prior to President Saïed's seizure of power in July 2021, members of the media were largely able to access government spaces and report on government affairs without obstruction. However, the presidential administration has since limited its contacts with the press, and journalists, including those working for fact-checking initiatives, continue to face challenges in verifying information from official sources.⁶⁹ During the coverage period, officials continued to refuse to make any media statements or give information to journalists on the basis of Circular No. 19 (see C3).⁷⁰

According to the SNJT's annual report on press freedom, in 2022 there were 42 cases in which officials interfered with journalists' attempts to legally access public information.⁷¹ Ahead of the 2022 parliamentary elections, journalists were prevented from reporting on the vote and its outcomes despite holding accreditation cards. The election authority allegedly instructed the heads of polling centers to refuse to make statements or give information to journalists.⁷²

In one of the few press conferences held during the coverage period, the Ministry of Foreign Affairs only invited a small number of journalists from state-owned outlets, while journalists from independent media outlets were excluded.⁷³ In April 2023, private and foreign media outlets were prohibited from covering the first session of the new parliament.⁷⁴ Following criticism, journalists were granted accreditations that came with limitations on their presence.⁷⁵

Misinformation has become more prevalent in recent years and at times has led to offline harms. After President Saïed published a video on his official Facebook page in which he made controversial and racist comments about sub-Saharan African migrants,⁷⁶ false and misleading social media posts about immigration were widely shared.⁷⁷ Human Rights Watch (HRW) found that at least 16 people from West and Central Africa have been physically or verbally assaulted since the president's comments were posted online.⁷⁸

B8 1.00-6.00 pts0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?	4.004 6.006
---	----------------

Score Change: The score declined from 5 to 4 because authorities have increasingly taken steps to hinder online mobilization and have arrested several students who posted about protests on social media.

Tunisian youth and civil society organizations continue to use digital media to promote initiatives related to political and social issues. However, activists and journalists were prosecuted or intimidated due to their online mobilization efforts during the coverage period.⁷⁹

Several students were arrested in retaliation for their use of social media to call for protests. In October 2022, Ahmed Bahaa El-Din Hamada, a student activist, was arrested after creating a Facebook page where he posted updates about nightly protests against police brutality in his hometown.⁸⁰ Security officers reportedly came to his dorm room and confiscated his electronics prior to arresting him. Hamada was released after three days in detention.⁸¹ Another student activist, Mohamed Zantour, was arrested in April 2023 over his protest-related Facebook posts.⁸² Zantour, who has been charged with “inciting demonstrations” under Decree Law 2022-54, has been held in prison as he awaits trial.⁸³

In February 2023, members of Calam, a civil society organization that organizes online fundraising campaigns for sub-Saharan African migrants, were subject to racist attacks, online intimidation, and threats to storm their headquarters.⁸⁴

C Violations of User Rights

C1 1.00-6.00 pts0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?	2.002
	6.006

On July 25, 2021, President Saïed announced the dismissal of the prime minister, suspended the elected parliament, and began ruling by decree. In September of that year, the presidency issued Decree Law 2021-117, which suspended the 2014 constitution except for its preamble and first two chapters, relating to general provisions for fundamental rights and freedoms. Furthermore, it allowed the president to legislate in all areas without the possibility of legal challenges to the constitutionality of such decree laws. The document effectively concentrated unchecked power in the hands of the president. According to Article 5 of Decree Law 2021-117, the president assumes the prerogative to enact laws governing information, the press, and publishing.⁸⁵

On July 25, 2022, Tunisia adopted a new constitution, replacing the 2014 constitution, following a deeply flawed national referendum.⁸⁶ The 2022 constitution provides for freedom of opinion, thought, and expression.⁸⁷ The state is also required to guarantee the right to access information and the right to access communication networks (see C5).⁸⁸ Judicial institutions are required to ensure that rights and freedoms are protected from all violations; however, the executive’s unilateral control over the judiciary may jeopardize these safeguards.⁸⁹ The new constitution contains vague language allowing the state to “achieve the purposes of Islam,” which could act as a constitutional restriction on freedom of expression and be used to criminalize speech that is considered offensive to religious beliefs.⁹⁰

In February 2022, the president dissolved the Supreme Judicial Council, an independent oversight body set up after the 2011 revolution to shield judges from government influence. He issued Decree Law 2022-11 to repeal Organic Law 2016-34, which established the council’s mandate, and terminated the roles and benefits of the council’s existing members. A temporary body consisting of presidential appointees was formed to replace it. Decree Law 2022-35 was also issued to give the president the authority to dismiss judges. In June 2022, the president unilaterally dismissed 57 judges, accusing them of corruption and other malfeasance.⁹¹

Decree Law 2011-115 on the press, printing, and publishing provides protections to journalists against imprisonment. However, Tunisia’s press code does not guarantee bloggers and citizen journalists the same protections it affords to traditional journalists. Article 7 of the code defines a “professional journalist” as a person holding a bachelor’s degree who shares news and ideas with the public on a regular basis. A journalist is also defined as a person who is employed by “daily or periodical news agencies, or audiovisual media and electronic media.”⁹²

In 2016, Tunisia adopted a basic law on the right to access information. The law guarantees access to information held by government bodies, including ministries, the presidency, publicly funded nongovernmental organizations (NGOs), the parliament, local municipalities, the central bank, and other constitutional bodies. The law prescribes fines against those who obstruct access to information and establishes an information commission tasked with adjudicating appeals related to information requests.⁹³

Despite these guarantees, the government took steps to control the flow of official information to the press. In December 2021, Prime Minister Najla Bourden issued Circular No. 19, which addressed the government’s communication rules. It called on ministers and other senior officials to coordinate with the prime minister’s office regarding the content and form of each media appearance. The circular effectively undermined the right to information and obstructed the ability of public officials to speak with the media (see B7).⁹⁴

The country’s state of emergency, which authorities initially imposed in response to a 2015 terrorist attack, has been extended several times. Under Presidential Decree 2023-47, President Saïed extended the state of emergency through the end of December 2023.⁹⁵ Among other provisions, the state of emergency allows authorities to access electronic devices without a court order (see C5).⁹⁶

C2 1.00-4.00 pts0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?

1.001
4.004

Several laws assign criminal penalties for online speech. In recent years, several bloggers and journalists have been prosecuted in military courts rather than civil courts after being charged under the code of military justice, which criminalizes the criticism of the military and its commanders (see C3).⁹⁷

Authorities continue to use the penal code to prosecute journalists and other online users. Articles 128 and 245 of the penal code punish slander with two to five years’ imprisonment. Article 121(3) calls for a maximum punishment of five years in prison for those convicted of publishing content that could disrupt public order.

Article 31 of a 2015 counterterrorism law mandates a maximum of five years in prison for those found to have “publicly and clearly praised” a terrorist crime, its perpetrators, and groups connected with terrorism.⁹⁸ Under Article 37, however, authorities cannot prosecute journalists for failing to reveal terrorism-related information that they obtain in the course of their work.⁹⁹

During the coverage period, Tunisian authorities approved several laws, which have been denounced by rights groups for introducing unprecedented restrictions to free speech and digital rights.¹⁰⁰ In September 2022, Decree Law 2022-54 on crimes related to information and communication systems was adopted.¹⁰¹ Under Article 24 of the decree law, the “creation, promotion, publication, transmission, or preparation” of false news, hate speech, personal data, or forged documents can result in a prison sentence of up to five years and a 50,000 Tunisian dinar (\$16,000) fine. If the person targeted with this speech is a public official, the penalty is increased to a 10-year prison sentence and a 100,000 Tunisian dinar (\$32,000) fine. The law’s broad language could lead to abuse and arbitrary persecution of journalists, government critics, or political opponents.

Decree Law 2022-54 has been used to threaten online outlets for their coverage of President Saïed. In April 2023, several websites and social media pages questioned the president’s health after he failed to appear at public events over the course of a few weeks. As a response, the public prosecutor of the Court of First Instance in Tunis announced that criminal proceedings will be conducted “against all persons and pages behind the publication of false news that would harm the country’s public security.”¹⁰²

In September 2022, Decree Law 2022-55 amending the organic law on elections and referendums was adopted. Amendments include criminal penalties of up to five years in prison for any electoral candidate who deliberately undermines the “honor, dignity, or regional, local or family affiliation” of another candidate, through offline or online speech.¹⁰³

In March 2022, President Saïed issued Decree Law 2022-14 on combating illegal speculation. The law criminalizes the deliberate spreading of “false or incorrect news or information” that could cause consumers to refrain from buying products or could disrupt the supply of goods to markets and thereby cause prices to rise.¹⁰⁴ In a statement, Amnesty International expressed concern over the decree’s “vaguely worded provisions that could lead to prison terms of between ten years and life including for public debate of the economy.”¹⁰⁵

Repressive laws from the Ben Ali era that are still in force threaten internet freedom. Article 86 of the telecommunications code states that anyone found guilty of “using public communication networks to insult or disturb others” could be sentenced to fines and up to two years in prison.¹⁰⁶

C3 1.00-6.00 pts0-6 pts

Are individuals penalized for online activities, particularly those that are protected under international human rights standards?	2.002
	6.006

Score Change: The score declined from 3 to 2 because several online users received long prison sentences during the coverage period.

Bloggers, journalists, and activists were arrested during the coverage period due to their online content.¹⁰⁷ Prosecutions are often initiated in response to online criticism of the president, security forces, or government officials. Charges against users usually rely on the penal code, the code of military justice, the counterterrorism law, or the telecommunications code, each of which carries its own separate penalties. Several public figures were also prosecuted based on Article 24 of Decree Law 2022-54 (see C2).

Internet users and journalists were prosecuted under the counterterrorism law during the coverage period. In December 2022, the Court of First Instance in Tunis handed down a 10-year prison sentence to a man accused of threatening the president on Facebook.¹⁰⁸ In November 2022, the same court sentenced Mosaique FM’s online correspondent, Khalifa Guesmi, to one year in prison for “disclosing security secrets” under Article 62 of the counterterrorism law.¹⁰⁹ Guesmi had been previously detained for a week after he refused to reveal the sources for his reporting on the arrest of a group of terrorism suspects, which was published on Mosaique FM’s website (see B2).¹¹⁰ In May 2023, Guesmi was sentenced to five years in prison by a Tunis appeals court, pending a hearing and verdict from the Court of Cassation.¹¹¹

In February 2023, the National Counter-Terrorism Unit raided the headquarters of the news website One TN, arrested several technicians and journalists, and confiscated their technical equipment.¹¹² The staff were interrogated about the editorial line of the outlet and held in detention for one day before being released. Their computers and personal phones, which were held under a judicial warrant and subjected to thorough searches, were not returned upon their release.¹¹³

Several journalists and political activists were investigated under Decree Law 2022-54 for content they published online. In November 2022, Nizar Bahloul, a journalist and the director of Business News, an online news outlet, was investigated for publishing an article that criticized Prime Minister Najla Bouden. Bahloul was charged under Article 24 of the decree law for alleged defamation of a public official.¹¹⁴ In October 2022, Mehdi Zagrouba, a lawyer and political activist, was interrogated about a Facebook post in which he accused Minister of Justice Leïla Jaffel of abusing her authority to investigate judges whom President Saïed had dismissed.¹¹⁵

In February 2023, journalist Noureddine Boutar was arrested on trumped-up charges of money laundering and held in detention for over three months before being released on bail and issued a

travel ban. Boutar, who is the director of Mosaïque FM, a private radio station with a prominent online presence, was questioned extensively around the outlet’s funding and editorial line.¹¹⁶

In May 2023, the Court of First Instance in Gafsa sentenced a teacher to one month in prison on charges of committing an “atrocious act against the President of the Republic” by publishing satirical videos on his Facebook page.¹¹⁷ Also in May, two students were arrested for sharing a satirical song criticizing the police on social media. They were interrogated without the presence of a lawyer and had their phones seized. They were released a few days later.¹¹⁸

In December 2022, the Independent High Authority for Elections reported that 27 website owners and social media users were referred to the public prosecutor on a list of charges including violating electoral silence, political advertising, and “disturbing others through public communication networks.”¹¹⁹ The election authority filed additional legal complaints against media organizations and bloggers, accusing them of “attacking the dignity of voters,” spreading false news, and receiving foreign funds (see B7).¹²⁰ Several civil society organizations condemned the election authority’s “policing” of the media.¹²¹

C4 1.00-4.00 pts0-4 pts

Does the government place restrictions on anonymous communication or encryption?

3.003
4.004

Laws that limit encryption remain a concern. In particular, Articles 9 and 87 of the 2001 telecommunications code ban the use of encryption and prescribe penalties of up to five years in prison for unauthorized use of such tools. While there have been no reports of these measures being enforced, their continued existence underscores the precarious nature of Tunisia’s relatively open internet environment.

Mobile internet users are required to provide identifying information to purchase a SIM card. ISPs must collect and store users’ data, including “identities, dates of birth, postal addresses, and national identity numbers.”¹²²

In January 2022, the Interior Ministry announced plans to continue the development of biometric passports and identification cards.¹²³ The project was first proposed in 2016, but the latest statement did not specify the necessary amendments to Law 1993-27 on national identity cards, a timeline for next steps, the stakeholders who would be involved, or the budget allocated to the project.¹²⁴

In June 2022, the minister of communication technologies issued a circular introducing the mobile ID project, the first digital national identity project.¹²⁵ The project allows multiple state entities to access identifying information about citizens through a new database that is maintained by the Ministry of Local Affairs.¹²⁶ Rights groups have expressed concerns about the centralized nature of the system, the security of the collected data, and the lack of consultation with civil society.¹²⁷

Under 2014 regulations issued by the MCT, cybercafé internet users are not required to register or provide identification.¹²⁸

C5 1.00-6.00 pts0-6 pts

Does state surveillance of internet activities infringe on users’ right to privacy?

2.002 6.006

Surveillance remains a concern in Tunisia, particularly in light of the country’s history of intrusive monitoring under the Ben Ali regime and the lack of a comprehensive legal framework that regulates the process of surveillance and the relationships among the relevant institutions. Revelations in recent years have focused attention on the government’s wiretapping capabilities.

In January 2023, the state of emergency was renewed, granting government agencies the ability to access electronic devices without a court order (see C1).¹²⁹ During the coverage period, rights organizations documented a number of incidents in which citizens had their phones confiscated or searched by the police without legal justifications (see C3).¹³⁰ In April 2023, political opposition members Rached Ghanouchi and Chaima Issa claimed that their phones were searched extralegally while they were held in detention.¹³¹

The Technical Telecommunications Agency (ATT), which was created in 2013, is tasked with supporting judicial investigations into “communication crimes.”¹³² Rights groups have noted that the agency lacks a clear and limited mandate, mechanisms to ensure its freedom from government interference, and safeguards for user rights.¹³³ Later amendments outlined the ATT’s leadership,¹³⁴ which is appointed by the government, as well as an oversight board consisting mainly of representatives from various government ministries and headed by the ATT leadership.¹³⁵ The ATT’s mandate compels it to coordinate with telecommunications network operators and ISPs in relation to its work so as to provide technical support for judicial investigations of cybercrimes.¹³⁶

Decree Law 2022-54 allows the public prosecutor, investigating judges, and the judicial police to order the seizure of telecommunications devices and to access all stored data (see C6). Article 10 of the decree provides for the interception of individuals’ communications following a written decision from the public prosecutor or the investigating judge.¹³⁷ Rights organizations criticized the absence of procedural safeguards, such as the right to be notified of surveillance measures or the right to appeal.¹³⁸

In 2019, an amended version of the 2015 counterterrorism law¹³⁹ was approved by the parliament.¹⁴⁰ Article 54 of the amended law still requires security and intelligence services seeking to intercept the communications of suspected terrorists to obtain judicial approval, but it does not include the original law’s requirement for investigators seeking judicial approval to specify the type of communication being surveilled as well as the length of the surveillance period.¹⁴¹ Article 64 of the amended law increased the punishment for conducting unauthorized surveillance from one year in prison and a fine of 1,000 Tunisian dinars (\$350) to five years in prison and a fine of 5,000 Tunisian dinars (\$1,700).¹⁴²

A September 2019 Privacy International report found that the European Union (EU) had been funding surveillance projects in Tunisia. Specifically, the EU’s Instrument contributing to Stability and Peace (IcSP) funded projects aimed at developing the capacity of Tunisian security agencies to counter terrorism by developing “intelligence processing and analysis” and training officials in digital intelligence gathering, including through social media and digital mapping. The IcSP’s goal is to establish a group of “cyber specialists, criminal analysts, and forensic specialists” capable of conducting online investigations and collecting evidence from digital devices.¹⁴³

A 2018 report by Citizen Lab, a University of Toronto research center, listed Tunisia as one of 45 countries in which devices were likely breached by Pegasus, a form of targeted surveillance software developed by the Israeli technology firm NSO Group. Pegasus is known to be used by governments to spy on journalists, human rights defenders, and opposition leaders, though it remains unclear whether the Tunisian government is a Pegasus client.¹⁴⁴

C6 1.00-6.00 pts0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users’ right to privacy?

3.003
6.006

The government has several tools it can use to compel companies and ISPs to assist with the monitoring of internet users.

Decrees governing content liability impose a duty on ISPs “to meet the requirements of the national defense, security, and public safety and security in accordance with the legislation and regulation in

force” and to aid legal, military, and national security authorities as necessary.¹⁴⁵

During the coverage period, authorities enacted Decree Law 2022-54, which requires service providers to store user data for a minimum of two years (see A4).¹⁴⁶ The decree stipulates that this stored data can include geolocation data, personal identification data, and traffic flow data.¹⁴⁷ The public prosecutor, judicial police, or investigating judge can request access to telecommunications data stored on IT systems or servers, data related to telecommunications traffic, and other user data needed for their investigations.¹⁴⁸

A joint 2020 study by Access Now and ImpACT International for Human Rights Policies found that seven of Tunisia’s main ISPs have violated basic principles of customer data protection.¹⁴⁹ Only one provider, Orange Tunisie, claimed to comply with all requirements laid out in Organic Law 2004-63, the country’s data protection law, though the study found violations by that company as well.¹⁵⁰

According to Facebook’s transparency report, the Tunisian government made four requests for user data between July and December 2022, none of which Facebook complied with.¹⁵¹

Regulations issued by the MCT in 2013 do not require owners of cybercafés to monitor their customers’ activities.¹⁵²

C7 1.00-5.00 pts0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?

3.003

5.005

In addition to arrests and prosecutions, internet users and digital activists must be wary of extralegal attempts to silence them. Several online defamation campaigns orchestrated by progovernment social media accounts targeted and discredited government critics (see B5).¹⁵³

Security forces used physical violence against journalists attempting to report on protests during the coverage period. The SNJT documented 16 cases of verbal assault and 29 cases of physical assault against journalists in 2022. During anti-referendum protests in July 2022, two online media journalists were assaulted by the police. Specifically, a correspondent from the news website Hakaek was slapped by a police officer and verbally assaulted.¹⁵⁴ On the day of the referendum, another Hakaek journalist was also physically forced to stop filming.¹⁵⁵ In June 2022, a journalist from Monastir Radio was physically harassed and threatened while filming a Facebook Live video documenting train delays.¹⁵⁶

During the coverage period, journalists faced extralegal harassment, including doxxing and intimidation campaigns, for expressing critical views or conducting interviews with political opposition members.¹⁵⁷ According to the SNJT, between October 2021 and October 2022, there were 232 attacks on journalists, with 196 attacks occurring offline and 36 occurring online. Of the 232 attacks, 151 were carried out by state officials.¹⁵⁸

Female journalists were subject to defamation and intimidation campaigns during the coverage period. In March 2023, the editor-in-chief of the Kashf Media website, Khawla Boukrim, received emails and social media messages threatening her and her family (see C8). Monia Arfaoui, a journalist working for Al Sabah, received multiple insulting and threatening messages from anonymous social media accounts after she published posts criticizing the government.¹⁵⁹

Members of the LGBT+ population are frequently subject to violence and harassment online. Authorities have confiscated and searched the phones of men they suspect of being gay and have pressured them to undergo invasive examinations and to confess to same-sex sexual activity.¹⁶⁰

C8 1.00-3.00 pts0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?

1.001
3.003

Score Change: The score declined from 2 to 1 because an independent website was briefly disabled by a cyberattack after the outlet published an article about an arrested judge.

Since the 2011 revolution, there have been no reported incidents of cyberattacks perpetrated by the government to silence individual users. However, cyberattacks targeting news websites and government bodies have been documented in recent years.¹⁶¹

In February 2023, the news websites Kashf Media was subject to a cyberattack after publishing an interview with the wife of an arrested judge (see C1).¹⁶² The attack was first reported by the editor-in-chief and co-founder of Kashf Media; the website's other co-founder also published screenshots of the hackers' attempts to disable the website. It is unclear who perpetrated the attack.¹⁶³

The Central Bank of Tunisia announced that its information system was targeted by a cyberattack in March 2022. The Public Prosecution Office of the Judicial Center for Combating Terrorism announced that it was investigating the attack under the counterterrorism and money-laundering laws.¹⁶⁴ It was not immediately clear who perpetrated the attack.

The MCT and the National Computer Security Agency (ANSI) called for increased vigilance following a rise in the number of cyberattacks and attempted cyberattacks detected in the country.¹⁶⁵ According to ANSI, 42,000 distributed denial-of-service (DDoS) attacks were reported in 2021, compared with 994 attacks in 2020.¹⁶⁶

In late 2019, the minister of communication technologies presented a national cybersecurity strategy, which was aimed at implementing sectoral cybersecurity strategies, improving the legal and regulatory framework, strengthening the technical skills of officials, promoting a culture of cybersecurity, and controlling standards and technologies related to digital security.¹⁶⁷

Footnotes

- 1 "Tunisia – Telecommunications Equipment/Services," export.gov, Accessed September 2022, <https://www.export.gov/apex/article2?id=Tunisia-Telecommunications-Equi...>
- 2 Simon Kemp, "Digital 2023: Tunisia," Data Reportal, February 14, 2023 <https://datareportal.com/reports/digital-2023-tunisia?rq=Tunisia>.
- 3 "Suivis des principaux indicateurs du marché de la data fixe en Tunisie [Monitoring of main indicators regarding the fixed data market]," Instance Nationale des Télécommunications, December 2022, http://www.intt.tn/upload/files/TB3_Data-Fixe%20-12_2022.pdf.
- 4 "Suivis des principaux indicateurs du marché de la data mobile en Tunisie [Monitoring of main indicators regarding the mobile data market]," Instance Nationale des Télécommunications, December 2022, http://www.intt.tn/upload/files/TB4_Data-Mobile%20-12_2022.pdf.
- 5 Simon Kemp, "Digital 2023: Tunisia," Data Reportal, February 14, 2023, <https://datareportal.com/reports/digital-2023-tunisia?rq=Tunisia>.
- 6 "Revue Internationale des Télécommunications Positionnement international de la Tunisie en 2020 [International Telecommunications Review Tunisia's international positioning in 2020]," INTT, 2020, <http://www.intt.tn/upload/files/RIT-2020.pdf>.
- 7 "Tunisia," Speedtest Global, Accessed January 2023, <https://www.speedtest.net/global-index/tunisia>.
- 8 "Capacité de la bande passante internationale d'Internet (Gb/s)," Ministry of Communication Technologies and Digital Economy (MCT), Accessed March 2023, <https://www.mtc.gov.tn/index.php?id=329>.

- 9“Tunisie Telecom – Premier test 5G: le débit atteint un pic de 2,2 Gbps [Tunisie Telecom - First 5G test: speed reaches a peak of 2.2 Gbps],” THD, December 11, 2020, <https://thd.tn/tunisie-telecom-premier-test-5g-un-debit-de-plus-de-22-g...>
- 10“Ooredoo Tunisie lance les premiers tests 5G et appels VoLTE,” THD, December 21, 2020, <https://thd.tn/ooredoo-tunisie-lance-les-premiers-tests-5g-et-appels-vo...>
- 11“Orange Tunisie expérimente sa 5G dans la ville de Kairouan,” Web Manager Center, December 27, 2021, <https://www.webmanagercenter.com/2021/12/27/478192/orange-tunisie-exper...>
- 12“La feuille de route pour le déploiement de la 5G, bientôt annoncée,” Mosaïque FM, May 8, 2023, <https://www.mosaïquefm.net/fr/actualite-national-tunisie/1160450/la-feu...>
- 13“Worldwide mobile data pricing 2022,” Cable UK, Accessed March 2023, <https://www.cable.co.uk/mobiles/worldwide-data-pricing/>; “Average measured speeds of the five cheapest and most expensive countries,” Cable UK, Accessed September 2021, <https://www.cable.co.uk/broadband/pricing/worldwide-comparison/#regions>.
- 14“Carnet Trimestriel de consommation TR3-2022 [Quarterly consumption book TR3-2022],” INT, Accessed August 2023, <http://www.intt.tn/upload/files/Carnet%20trimestriel%20de%20la%20consom...>
- 15“Worldwide Broadband Pricing,” Cable UK, Accessed August 2023, <https://www.cable.co.uk/broadband/pricing/worldwide-comparison/>.
- 16“ICT Price Baskets IPB,” ITU, Accessed May 2023, <https://www.itu.int/en/ITU-D/Statistics/Dashboards/Pages/IPB.aspx>.
- 17“فتح العروض المتعلقة بتغطية المناطق البيضاء بشبكة الاتصالات ذات السعة العالية” [Teners for coverage of white areas for high-capacity communications],” MCT, July 26, 2017, [https://www.mtcen.gov.tn/index.php?id=119&L=1&tx_ttnews\[tt_news\]=3438&c....](https://www.mtcen.gov.tn/index.php?id=119&L=1&tx_ttnews[tt_news]=3438&c....)
- 18“MCT,” Facebook, Accessed April 2022, <https://www.facebook.com/MinistereTCTD/posts/pfbid02qptjLyUWvQUTY2Duo14....>
- 19“نحو تعميم خدمة WIFI OUTDOOR للبلديات [Tunisian Internet Agency: Towards generalizing the Wifi Outdoor service],” Baladia News, October 11, 2019, <https://baladianews.com/2019/10/11/الوكالة-التونسية-للاتنترنت-نحو-تعميم/>.
- 20“Digital Development Dashboard,” ITU, Accessed June 2023, <https://www.itu.int/en/ITU-D/Statistics/Dashboards/Pages/Digital-Develo....>
- 21“Tunisie Télécom soutien la Santé Numérique en Tunisie [Tunisie Telecom supports digital health in Tunisia],” THD, February 12, 2019, <https://thd.tn/tunisie-telecom-soutien-la-sante-numerique-en-tunisie/>.
- 22“Didon cable linking Italy and Tunisia enters service,” Telecom Paper, September 22, 2014, <https://www.telecompaper.com/news/didon-cable-linking-italy-and-tunisia....>
- 23“Signature d’une convention entre le MTCEN et la Société «Level4» [Signature of a Convention between the MTCEN and Level4],” THD, December 12, 2017, <https://thd.tn/operateur-dinfra-signature-dune-convention-entre-le-mtce....>
- 24“Décret gouvernemental n° 2017-912 du 14 août 2017, modifiant le décret n° 2008-3026 du 15 Septembre 2008, fixant les conditions générales d’exploitation des réseaux publics des télécommunications et des réseaux d’accès,” Legislation Securite, Accessed September 2022, <https://legislation-securite.tn/law/56343>.
- 25“Abraaj buys Tunisie Telecom from Dubai Holding-Tunisian minister,” Reuters, November 27, 2017, <https://www.reuters.com/article/tunisia-telecoms/abraaj-buys-tunisie-te....>
- 26“Tunisia to sell stakes in Ooredoo, Orange telecom companies: official,” Reuters, December 1, 2016, <https://br.reuters.com/article/tunisia-telecoms/tunisia-to-sell-stakes-....>
- 27“Tableau de Bord Trimestriel TR4-2022 Mensuel Data Mobile [Trimestriel TR4-2022 Monthly Mobile Data Dashboard],” INTT, December 2022, [http://www.intt.tn/upload/files/Rapport-TR3-2022\(2\).pdf](http://www.intt.tn/upload/files/Rapport-TR3-2022(2).pdf).
- 28“Nety, un nouveau fournisseur internet en Tunisie,” Managers.tn, March 15, 2023, <https://managers.tn/2023/03/15/nety-un-nouveau-fournisseur-internet-en-....>
- 29“Prise de contrôle d’Hexabyte par 3S. Les ministères des TIC et du Commerce ont tranche [Takeover of Hexabyte by 3S. The ministries of ICT and trade have decided],”

African Manager, December 20, 2020, <https://africanmanager.com/prise-de-controle-dhexabyte-par-3s-les-minis...>

- 30 Yassine Ayari, Facebook Page, October 2020, <https://www.facebook.com/yassine.ayari.page.officialle/posts/3435577299...>
- 31 "Décret n° 2014-4773 du 26 décembre 2014, fixant les conditions et les procédures d'octroi d'autorisation pour l'activité de fournisseur de services internet [Decree n°4773 of 26 December 2014 fixing the conditions and procedures for allocating authorizations for ISP activities]," Presidency of the Government, Republic of Tunisia, December 26, 2014, <http://www.legislation.tn/fr/detailtexte/Décret-num-2014-4773-du-26-12-...>
- 32 "Article 6, Decree-Law No. 2022-54 of September 13, 2022, relating to the fight against offenses relating to information and communication systems," Legislation Securite, Accessed August 2023, <https://legislation-securite.tn/law/105348>.
- 33 "Article 9, Decree-Law No. 2022-54 of September 13, 2022, relating to the fight against offenses relating to information and communication systems," Legislation Securite, Accessed August 2023, <https://legislation-securite.tn/law/105348>.
- 34 "Article 11, Decree-Law No. 2022-54 of September 13, 2022, relating to the fight against offenses relating to information and communication systems," Legislation Securite, Accessed August 2023, <https://legislation-securite.tn/law/105348>.
- 35 "Twinning Project TN/13/ENP/TE/27b, Support for the Instance National of Telecommunications (INT)," Report on the independence of the Instance National of Telecommunications, January 2016, <http://www.intt.tn/upload/files/Report%20on%20Independence%20of%20the%20...>
- 36 "Twinning Project TN/13/ENP/TE/27b, Support for the Instance National of Telecommunications (INT)," Report on the independence of the Instance National of Telecommunications, January 2016, <http://www.intt.tn/upload/files/Report%20on%20Independence%20of%20the%20...>
- 37 "Décret n° 2014-4773 du 26 décembre 2014, fixant les conditions et les procédures d'octroi d'autorisation pour l'activité de fournisseur de services internet [Decree n°4773 of 26 December 2014 fixing the conditions and procedures for allocating authorizations for ISP activities]," Presidency of the Government, Republic of Tunisia, December 26, 2014, <http://www.legislation.tn/fr/detailtexte/Décret-num-2014-4773-du-26-12-...>
- 38 "Cahiers des charges relatifs aux activités économiques [Specifications relating to economic activities]," MTC, October 14, 2019, https://www.mtcen.gov.tn/index.php?id=119&L=0&tx_ttnews%5Btt_news%5D=39...
- 39 "Tunisia: Access to online conferencing platforms and networks is a constitutional right," Access Now, March 31, 2022, <https://www.accessnow.org/tunisia-online-conferencing-platforms/>.
- 40 "Online communications platforms down in Tunisia as parliament tries to meet," Reuters, March 30, 2022, <https://www.reuters.com/article/tunisia-politics-zoom-idAFL5N2VX4QA>.
- 41 "Tunisian president dissolves parliament after MPs vote to roll back his power grab," France 24, March 30, 2022, <https://www.france24.com/en/africa/20220330-tunisian-president-dissolve...>
- 42 "OONI Measurement Aggregation Toolkit (MAT)", OONI, Accessed August 2022, https://explorer.ooni.org/chart/mat?probe_cc=TN&test_name=web_connectiv...
- 43 "March 2023 report," SNJT, April 2023, <http://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87%...>
- 44 "Soit on suit les instructions, soit on risque la prison: en Tunisie, des journalistes sous surveillance," Le Monde, April 12, 2023, <https://www.lemonde.fr/afrique/article/2023/04/12/soit-on-suit-les-inst...>
- 45 S. Parikh, "Under Surveillance: Testimony from a Global South migrant in Tunisia," Nawaat, January 25, 2023, <https://nawaat.org/2023/01/25/under-surveillance-testimony-from-a-globa...>
- 46 "Tunisian authorities detain Mosaique FM correspondent Khalifa Guesmi over terrorism article," CPJ, March 21, 2022, <https://cpj.org/2022/03/tunisian-authorities-detain-mosaique-fm-corresp...>

- 47SNJT, “Statement: Continuous threats from the Election Commission to the media,” Facebook, December 14, 2022, <https://www.facebook.com/snjt.tunisie/posts/pfbid0GpuRdcgmgVBoKWslEn212....>
- 48“صادق الحمامي: فايسبوك ليس إعلاما والحرية وهم كبير على صفحاته” [Sadiq Al-Hamami: Facebook is not a media, and freedom is a big illusion on its pages], "Mosaïque FM, May 17, 2021, <https://www.mosaïquefm.net/ar/-/الحمامي-صادق/897884/وطنية/897884/وطنية-أخبار-تونس-أخبار-وطنية/897884/وطنية-أخبار-تونس-أخبار-وطنية>...; “US-based Tunisian super model accuses Instagram of censorship over Palestinian content,” The new Arab, May 15, 2021, <https://english.alaraby.co.uk/news/tunisian-model-reports-instagram-cen....>
- 49“Tunisia: Background paper on Internet regulation,” Article 19, May 2013, <https://www.refworld.org/pdfid/51dc0ef54.pdf>.
- 50“بعد جدل ألعاب الموت: وكالة الانترنت ترغب في حوار وطني” [After the Death Games controversy: The Internet wants a national dialogue], "Acharaa, March 16, 2018, <http://acharaa.com/ar/307665>.
- 51A Tunisian court turned down a court case requesting it to block LGBT Radio Shams, see “انتصار لمدنية الدولة في تونس: حكم قضائي يرد دعوى نقابة الأئمة ضد جمعية شمس” [Victory of state civilization in Tunisia: A court ruling dismisses action against Radio Shams], "Legal Agenda, February 2, 2018, <http://legal-agenda.com/article.php?id=4240>.
- 52“Tunisia: Bloggers Held for Criticizing Officials,” Human Rights Watch, January 25, 2019, <https://www.hrw.org/news/2019/01/25/tunisia-bloggers-held-criticizing-o...>; “Reporting Under the Weight of Fear’: Restrictions on the media in Tunisia under the president's exceptional measures (25 July 2021 – 15 April 2022),“ Euromed Monitor, May 17, 2022, <https://euromedmonitor.org/en/article/5121/%27Reporting-Under-the-Weigh....>
- 53“En Tunisie, la publication d’une « fausse information » est passible de cinq ans de prison,” Kassataya, September 24, 2022, <https://kassataya.com/2022/09/24/en-tunisie-la-publication-dune-fausse-....>
- 54Sidi Bouzid, “Fear, acceptance mix in cradle of Tunisian revolution,” France 24, August 2, 2021, <https://www.france24.com/en/live-news/20210830-fear-acceptance-mix-in-c....>
- 55“SNJT to stage “national day of anger” outside Government Palace February 16,” TAP, February 7, 2023, <https://www.tap.info.tn/en/Portal-Politics/15985214-snjt-to-stage>.
- 56“SNJT,” Facebook, February 24, 2023, <https://www.facebook.com/snjt.tunisie/posts/pfbid02uizbk8s5R2ypYRNh3oHX....>
- 57“Tunisia: Journalists receive threats for covering political crisis events,” Euromed Monitor, March 31, 2022, <https://euromedmonitor.org/en/article/5025/Tunisia:-Journalists-receive....>
- 58“Intimidation of journalists in Tunisia is an attempt to muzzle dissent voices and systematically destroy press freedom,” Skyline, March 31, 2022, <https://skylineforhuman.org/en/news/details/520/intimidation-of-journal....>
- 59“تتبعات جزائية ضد كل من ينشر أخبارا زائفة تمس بأمن البلاد” Mosaique FM, April 3, 2023, <https://www.mosaïquefm.net/ar/-/تتبعات-جزائية-ضد-كل-من-ينشر-أخبارا-زائفة-تمس-بأمن-البلاد/1149797/وطنية/1149797/وطنية-أخبار-تونس-أخبار-وطنية/1149797/وطنية-أخبار-تونس-أخبار-وطنية>...
- 60“Journalisme en Tunisie: l'heure de vérité,” RSF, January 2021, <https://rsf.org/fr/rapports/un-rapport-point-nomme-journalisme-en-tunis....>
- 61“Tunisia: Where poems lead to prison,” Article 19, February 25, 2022, <https://www.article19.org/resources/tunisia-where-poems-lead-to-prison/>.
- 62“Journalists Syndicate: No to appointing ‘November propaganda symbols’ in public media,” Mosaique FM, March 23, 2023, <https://www.mosaïquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D8%A3%D8%AE%D8%....>
- 63“بيان مشترك منظمات وجمعيات وطنية تتمسك بالمجلس الأعلى للقضاء وتندد بدعوات الاعتداء عليه وبحملات” SNJT, December 2, 2021, <http://snjt.org/2021/12/02/%d9%85%d9%86%d8%b8%d9%85%d8%a7%d8%aa-%d9%88%...>; “Tunisian president appoints members of new top judicial council,” March 7, 2022, <https://www.reuters.com/world/africa/tunisian-president-appoints-member....>

- 64“Virginity tests exploited by the president... Tunisia, from freedoms to defamation,” Tunigate, June 8, 2023, <https://tunigate.net/posts/%D9%81%D8%AD%D9%88%D8%B5-%D8%B9%D8%B0%D8%B1%...>; “Statement,” SNJT, June 6, 2023, <http://snjt.org/2022/06/06/%D8%AF%D9%81%D8%A7%D8%B9%D8%A7-%D8%B9%D9%86-...>
- 65“Qui répand des rumeurs contre Boutar et pourquoi?,” Mosaique FM, March 17, 2023, <https://www.mosaiquefm.net/fr/actualite-national-tunisie/1145255/qui-re....>
- 66@rhizomyx, “A lot of people have been referencing this thread to claim that most Twitter activity in relation to the events in #Tunisia is the work of Emirati, Egyptian and Saudi bots,” Twitter, July 29, 2021, <https://twitter.com/rhizomyx/status/1420766815941275649>; @marcowenjones, “[Thread] 1/ I did another Twitter analysis. This time I searched for tweets using the term 'Tunis' (in Arabic),” Twitter, July 28, 2021, <https://twitter.com/marcowenjones/status/1420429579144110081>.
- 67“بنك تونس العربي الدولي بنك فوق القانون” [BIAT is above the law], Iwatch, August 7, 2019, <https://www.iwatch.tn/ar/article/715>.
- 68“Digital security and the LGBTI+ rights movement in Tunisia,” Middle East Institute, April 22, 2020, <https://www.mei.edu/publications/digital-security-and-lgbti-rights-move....>
- 69“Daily fact-checking and the ethical considerations for journalists. Interview with Tunifact Editor in chief,” Digitally Yours Podcast, Accessed August 2022, <https://anchor.fm/digitallyyourspodcast/episodes/Daily-fact-checking-an....>
- 70“June 2022 report,” SNJT, June 2022, <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87...>; “January 2023 report,” SNJT, January 2023, <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87...>; “إحياء اليوم العالمي لحرية الصحافة في تونس - التقرير التأليفي والتوصيات,” SNJT, May 2022, <http://snjt.org/wp-content/uploads/2022/05/%D8%A7%D9%84%D8%AA%D9%82%D8%....>
- 71“Sixth annual report on the safety of journalists,” SNJT, October 2022, <http://protection.snjt.org/%d8%a7%d9%84%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87...>
- 72“The Journalists Syndicate denounces the approach of "limiting information" adopted by the Elections Commission towards journalists,” Webdo, December 20, 2022, <https://www.webdo.tn/ar/actualite/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%...>; July 2022 report, SNJT, July 2022 <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87...>
- 73“August 2022 Report,” SNJT, August 2022, <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87...>
- 74“Jelassi: Bouderbala a privé les citoyens de leur droit à l'information,” Mosaique FM, April 10, 2023, <https://www.mosaiquefm.net/fr/actualite-midi-show/1151792/jelassi-boude....>
- 75“السماح للصحفيين بدخول البرلمان مع تحديد مكان عملهم,” Mosaique FM, April 12, 2023, <https://www.mosaiquefm.net/ar/السماح-للصحفيين/1152476/تونس-أخبار-وطنية/...>
- 76“Sub-Saharan In Tunisia: The Untruths Expounded By President Kais Saied,” Nawaat, March 11, 2023, <https://nawaat.org/2023/03/11/sub-saharans-in-tunisia-the-untruths-expo....>
- 77“Tunisia migrants: False content goes viral on social media,” BBC, March 10, 2023, <https://www.bbc.com/news/64868994>.
- 78“Tunisia: Racist Violence Targets Black Migrants, Refugees,” HRW, March 10, 2023, <https://www.hrw.org/news/2023/03/10/tunisia-racist-violence-targets-bla....>
- 79Yosr Jouini, “Tunisia’s fight against COVID-19 unmasks shaky ground for digital rights,” Global Voices, January 19, 2021, <https://globalvoices.org/2021/01/19/tunisia-fight-against-covid-19-unm....>

- 80“Tunisian students to strike after arrests by authorities over online posts on protests,” The New Arab, November 1, 2022, <https://www.newarab.com/news/tunisian-students-protest-arrest-student-o...>
- 81“L’UGET annonce la libération de l’étudiant Ahmed Bahaa Eddine Hamada,” Letemps.news, November 1, 2022, <https://www.letemps.news/2022/11/01/luget-annonce-la-liberation-de-letu...>
- 82Zeïneb Ben Ismail, “Free voices silenced by Degree 54 in Tunisia,” Inkyfada, July 18, 2023, <https://inkyfada.com/en/2023/07/18/free-voices-silenced-decree-54-tunis...>
- 83“Un jeune activiste jeté en prison depuis un mois pour un statut Facebook,” Business News, May 22, 2023, <https://www.businessnews.com.tn/Un-jeune-activiste-jet%C3%A9-en-prison-....>
- 84Aswat Nisaa, “Statement of support for CALAM Association,” Facebook, March 3, 2023, <https://www.facebook.com/aswat.nissa/photos/a.496123947068556/647387344....>
- 85“Carving up the constitution represents a threat to human rights,” Amnesty International, October 2021, <https://www.amnesty.org/en/latest/news/2021/10/carving-up-the-constitut...>
- 86“Décret Présidentiel n° 2022-506 du 25 mai 2022, eferend à la convocation des électeurs pour le eferendum sur un projet d’une nouvelle Constitution de la République tunisienne,” Legislation Securite, July 25, 2022, <https://legislation-securite.tn/law/105266>.
- 87The Constitution, art 37.
- 88The Constitution. art 38.
- 89“Tunisia: Draft Constitution dangerous backwards step for human rights,” Article 19, July 22, 2022, <https://www.article19.org/resources/tunisia-draft-constitution-dangerou...>
- 90“Tunisia: New draft constitution undermines independence of Judiciary and weakens human rights safeguards,” Amnesty International, July 5, 2022, <https://www.amnesty.org/en/latest/news/2022/07/tunisia-new-draft-consti...>
- 91“Tunisian president purges judges after instituting one-man rule,” Reuters, June 2, 2022, <https://www.reuters.com/world/africa/tunisias-president-sacks-57-judges...>; “Tunisia: President Intensifies Attacks on Judicial Independence,” HRW, February 27, 2023, <https://www.hrw.org/news/2023/02/27/tunisia-president-intensifies-attac...>
- 92“مرسوم عدد 115 لسنة 2011 مؤرخ في 2 نوفمبر 2011 يتعلق بحرية الصحافة والطباعة والنشر” [Decree No. 115 of 2011 dated November 2, 2011 relating to freedom of the press, printing and publishing],” Republic of Tunisia, Prime Minister’s website, November 2, 2011, <http://www.legislation.tn/detailtexte/D%C3%A9cret-loi-num-2011-115-du-0...>
- 93“Loi organique n° 2016-22 du 24 mars 2016, relative au droit d’accès à l’information. [Organic Law No. 2016-22 of March 24, 2016, relating to the right of access to information.],” National Portal of Legal Information, Republic of Tunisia, Presidency of the Government, March 24, 2016, <http://www.legislation.tn/en/detailtexte/Loi-num-2016-22-du-24-03-2016-....>
- 94“Les règles des apparitions médiatiques du gouvernement (Photos),” Mosaique FM, December 17, 2021, <https://www.mosaiquefm.net/fr/actualite-national-tunisie/996473/les-reg...>
- 95“Tunisie: Kaïs Saïed prolonge l’état d’urgence jusqu’au 31 décembre 2023,” Anadolu Agency, February 1, 2023, <https://www.aa.com.tr/fr/monde/tunisie-ka%C3%AFsa%C3%AFed-prolonge-l%...>
- 96“Tunisia Repressive state of emergency bill a threat to human rights,” Amnesty International, March 15, 2019, <https://www.amnesty.org/en/latest/news/2019/03/tunisia-repressive-state...>
- 97Yosr Jouini, “Tunisia: New prosecutions resurrect shadow of dictatorship,” Global Voices, December 2021, <https://globalvoices.org/2021/12/16/tunisia-new-prosecutions-resurrect-....>
- 98“Tunisia: Counter-terror law endangers rights,” Human Rights Watch, July 31, 2015, <https://www.hrw.org/news/2015/07/31/tunisia-counterterror-law-endangers...>
- 99Safa Ben Said, “In Tunisia, press freedom erodes amid security fears,” Committee to Protect Journalists, October 27, 2015, <https://www.cpj.org/reports/2015/10/in-tunisia-press-freedom-erodes-ami...>

- 100“Tunisia: President must scrap law undermining free expression and the press,” Article 19, September 21, 2022, <https://www.article19.org/resources/tunisia-president-must-scrap-law-un...>
- 101“Decree n° 2022-54 relating to the fight against crimes related to information and communication systems,” IORT, Accessed August 2023, http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX_4796-78-XXhckAKDSH/Pag...
- 102“تونس-أخبار-وطنية/1149797/تتبعات-جزائية-ضد/” Mosaique FM, April 3, 2023, <https://www.mosaiquefm.net/ar/تتبعات-جزائية-ضد/1149797/تونس-أخبار-وطنية...>
- 103“Decree No. 55 of 2022 dated September 15, 2022 amending and completing Basic Law No. 16 of 2014 dated May 26, 2014 related to elections and referendum,” IORT, Accessed August 2023, http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX_4492-24-OkbbnHGpOW/Aff...
- 104“Décret-loi n°2022-14 du 20 mars 2022, relatif à la lutte contre la spéculation illégale,” Legislation Securitie, Accessed August 2022, <https://legislation-securite.tn/law/105237>.
- 105“Tunisia: New anti-speculation law threatens freedom of expression,” Amnesty international, March 25, 2022, <https://www.amnesty.org/en/latest/news/2022/03/tunisia-new-anti-specula...>
- 106“Public consultation ‘A code for a Digital Tunisia’,” MCT, September 17, 2018, https://www.mtcen.gov.tn/index.php?id=226&tx_ttnews%5Btt_news%5D=3646&c....
- 107Yosr Jouini, “Tunisia’s fight against COVID-19 unmasks shaky ground for digital rights,” Global Voices, January 19, 2021, <https://globalvoices.org/2021/01/19/tunisias-fight-against-covid-19-unm...>
- 108“10-years in prison against Takfiri who threatened Qais Saeed with physical liquidation,” Mosaique FM, December 30, 2022, <https://www.mosaiquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D8%A3%D8%AE%D8%...>
- 109“Tunisia: A one-year prison sentence for a journalist for disclosing security secrets,” IFJ, December 2, 2022, <https://www.ifj-arabic.org/-أخبار-التفاصيل/تونس-الحكم-بسجن-صحفي-عاما-بته...>
- 110“Tunisia releases a journalist detained a week ago for refusing to reveal his sources,” Reuters, March 25, 2022, <https://www.reuters.com/world/africa/tunisia-releases-journalist-detain...>
- 111“Khalifa Guesmi condamné à 5 ans de prison, en appel,” Mosaique FM, May 16, 2023, <https://www.mosaiquefm.net/fr/actualite-national-tunisie/1162916/khalif...>
- 112“Des journalistes et des techniciens de "One TN" arrêtés,” Mosaique FM, February 23, 2023, <https://www.mosaiquefm.net/fr/actualite-national-tunisie/1138640/des-jo...>
- 113One TN, “Explanatory statement”, Facebook, February 24, 2023, <https://www.facebook.com/OneTnNet/posts/pfbid026qDvdxPMwYhNsQr8EkRiaNrD...>
- 114T. Paillaute, “Tunisie: un journaliste convoqué pour un article sur la Première ministre,” Jeune Afrique, November 15, 2022, <https://www.jeuneafrique.com/1392995/politique/tunisie-un-journaliste-c....>
- 115“Mehdi Zagrouba poursuivi en justice en vertu du décret 54,” Business News, November 15, 2022, <https://www.businessnews.com.tn/mehdi-zagrouba-poursuivi-en-justice-en-...>
- 116“Tunisian court releases prominent radio director from prison,” AP News, May 25, 2023, <https://apnews.com/article/tunisia-radio-director-released-bail-prison-...>
- 117“Un enseignant condamné à la prison ferme pour offense contre le chef de l’État,” Espace Manager, May 18, 2023, <https://www.espacemanager.com/un-enseignant-condamne-la-prison-ferme-po....>
- 118“الإفراج عن الطالبين الموقوفين,” Mosaique FM, May 18, 2023, <https://www.mosaiquefm.net/ar/%D8%AA%D9%88%D9%86%D8%B3-%D8%A3%D8%AE%D8%...>
- 119“Report of the Independent High Authority for Elections on the referendum on a draft new constitution for the Republic of Tunisia,” ISIE, December 20, 2022,

<https://www.isie.tn/wp-content/uploads/2022/12/Rapport-Referendum-2022....>

- 120 “The Journalists Syndicate denounces the approach of "limiting information" adopted by the Elections Commission towards journalists,” Webdo, December 20, 2022, <https://www.webdo.tn/ar/actualite/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%...>; “August 2022 Report,” SNJT, August 2022, <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87...>
- 121 “Organizations and associations condemn the "threats" of the Election Commission,” Mosaïque FM, December 27, 2022, <https://www.mosaïquefm.net/ar/-أخبار-سياسة-تونس/1118370/منظمات-وجمعيات-ت...>
- 122 “State of Surveillance Tunisia,” Privacy International, March 14, 2019, <https://privacyinternational.org/state-privacy/1012/state-surveillance-....>
- 123 “Resume sending the project to complete the biometric passport and biometric identification card and expedite its implementation,” Ministry of Interior, January 17, 2022, <https://www.interieur.gov.tn/actualite/27229/%D8%A7%D8%B3%D8%AA%D8%A6%D...>
- 124 “منظمات وجمعيات حقوقية تدعو إلى عدم اعتماد مشروع إنجاز جواز السفر البيومتري وبطاقة التعريف” SNJT, January 2022, <http://snjt.org/2022/01/24/%d9%85%d9%86%d8%b8%d9%85%d8%a7%d8%aa-%d9%88%....>
- 125 “MCT circular,” MCT, June 2022, https://www.mtc.gov.tn/fileadmin/user_upload/circulaire_mobile_id.pdf.
- 126 Rim Hana, “Tunisia- Unique Citizen Identifier: INPDP to stand up against any violation of personal data,” Tunisie Numerique, May 14, 2020, <https://news-tunisia.tunisienumerique.com/tunisia-unique-citizen-identi...>
- 127 “What is Tunisia’s unique identifier, and why is it being pushed now?,” Access Now, July 19, 2020, <https://www.accessnow.org/what-is-tunisiass-unique-identifier-and-why-is-....>
- 128 “Decision of July 29, 2013 on the conditions for the exploitation of public internet centers,” National Center for Scientific and Technical Documentation, July 23, 2013, <http://www.cnudst.rnrt.tn/jortsrc/2013/2013a/ja0732013.pdf>.
- 129 “Tunisia Repressive state of emergency bill a threat to human rights,” Amnesty International, March 15, 2019, <https://www.amnesty.org/en/latest/news/2019/03/tunisia-repressive-state....>
- 130 Intersection Association for Rights and Freedoms, “Freedom for the student Ahmed Bahaa El-Din Hamada,” Facebook, October 2022, <https://www.facebook.com/Intersectionuno/posts/pfbid02gHszg3J1bCw8vEuvx...>; “Intersection Association for Rights and Freedoms,” Facebook, November 17, 2022, <https://www.facebook.com/Intersectionuno/posts/pfbid02nT77py2pHnChMfJZ1....>
- 131 “تونس: النهضة تحذر من المس بحقوق الغنوشي بعد استعمال هاتفه وهو معتقل” Alaraby, May 15, 2023, <https://www.alaraby.co.uk/politics/الغن-بالحقوق-تونس-النهضة-تحذر-من-المس-بالحقوق-الغنوشي-بعد-استعمال-هاتفه-وهو-معتقل...>
- 132 “Authorities urged to rescind decree creating communications surveillance agency,” Reporters Without Borders, December 3, 2013, <http://en.rsf.org/tunisia-authorities-urged-to-rescind-02-12-2013,45531...>
- 133 Afef Abrougui, “Will Tunisia’s ATT Ring in a New Era of Mass Surveillance,” Global Voices, November 26, 2013, <https://advox.globalvoices.org/2013/11/26/will-tunisiass-att-ring-in-a-n...>
- 134 “أمر حكومي عدد 985 لسنة 2017 مؤرخ في 15 أوت 2017 يتعلق بتنقيح وإتمام الأمر عدد 4506 لسنة 2013 المؤرخ في 6 نوفمبر 2013 المتعلق بإحداث الوكالة الفنية للاتصالات وبضبط تنظيمها الإداري والمالي وطرق تسيرها [Decree n ° 2017-985, amending and completing decree n ° 2013-4506 dated 6 November 2013, relating to the establishment of Technical Telecommunications Agency (ATT)],” Republic of Tunisia, Prime Minister, 2017, <http://www.legislation.tn/detailtexte/D%C3%A9cret%20Gouvernemental-num-....>
- 135 “أمر عدد 4506 لسنة 2013 مؤرخ في 6 نوفمبر 2013 يتعلق بإحداث الوكالة الفنية للاتصالات وبضبط تنظيمها الإداري والمالي وطرق تسيرها [Decree n ° 2013-4506 dated 6 November 2013, establishing the technical communications agency],” Republic of Tunisia, Prime

Minister, November 12, 2013, <http://www.legislation.tn/detailtexte/D%C3%A9cret-num-2013-4506-du---j....>

- 136“أمر عدد 4506 لسنة 2013 مؤرخ في 6 نوفمبر 2013 يتعلق بإحداث الوكالة الفنية للاتصالات وبضبطها [Decree n ° 2013-4506 dated 6 November 2013, establishing the technical communications agency],” Republic of Tunisia, Prime Minister, November 12, 2013, <http://www.legislation.tn/detailtexte/D%C3%A9cret-num-2013-4506-du---j....>
- 137“Tunisia: Cybercrime law is a grave threat to freedom of expression,” Article 19, March 30, 2023, <https://www.article19.org/resources/tunisia-cybercrime-law-is-threat-to....>
- 138“Tunisia: Cybercrime law is a grave threat to freedom of expression,” Article 19, March 30, 2023, <https://www.article19.org/resources/tunisia-cybercrime-law-is-threat-to....>
- 139“2015 counterterrorism law,” CNLCT, Accessed September 2022, <http://www.cnlct.tn/wp-content/uploads/2018/10/%D9%82%D8%A7%D9%86%D9%88....>
- 140“قانون أساسي عدد 9 لسنة 2019 مؤرخ في 23 جانفي 2019 يتعلق بتنقيح وإتمام القانون الأساسي عدد 26 [Basic law n ° 2019-9 dated 23 January 2019, amending and completing the basic law n ° 2015-26 dated 7 August 2015, relating to combating terrorism and preventing money laundering],” Republic of Tunisia, Prime Minister, <http://www.legislation.tn/detailtexte/Loi-num-2019-9-du---jort-2019-00....>
- 141“قانون أساسي عدد 26 لسنة 2015 مؤرخ في 7 أوت 2015 يتعلق بمكافحة الإرهاب ومنع غسل الأموال [Basic law n ° 2015-26 dated 7 August 2015, combating terrorism and preventing money laundering],” Republic of Tunisia, Prime Minister, Accessed September 2021, <http://www.legislation.tn/detailtexte/Loi-num-2015-26-du-07-08-2015-jor....>
- 142“قانون أساسي عدد 26 لسنة 2015 مؤرخ في 7 أوت 2015 يتعلق بمكافحة الإرهاب ومنع غسل الأموال [Basic law n ° 2015-26 dated 7 August 2015, combating terrorism and preventing money laundering],” Republic of Tunisia, Prime Minister, Accessed September 2021, <http://www.legislation.tn/detailtexte/Loi-num-2015-26-du-07-08-2015-jor....>; “قانون أساسي عدد 9 لسنة 2019 مؤرخ في 23 جانفي 2019 يتعلق بتنقيح وإتمام القانون الأساسي عدد 26 لسنة 2015 [Basic law n ° 2019-9 dated 23 January 2019, amending and completing the basic law n ° 2015-26 dated 7 August 2015, relating to combating terrorism and preventing money laundering],” Republic of Tunisia, Prime Minister, January 23, 2019, <http://www.legislation.tn/detailtexte/Loi-num-2019-9-du---jort-2019-00....>
- 143“The EU Funds Surveillance Around the World: Here's What Must be Done About it,” Privacy international, September 18, 2019, <https://privacyinternational.org/long-read/3221/eu-funds-surveillance-a....>
- 144Bill Marczak, John Scott-Railton, Sarah McKune, Bahr Abdul Razzak, and Ron Deibert, “Hide And Seek: Tracking NSO Group’s Pegasus Spyware To Operations In 45 Countries,” Citizen Lab, September 18, 2018, <https://citizenlab.ca/2018/09/HIDE-AND-SEEK-TRACKING-NSO-GROUPS-PEGASUS....>
- 145“Décret n° 2014-4773 du 26 décembre 2014, fixant les conditions et les procédures d'octroi d'autorisation pour l'activité de fournisseur de services internet [Decree n°4773 of 26 December 2014 fixing the conditions and procedures for allocating authorizations for ISP activities],” Presidency of the Government, December 26, 2014, <http://www.legislation.tn/fr/detailtexte/Décret-num-2014-4773-du-26-12-....>
- 146“Article 11, Decree-Law No. 2022-54 of September 13, 2022, relating to the fight against offenses relating to information and communication systems,” Accessed August 2023, <https://legislation-securite.tn/law/105348>.
- 147“Article 6, Decree-Law No. 2022-54 of September 13, 2022, relating to the fight against offenses relating to information and communication systems,” Legislation Securite, Accessed August 2023, <https://legislation-securite.tn/law/105348>.
- 148“Article 9, Decree-Law No. 2022-54 of September 13, 2022, relating to the fight against offenses relating to information and communication systems,” Accessed August 2023, <https://legislation-securite.tn/law/105348>.

- 149 ImpACT International for Human Rights Policies and Access Now, “Privacy violated Report,” July 2020, <https://www.accessnow.org/cms/assets/uploads/2020/07/Tunisia-ISPs-EN.pdf>.
- 150 “Tunisian ISPs violate customers’ privacy,” Access Now, July 20, 2020, <https://www.accessnow.org/tunisian-isps-violate-customers-privacy/>.
- 151 Facebook, “Transparency Report for government data requests,” Accessed May 2023, <https://transparency.fb.com/data/government-data-requests/country/TN/>.
- 152 “Decision of July 29, 2013 on the conditions for the exploitation of public internet centers,” JORT, Accessed September 2021, <http://www.cnudst.rnrt.tn/jortsrc/2013/2013a/ja0732013.pdf>.
- 153 بيان مشترك منظمات وجمعيات وطنية تتمسك بالمجلس الأعلى للقضاء وتندد بدعوات الاعتداء عليه“ SNJT, December 2, 2021, <http://snjt.org/2021/12/02/%d9%85%d9%86%d8%b8%d9%85%d8%a7%d8%aa-%d9%88%...>; “Tunisian president appoints members of new top judicial council,” March 7, 2022, <https://www.reuters.com/world/africa/tunisian-president-appoints-member....>
- 154 “July 2022 report,” SNJT, July 2022, <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87....>
- 155 “July 2022 report,” SNJT, July 2022, <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87....>
- 156 “June 2022 report,” SNJT, June 2022 <https://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87....>
- 157 See SNJT statement, Facebook, September 2021, <https://www.facebook.com/snjt.tunisie/posts/2960286030912072>.
- 158 “Sixth annual report on the safety of journalists,” SNJT, October 2022, <http://protection.snjt.org/%d8%a7%d9%84%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87....>
- 159 “Report March 2023,” SNJT, April 2023, <http://protection.snjt.org/%d8%aa%d9%82%d8%b1%d9%8a%d8%b1-%d8%b4%d9%87....>
- 160 “Tunisia: Privacy Threatened by ‘Homosexuality’ Arrests,” Human Rights Watch, November 8, 2018, <https://www.hrw.org/news/2018/11/08/tunisia-privacy-threatened-homosexu....>
- 161 “Global Cybersecurity Index 2018,” ITU, 2019, https://www.itu.int/dms_pub/itu-d/opb/str/D-STR-GCI.01-2018-PDF-E.pdf.
- 162 Khaoula Boukrim, “We apologize to our valued followers for a malfunction in the Kashf Media website, after it was attacked yesterday,” Facebook, February 20, 2023, <https://www.facebook.com/khaoula.magherbi/posts/pfbid04JSpBERZbi4YKXVXK....>
- 163 Khaoula Boukrim, “كذب المهاجمين بحسابات وهمية وحتى مكشوفة مدير موقع كشف ميديا الزميل ايمن طويهي يؤكد تعرض كشف للقرصنة ويفضح” Facebook, February 27, 2023, <https://www.facebook.com/khaoula.magherbi/posts/pfbid0srqNASFPeEUSTYqy8....>
- 164 “نيابة العمومية تحقّق في حادثة الهجمة السيبرانية على البنك المركزي” Express FM, April 11, 2022, <https://radioexpressfm.com/ar/%d8%a5%d9%82%d8%aa%d8%b5%d8%a7%d8%af/%d8%....>
- 165 See Ministère des Technologies de la Communication Facebook Page Post, March 24, 2022, <https://www.facebook.com/photo?fbid=334374292063983&set=a.2470160674664....>
- 166 “STATISTIQUES SUR LE CYBERESPACE TUNISIEN,” ANSI, Accessed March 2023 <https://www.3ansi.tn/statistics>.
- 167 [Presentation conference of the cybersecurity national strategy],” Facebook post, MCT, December 9, 2019, https://www.mtcen.gov.tn/index.php?id=119&L=1&tx_ttnews%5Btt_news%5D=39....; “The Cabinet approves a number of draft laws and government decrees,” Shems FM, January 6, 2018, <https://perma.cc/4H7M-7TT6>.

[More footnotes](#)[Fewer footnotes](#)