

URGENT ACTION

JAILED OPPOSITION FIGURES ON HUNGER STRIKE

On 26 September, prominent opposition figure Jaouhar Ben Mbarek announced a hunger strike to protest his unjust detention in a trumped-up conspiracy case. On 2 October, five other detained defendants in the same case also announced a hunger strike. They include Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj and Abdelhamid Jelassi. Despite their releases in July 2023, political activists Chaima Issa and Lazhar Akremi - who spent nearly five months arbitrarily detained in the same case- have been arbitrarily banned from travelling and from “appearing in public spaces”. Tunisia’s anti-terrorism court is investigating all eight of them for trying to “change the nature of the state” under Article 72 of the Penal Code which carries the death penalty. We call on the Tunisian authorities to immediately release those detained, drop the charges against them, and lift the arbitrary restrictions on Chaima Issa and Lazhar Akremi.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President of the Republic Kais Saied
Route de la Goulette,
Site archéologique de Carthage, Tunisie
Email: contact@carthage.tn
Twitter: @TnPresidency

Your Excellency,

*I write to you to express my grave concern over the continued detention of opposition figures **Jaouhar Ben Mbarek, Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj and Abdelhamid Jelassi**. Despite their release from detention in July, **Chaima Issa and Lazhar Akremi** remain under investigation and face unjust restrictions as a punishment for their political activism. The ongoing investigation against the eight individuals stems from the exercise of their rights to freedom of expression, peaceful assembly and association, all of which are protected under international human rights law binding on Tunisia.*

On 26 September, Jaouhar Ben Mbarek's defence lawyers shared a [statement](#) on social media to inform the public of his hunger strike. The defendant began a hunger strike on the same day to protest his unjust detention and prosecution. Jaouhar Ben Mbarek announced that he won't cease his hunger strike unless he and the other defendants in the case are released. On 2 October, five other co-defendants in the same case, including Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj and Abdelhamid Jelassi, joined the hunger strike for the same reason.

On 13 July, political figures Chaima Issa and Lazhar Akremi who are also being investigated in the same case were provisionally released from detention after nearly five months of arbitrary detention. On 14 July, both politicians were banned from travelling abroad and from “appearing in public spaces”. On 14 November, Chaima Issa will appear before a military court as she is also being prosecuted under Article 24 of the [draconian](#) Cybercrimes Decree-Law 2022-54 for remarks she made during a radio interview on 22 December 2022 in which she criticised the authorities. If tried and convicted, she could face up to 10 years in prison under the decree-law.

I urge to immediately release Jaouhar Ben Mbarek, Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj and Abdelhamid Jelassi, lift the restrictions against Chaima Issa and Lazhar Akremi and drop all charges against them as they stem solely from the exercise of their human rights or peaceful dissent. Pending the release of the detained individuals, I urge you to ensure they have access to adequate healthcare, in compliance with medical ethics, including the principles of confidentiality, autonomy, and informed consent. Moreover, I call on you to cease your targeted arrests of critics for their peaceful exercise of the right to freedom of expression, and association.

Yours sincerely,

ADDITIONAL INFORMATION

Since February 2023, Tunisian authorities have opened criminal investigations against at least 40 people on unfounded conspiracy accusations. Amnesty International has documented the cases of eight of who are currently detained in relation to this investigation, including politician Khayam Turki who was arrested on 11 February 2023; dissident and politician Abdelhamid Jelassi arrested on 12 February 2023; opposition activist Issam Chebbi arrested on 22 February 2023; opposition activist Jaouhar Ben Mbarek arrested on 24 February 2023; and finally lawyers Ghazi Chaouachi and Ridha Belhaj arrested on 25 February 2023. Prominent opposition figure Chaima Issa, arrested on 22 February 2023, and dissident Lazhar Akremi, arrested on 13 February 2023, were both provisionally released on 13 July 2023 after nearly five months of arbitrary detention.

All eight of them are being investigated in relation to trumped up charges of conspiracy under 10 provisions of the Tunisian Penal Code including Article 72, which mandates the death penalty for trying to "change the nature of the state." They also face several charges under 17 articles of the 2015 counterterrorism law including Article 32, which mandates up to 20 years of imprisonment for "forming a terrorist organization". Amnesty International has deemed the charges and related investigation to be unfounded. The defendants were questioned about their relationship with one another and with foreign diplomats, on meetings they participated in together as well as on the content of objects seized by police officers during their arrests, including personal notes and WhatsApp messages. No evidence was presented to the defendants proving that they committed any recognizable offenses under international law.

The judge and the Tunis Court of Appeals initially rebuffed requests by lawyers to release the eight suspects from pre-trial detention. However in July, the court released Chaima Issa and Lazhar Akremi and banned from travelling abroad and "appearing in public spaces." The Court extended pretrial detention for the remaining six, citing the need to "ensure the sound course of the investigation". On 21 September 2023, the Tunis Court of Appeals [rejected](#) the request to release the remaining six detained defendants in the conspiracy case including Jaouhar Ben Mbarek, Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj and Abdelhamid Jelassi.

In September 2023, authorities opened separate judicial proceedings against lawyers Dalila Msaddek Ben Mbarek and Islam Hamza, both members of the defence committee for public comments they had made about the case on radio shows. They are under investigation for spreading false news" under repressive cybercrimes [Decree-Law 54](#).

On 14 February 2023, UN High Commissioner for Human Rights, Volker Turk [expressed](#) concern over the recent wave of arrests against civil society figures and perceived opponents as well as the Tunisian authorities' sustained attacks on the judiciary. A spokesperson for the commissioner specifically mentioned the criminal proceedings initiated against "perceived political opponents" charged with "conspiracy against State security". The commissioner called on the Tunisian authorities to "respect due process and fair trial standards in all judicial proceedings and to release immediately all those arbitrarily detained, including anyone detained in relation to the exercise of their rights to freedom of opinion or expression". On 22 February 2023, President Saied [declared](#) that anyone who "dared to exonerate" what he described as "criminal networks" was, in essence, an "accomplice." This statement, coupled with the president's [arbitrary dismissal](#) of 57 judges in 2022, has contributed to a growing climate of intimidation of the judiciary.

On 25 July 2021, President Saied [claimed](#) emergency powers that he said were granted to him by Tunisia's 2014 constitution. Since his power grab, President Saied has dissolved Tunisia's former parliament, issued [decree-laws](#) that threaten freedom of expression, overseen the drafting of a new [constitution](#), and sought to strengthen his [influence](#) over the judiciary. On 1 June 2022, President Saied arbitrarily fired 57 judges whom he accused of conduct including failure to investigate terrorism-related cases, adultery, and holding alcohol-fuelled parties. The Justice Ministry has refused a ruling by Tunisia's Administrative Tribunal to [reinstate](#) 49 of them.

Since 25 July 2021, Tunisian authorities have opened criminal investigations against at least 74 opposition figures and other perceived enemies of the president, including at least 44 people accused of crimes in connection with their exercise of their human rights.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic, French and English
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 November 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Chaima Issa (She/Her), Lazhar Akremi, Jaouhar Ben Mbarek, Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj and Abdelhamid Jelassi (All he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde30/6815/2023/en/>

ADDITIONAL TARGETS

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