Fourth UA: 52/23 Index: MDE 30/9250/2025 Tunisia

URGENT ACTION

MASS TRIAL OF POLITICAL DISSIDENTS OPENS

On March 4, 2025, the trial of 40 individuals, including political opposition figures, lawyers, and human rights defenders facing bogus "conspiracy" charges, started. Politicians Jaouhar Ben Mbarek, Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj, and Abdelhamid Jelassi have been arbitrarily detained since February 2023 in this case. Tunisia's anti-terrorism court has been investigating all of them for trying to "change the nature of the state" under Article 72 of the Penal Code which carries the death penalty. Following the first trial hearing, the judge decided to adjourn it to April 11 without responding to the defense requests, which included the provisional release of detainees as well as their presence in court which was held through remote court proceedings. We call on the Tunisian authorities to immediately and unconditionally release those detained as they are held for peacefully exercising of their human rights. Authorities must drop all the charges against them.

TAKE ACTION:

- Write a letter to the government official(s) listed. Use the sample letter below as a guide or use your own words.
- <u>Click here</u> to report your action(s) on **Fourth UA 52.23**. We share this number with the officials we are trying to persuade.

President of the Republic Kais Saied

Email: contact@carthage.tn

Facebook: https://www.facebook.com/Presidence.tn

Twitter/X: @TnPresidency

Send a copy of your letter to the address below

CC: Tunisian Embassy in the United States Ambassador Mrs. Hanene Al-Tajouri Bessassi

1515 Massachusetts Avenue, NW, Washington DC 20005

Date: 10 April 2025

Email: AT.Washington@Tunisianembassy.org

Your Excellency,

I am gravely concerned over the prolonged arbitrary detention of opposition figures, **Jaouhar Ben Mbarek**, **Khayyam Turki**, **Issam Chebbi**, **Ghazi Chaouachi**, **Ridha Belhaj**, and **Abdelhamid Jelassi** on unfounded "conspiracy" accusations. Over two years have passed since their arrest exceeding the legal limit permitted for pre-trial detention under Tunisian law.

On February 26, 2025 the Tunisian Bar Association received a memo from Tunis Court of First Instance informing them that terrorism trials scheduled for the month of March will be held without the physical presence of detainees and that they will be attending online from prison invoking "the existence of a real danger". The detainees announced that they will refuse to participate in their trial online and will not take part until they are brought to the court room. Their next trial hearing scheduled for April 11 will also be held online following a decision of the President of the Court of First Instance of Tunis.

I therefore urge you to ensure that Jaouhar Ben Mbarek, Khayyam Turki, Issam Chebbi, Ghazi Chaouachi, Ridha Belhaj, and Abdelhamid Jelassi, are immediately released as they are detained solely for the peaceful exercise of their human rights. I also urge you to ensure that all the unfounded charges against all defendants in the case are immediately dropped, and arbitrary travel bans and restrictions on their rights are lifted.

Yours sincerely,



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ADDITIONAL INFORMATION

On March 4, 2025, the trial in the "conspiracy case" opened against at least 40 people including political oppositions activists, businessman, lawyers, and human rights defenders from across the political spectrum. These conspiracy accusations are unfounded. The investigation which had started in February 2023 concluded in April 2024 with a decision to confirm the charges against them, and the trial opened on March 4, 2025.

Six of the defendants have been arbitrarily held in pre-trial detention since their arrest in February 2023: politician, Khayyam Turki, arrested on February 11; dissident and politician, Abdelhamid Jelassi, arrested on February 12; opposition activist, Issam Chebbi, arrested on February 22; opposition activist, Jaouhar Ben Mbarek, arrested on February 24; and finally, lawyers, Ghazi Chaouachi and Ridha Belhaj, arrested on February 25. Prominent opposition figure, Chaima Issa, and dissident, Lazhar Akremi, were both also arrested in February 2023, but they were provisionally released on July 13, 2023 after nearly five months in arbitrary detention but banned them from travelling abroad and "appearing in public spaces."

The defendants were investigated for 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". The judge and the Tunis Court of Appeals initially rebuffed requests by lawyers to release the eight suspects from pre-trial detention. The Court extended pretrial detention for the six, citing the need to "ensure the sound course of the investigation".

On February 14, 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 mentioned criminal proceedings against "perceived political opponents" charged with "conspiracy against State security" and called on Tunisian authorities to respect due process, fair trial standards, and release all arbitrarily detained, including those detained for exercising their rights to freedom of opinion or expression. On February 22, 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 October 8, 2024, the United Nations Working Group on Arbitrary detention issued a statement concluding that "the violations of the eight individuals' right to due process and a fair trial are of such gravity as to render their detention arbitrary".

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic, French, English, or your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: July 10, 2025

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

LINK TO PREVIOUS UA: https://www.amnestyusa.org/urgent-actions/urgent-action-politicians-unjustly-held-for-over-a-year-tunisia-52-23/