

## TUNISIA

- **TUN-06:** Abir Moussi (Ms.)
- **TUN-COLL-01:** 63 parliamentarians



Inter-Parliamentary Union  
For democracy. For everyone.

# Tunisia

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Abir Moussi (centre), President of the *Parti destourien libre* (Free Destourian Party) (PDL), at the Tunisian Assembly headquarters in the capital Tunis on 26 January 2021. FETHI BELAID/AFP

## TUN-06 – Abir Moussi

### Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Impunity
- ✓ Other violations

### A. Summary of the case

A member of the Assembly of People's Representatives of Tunisia elected in 2019, Ms. Abir Moussi, was the victim in 2019 and 2021 of acts of verbal and physical violence and sexist, degrading insults, directly linked to the exercise of her parliamentary mandate. The abuse suffered by Ms. Moussi is allegedly based on the one hand, on the fact that she is the leader of an opposition political party and, on the other, on her gender. Ms. Moussi also received serious death threats, which she reported to the police, who provided her with security when she was still a member of parliament.

Although the complainant's allegations were supported by videos and excerpts from social media posts that helped identify the alleged perpetrators, including two members of the Assembly of People's Representatives elected in 2019, Mr. Seifedine Makhoul and Mr. Sahbi Smara, these two members were only sentenced on 26 March 2025 to one year and to six months in prison, respectively. The complainant considers these sentences to be disproportionate given the seriousness of the charges, and an appeal has been lodged to that effect.

### Case TUN-06

**Tunisia:** Parliament affiliated to the IPU

**Victim:** Former female opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** October 2020

**Recent IPU decision:** October 2024

**Recent IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the Tunisian delegation at the 149th IPU Assembly (October 2024)

#### Recent follow-up:

- Communications from the authorities: Letter from Speaker of the Assembly of People's Representatives (May 2024)
- Communication from the complainant: March 2025
- Communications to the authorities: Letters to the President of the Republic, Minister of Justice and Speaker of the Assembly of People's Representatives (June 2024, March 2025)
- Communication to the complainant: March 2025

In addition to the verbal and physical violence to which she was subjected, Ms. Moussi was also stripped of her parliamentary mandate on 30 March 2022 when the President of the Republic decided to dissolve the Tunisian parliament after suspending it in July 2021. Since that date, the violations of Ms. Moussi's rights to freedom of expression and to demonstration have continued to increase.

On 3 October 2023, a few days after expressing her interest in standing in the next presidential elections, Ms. Moussi was arrested while attempting to lodge an appeal against the presidential decrees on the organization and conduct of local elections scheduled for December 2023, citing a lack of transparency in the electoral process. On 5 October 2023, the investigating judge ordered that she be remanded in custody on charges of "attempting to change the form of government", "inciting violence on Tunisian territory" and "aggression with the aim of provoking disorder", as stipulated in section 72 of the Tunisian Criminal Code, and of "processing personal data without consent of the person concerned" and "interfering with freedom of labour", as stipulated in sections 27 and 87 of the Data Protection Act and section 136 of the Tunisian Criminal Code, respectively. On 30 January 2024, the investigating judge allegedly decided to drop the proceedings relating to section 72 but continued to remand Ms. Moussi in custody on the basis of the two other charges. On 24 December 2024, the indictment division of Tunis Appeal Court closed the investigation and referred Ms. Moussi to the criminal division to be tried.

Ms. Moussi is also the subject of two complaints filed in 2022 and 2023 by the *Instance supérieure indépendante pour les élections*, ISIE (Independent High Authority for Elections), accusing her of having criticized the process for organizing the legislative elections of 2024. In respect of the ISIE 2022 complaint, on 6 August 2024 Ms. Moussi received a two-year non-suspended prison sentence under section 24 of Decree-Law No. 54. On 22 November 2024, the appeal court reduced the prison sentence to 16 months. The case was brought before the Court of Cassation to contest this ruling. Ms. Moussi's conviction is said to be arbitrary, as it is based on the legitimate exercise of her right to freedom of expression.

In respect of the second ISIE complaint, the Court of Cassation allegedly rejected Ms. Moussi's cassation appeal on 30 January 2025, and the case was therefore referred to the criminal division of the court of first instance. The trial was supposed to take place on 25 March 2025, but the former member of parliament and her lawyers boycotted the hearing, denouncing numerous judicial irregularities, including: restrictions on her right to a defence; her lawyers being unable to submit their reports because of the judge's refusal; the request for deferral; and the intervention by the prison authorities to get the lawyers to reveal the content of their reports during their visits to Ms. Moussi. Examination of the case was thus deferred to 24 April 2025 at the request of the Public Prosecutor's Office which, according to the complainant, wishes to impose on Ms. Moussi a court-appointed lawyer, since she is refusing any legal representation, considering that the trial is "political", and does not recognize the legitimacy of the judiciary which, according to her, is not independent.

The complainant also stated that Ms. Moussi's detention conditions were deplorable, with limited access to medical care and constant supervision, including during her meetings with her lawyers. On 12 February 2025, Ms. Moussi started a hunger strike to protest against her detention conditions, which led to a brief stay in hospital.

In their letter received on 20 December 2023, the parliamentary authorities stated that they did not have official information on the judicial cases in progress, as these proceedings fell within the remit of the judicial authorities, in accordance with the principle of the separation of powers set out in the Tunisian Constitution of 2022. The parliamentary authorities also refuted the allegations that the proceedings brought against Ms. Moussi were political in nature, stating that these allegations were unfounded, without, however, providing any arguments to that effect.

At the Committee's request, it met with the Tunisian parliamentary delegation twice, in 2024, during the 148th and 149th IPU Assemblies. During these two meetings, the Tunisian delegation did not provide any substantial information on the situation of Ms. Moussi, her conditions of detention or progress made in the legal proceedings, citing the same arguments about the separation of powers. Regarding the request for an IPU mission, although the Tunisian delegation indicated that a delegation from the Committee would be welcome, no concrete measures have been taken by the authorities to facilitate its progress.

## B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Deeply regrets* the lack of concrete information from the Tunisian authorities on the case of Ms. Abir Moussi;
2. *Takes note* of the convictions of the two former members of parliament for the violence perpetrated against Ms. Moussi inside the parliament building; *regrets*, however, the slow progress of the legal proceedings in the investigation of this case, especially given that the two former members of parliament remained free throughout the proceedings, while Ms. Moussi has been remanded in custody since 2023 for having simply criticized the authorities in power and the legitimacy of the electoral process; and *considers* that in view of the place of the aggression, namely within parliament, the victim's status of public official, and the premeditated and public nature of the acts committed, these convictions fall short of the sentences provided for under the Tunisian Criminal Code for similar cases;
3. *Deeply regrets* the lack of involvement of the current parliamentary authorities in Ms. Moussi's case, on the grounds of the separation of powers; *notes also with regret* that the new parliamentary authorities elected in 2022 have taken no concrete measures towards the introduction of a code of parliamentary professional ethics with the aim of combating the intimidation of women in the political arena, to prevent similar situations from recurring;
4. *Stresses* once more that, while respecting the independence of the judiciary and the principle of separation of powers, the parliamentary authorities could have followed Ms. Moussi's case as a matter of parliamentary solidarity and exercised their supervisory powers, especially in the case of physical violence perpetrated against a female member of parliament inside the parliament building; *strongly reaffirms* that the acts of aggression against Ms. Moussi mark a step backwards and constitute a danger for both the political rights of women and the proper functioning of parliament; and *hopes* that the Tunisian Parliament will take all necessary measures to guarantee the safety and dignity of all parliamentarians, especially women;
5. *Expresses its concern* at the complaints filed against Ms. Moussi and the charges still brought against her on the grounds that she criticized the legislative election process; and *still does not understand* how simple criticisms can result in the accusation of an attack aimed at changing the form of government and a 16-month prison sentence in deplorable conditions;
6. *Strongly recalls* that Ms. Moussi's remarks were made in the context of her right to freedom of expression, one of the pillars of democracy, which is essential for members of parliament and which covers not only speech, opinions and comments favourably received or considered as being inoffensive, but also those that are likely to offend, shock or disturb; *calls* once again on the Tunisian authorities to release Ms. Moussi and to drop the charges against her, given that they appear to be based solely on the peaceful exercise of her rights to freedom of expression, assembly and association, which are guaranteed under the International Covenant on Civil and Political Rights, to which Tunisia has acceded;
7. *Wishes* to appoint, for the duration of Ms. Moussi's various trials, a judicial observer to monitor the proceedings, bearing in mind the numerous judicial irregularities raised by her lawyers; and *requests* the authorities to inform it of the date of the next hearing scheduled after the 24 April hearing, and to facilitate the observer's mission;
8. *Regrets* the lack of a response from the Tunisian authorities to its request to send a delegation from the Committee on the Human Rights of Parliamentarians to visit Tunisia; *reiterates* this request; and *hopes* that the competent authorities in Tunisia might consider this request for a mission as an opportunity for constructive dialogue to help resolve once and for all Ms. Moussi's case as well as those of several other former Tunisian parliamentarians;
9. *Requests* the Secretary General to convey this decision to the Speaker of the Assembly of People's Representatives, the complainant and any third party likely to be in a position to supply relevant information;

10. Requests the Committee to continue examining this case and to report back to it in due course.



Inter-Parliamentary Union  
For democracy. For everyone.

## Tunisia

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Tunisian security forces guard the entrance to the country's parliament in Tunis, Tunisia, on 1 October 2021. © Anadolu Agency via AFP

- |                                       |                                |
|---------------------------------------|--------------------------------|
| TUN-07 - Seifedine Makhoul            | TUN-39 - Noomane El Euch       |
| TUN-08 - Maher Zid                    | TUN-40 - Abdelhamid Marzouki   |
| TUN-09 - Maher Medhioub               | TUN-41 - Ayachi Zammal         |
| TUN-10 - Yosri Dali                   | TUN-42 - Samir Dilou           |
| TUN-11 - Fethi Ayadi                  | TUN-43 - Habib Ben Sid'hom     |
| TUN-12 - Awatef Ftirch (Ms.)          | TUN-44 - Mabrouk Khachnaoui    |
| TUN-13 - Omar Ghribi                  | TUN-45 - Bechir Khelifi        |
| TUN-14 - Faiza Bouhlel (Ms.)          | TUN-46 - Nouha Aissaoui (Ms.)  |
| TUN-15 - Samira Smii (Ms.)            | TUN-47 - Latifa Habachi (Ms.)  |
| TUN-16 - Mahbouba Ben Dhifallah (Ms.) | TUN-48 - Ferida Laabidi (Ms.)  |
| TUN-17 - Mohamed Zrig                 | TUN-49 - Mohamed Affas         |
| TUN-18 - Issam Bargougui              | TUN-50 - Abdellatif Aloui      |
| TUN-19 - Samira Chaouachi (Ms.)       | TUN-51 - Mehdi Ben Gharbia     |
| TUN-20 - Belgacem Hassan              | TUN-52 - Rached Khiari         |
| TUN-21 - Kenza Ajela (Ms.)            | TUN-54 - Moussa Ben Ahmed      |
| TUN-22 - Emna Ben Hmayed (Ms.)        | TUN-55 - Oussama Khelifi       |
| TUN-23 - Bechr Chebbi                 | TUN-56 - Ghazi Karoui          |
| TUN-24 - Monjia Boughanmi (Ms.)       | TUN-57 - Mohamed Fateh Khelifi |
| TUN-25 - Wafa Attia (Ms.)             | TUN-58 - Ziad El Hachemi       |
| TUN-26 - Jamila Jouini (Ms.)          | TUN-59 - Sofiane Makhoulfi     |
| TUN-27 - Mohamed Lazher Rama          | TUN-60 - Majdi Karbai          |
| TUN-28 - Nidhal Saoudi                | TUN-61 - Anouar Ben Chahed     |
| TUN-29 - Neji Jmal                    | TUN-62 - Yassine Ayari         |
| TUN-30 - Zeinab Brahmi (Ms.)          | TUN-63 - Ghazi Chaouachi       |
| TUN-31 - Mohamed Al Azhar             | TUN-64 - Ahmed Mechergui       |
| TUN-32 - Nouredine Bhiri              | TUN-65 - Mohamed Ben Salem     |
| TUN-33 - Rached Ghannouchi            | TUN-66 - Lazhar Akremi         |
| TUN-34 - Tarek Fetiti                 | TUN-67 - Ali Laraiedh          |
| TUN-35 - Imed Khemiri                 | TUN-68 - Ahmed Ameri           |
| TUN-36 - Walid Jalled                 | TUN-69 - Sayed Ferjani         |
| TUN-37 - Safi Said                    | TUN-70 - Sahbi Atig            |
| TUN-38 - Iyadh Elloumi                |                                |



## Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage and of fair trial proceedings
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Failure to respect parliamentary immunity
- ✓ Other acts obstructing the exercise of the parliamentary mandate

### A. Summary of the case<sup>1</sup>

This case concerns 63 members of the Assembly of People's Representatives of Tunisia elected in 2019 who, according to the complainants, are victims of arbitrary prosecutions after expressing their opposition to the exceptional measures adopted by President Kaïs Saïed since 25 July 2021.

More generally, the suspension of parliament in 2021 by President Saïed had an impact on the 217 members of the Assembly of People's Representatives elected in 2019, who were deprived of their parliamentary immunity, allowances, medical insurance and freedom of movement, including to receive medical treatment.

On 30 March 2022, 120 members of parliament elected in 2019 took part in an online plenary session to discuss the presidential decrees. A few hours after the plenary session, President Saïed officially dissolved parliament, and the Public Prosecutor ordered the opening of an investigation into the members of parliament regarding an attempted coup d'état and conspiracy against justice. For fear of reprisal, only nine of the 120 members of parliament concerned, including the former Speaker of the National Assembly, Mr. Rached Ghannouchi, submitted a complaint to the Committee. Mr. Ghannouchi was summoned for questioning at great length on 1 April 2022 about this case.

Moreover, the dissolution of parliament had, according to the complainants, additional consequences for some members of parliament elected in 2019 from the *Ennahda* and *Al Karama* blocs, who were directly targeted because of their opposition to President Saïed and were imprisoned before being released, including Mr. Seifedine Makhoul and Mr. Nidhal Saoudi. Mr. Nourredine Bhiri, who had initially been arrested and detained on 31 December 2021 before being released on 8 March 2022, was again arrested on 13 February 2023 by officers from the national terrorist crimes investigation unit. On 18 October 2024, Mr. Bhiri was sentenced to 10 years in prison on charges of endangering state security, inciting civil disorder and calling for insurrection. The charges against him relate to a post on social media that has been attributed to him, although Mr. Bhiri and his defence team dispute the existence of this post, claiming that it has never been proven. Cases involving certain members of parliament are also being examined in the military courts, as provided for under Tunisian law. Mr. Makhoul had served his prison sentence in one of the cases involving him but was arrested in Algeria for attempting to leave Tunisia even though the Tunisian courts had prohibited him from leaving Tunisian territory, as he remained implicated in other cases.

In the same context, former member of parliament Mr. Rached Khiari has been detained since 3 August 2022 on a charge of defamation against President Saïed on social media brought by the Ministry of Education and, as a result, he is to be tried by the military courts. On 3 February 2025, he was sentenced to a one-year year prison term for harming others via social media. This sentence is in addition to previous sentences, bringing his total sentence to more than four years' imprisonment. Similarly, Mr. Mehdi Ben Gharbia has been held in detention since 20 October 2021 on money laundering charges,

### Case TUN-COLL-01

**Tunisia:** Parliament affiliated to the IPU

**Victims:** 63 members of the opposition (49 men and 14 women)

**Qualified complainant(s):** Sections 1.1(a) and (b) of the Committee Procedure (Annex I)

**Submission of complaints:** August, September and October 2021

**Recent IPU decision:** October 2024

**IPU mission(s):** - - -

**Recent Committee hearing:** Hearing of the parliamentary authorities at the 149th IPU Assembly (October 2024)

#### Recent follow-up:

- Communication from the authorities: Letter from the Speaker of the Assembly of People's Representatives (May 2024)
- Communication from the complainants: March 2025
- Communications to the authorities: Letters to the President of the Republic, the Minister of Justice and Speaker of the Assembly of People's representatives (June 2024, March 2025)
- Communication to the complainants (March 2025)

<sup>1</sup> For the purposes of this decision, the term "opposition" refers to members of parliament belonging to political groups or parties with limited decision-making power who are opposed to the ruling power.

even though the legal period of six months has expired. In its Opinion No. 50/2023 of 26 September 2023 concerning the case of Mr. Ben Gharbia, the United Nations Working Group on Arbitrary Detention considered that Mr. Ben Gharbia's detention was arbitrary based on the information provided by the complainants. The working group also called on the Tunisian authorities, who have not sent their official observations to the United Nations mechanism, to release Mr. Ben Gharbia immediately and pay him compensation for the damage suffered. On 27 January 2025, Mr. Ben Gharbia was sentenced to four years' imprisonment. The Public Prosecutor has reportedly appealed this decision.

As for Mr. Rached Ghannouchi, he is allegedly the target of politically motivated persecution, as he has been charged in several cases that the complainants maintain are politically motivated. On 15 May 2023, he was sentenced by Tunisia's anti-terrorism court to a one-year prison term and a fine for public statements he had made in 2022. On 5 February 2025, Mr. Ghannouchi was sentenced to 22 years in the Instalingo case.

In their letter of 28 January 2022, the executive authorities stated that all members of parliament, whose mandates had been suspended, enjoyed freedom of movement and travel, apart from those subject to a legal ruling prohibiting them from leaving the country. In a communication dated 11 October 2022, the executive authorities confirmed that the members of parliament who had taken part in the online session of 30 March 2022 were being investigated. As for Mr. Ben Gharbia, his trial, the first hearing of which took place on 7 July 2022, had been deferred to 13 October 2022. All requests for his release had been rejected.

In May and June 2023, the complainants referred eight new complaints to the Committee concerning the cases of eight former Tunisian members of parliament who were subject to arbitrary prosecutions because of their opposition to the measures taken by the President of the Republic. These include Mr. Sayed Ferjani and Mr. Ahmed Mechergui, who were allegedly arrested on 27 February and 19 April 2023, respectively, in connection with the investigation against Mr. Ghannouchi in the Instalingo case. On 5 February 2025, Mr. Sayed Ferjani was sentenced to 13 years' imprisonment.

Similarly, Mr. Ahmed Laâhari and Mr. Mohamed Ben Salem were reportedly arrested in March 2023 for organizing an illegal border crossing and illegally holding currency. On 11 March 2025, they were sentenced to two- and three-years' imprisonment respectively. Mr. Lazhar Akremi and Mr. Ghazi Chaouachi were reportedly arrested in February 2023 in connection with a plot against state security. Mr. Ali Laraiedh, the former Prime Minister, was arrested on 19 December 2022 on vague terrorism charges. The complainants state that he is being held in detention without having appeared before a judge. Finally, former member of parliament Mr. Sahbi Atig was allegedly arrested on 6 May 2023 and prosecuted for "corruption" and "money laundering". According to the complainants, the aim of all these cases is to silence former members of parliament who had publicly criticized the Head of State.

In their letter of 20 December 2023, the parliamentary authorities stated that they did not have official information on the judicial cases in progress, as these proceedings fell within the remit of the judicial authorities, in accordance with the principle of the separation of powers. The parliamentary authorities also refuted the allegations that the proceedings brought against the former members of parliament were political in nature, stating that these allegations were unfounded, without, however, providing any arguments in this regard.

At the Committee's request, a meeting was held between the latter and the Tunisian parliamentary delegation twice, in 2024, during the 148th and 149th IPU Assemblies. During these two meetings, the Tunisian delegation did not provide any substantial information on the situation of the former members of parliament, their conditions of detention or progress made in the legal proceedings, citing the same arguments about the separation of powers. Regarding the request for an IPU mission, although the Tunisian delegation indicated that a delegation from the Committee would be welcome, no concrete measures had been taken by the authorities to facilitate its progress.

The first hearing in the trial of the alleged conspirators in the plot against state security, which concerns several former members of parliament included in the present case, took place on 4 March 2025. According to the complainants, the defendants were prohibited from appearing in person and were instead to appear by videoconference on the grounds that this would constitute a "danger". According to the lawyers of the former members of parliament involved, the investigation report does not include any solid evidence and requests for face-to-face interaction with the accused were rejected. Shortly before the start of this trial, the United Nations High Commissioner had called on the Tunisian authorities to cease all forms of persecution against opponents and activists. The next hearing in this trial is scheduled for 11 April 2025.



Currently, 12 of the former members of parliament involved in this case are in detention, while eight others have been referred to the military courts.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Deeply regrets* the lack of concrete information from the Tunisian authorities on the former members of parliament included in this case;
2. *Deplores* the continued detention of 12 former Tunisian members of parliament on grounds that to date remain vague, as well as the referral to the military courts of cases involving civilians, including eight former members of parliament;
3. *Expresses its concern* about the ongoing legal proceedings against several former members of parliament and the charges of endangering state security and of attempting to change the form of government, of which they continue to be accused; *is also concerned* at the heavy prison sentences imposed on them on the basis of vague charges and following trials marred by serious judicial irregularities;
4. *Urges* the Tunisian authorities, once again, to urgently release any former member of parliament detained for expressing opposition to the exceptional measures adopted by the President of the Republic, to drop the charges against them, and to ensure that the military courts dismiss cases against former members of parliament; *urges* the relevant authorities to review the provisions of Tunisian law that authorize this practice; *wishes to receive* detailed information on the situation of all former members of parliament included in the present case; and *calls on* the Tunisian authorities, once again, in particular the Ministry of Justice, to provide detailed information on the cases of each imprisoned former member of parliament;
5. *Wishes to appoint* a judicial observer to monitor the various trials of former members of parliament, including the collective trial for endangering state security that began in March 2025, bearing in mind the numerous judicial irregularities raised by the lawyers of the former members of parliament; and *requests* the authorities to inform it of the date of the next hearing scheduled after the 11 April hearing, and to facilitate the observer's mission;
6. *Deeply regrets* the lack of involvement of the current parliamentary authorities in the cases involving former members of parliament on the grounds of the separation of powers; *stresses* once more that, while respecting the independence of the judiciary and the principle of separation of powers, the parliamentary authorities could have followed the cases of the former members of parliament as a matter of parliamentary solidarity by exercising their power of oversight;
7. *Regrets* the lack of a response from the Tunisian authorities to its request to send a delegation from the Committee on the Human Rights of Parliamentarians to visit Tunisia; *reiterates* this request; and *hopes* that the relevant authorities in Tunisia will consider this request for a mission as an opportunity for constructive dialogue to help resolve once and for all the cases of the former Tunisian parliamentarians;
8. *Requests* the Secretary General to convey this decision to the Speaker of the Assembly of People's Representatives, the complainants and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining the case and to report back to it in due course.