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First UA: 114/23 Index: MDE 30/7517/2023 Tunisia of December 7, 2023

TUNISIA OPPOSITION FIGURE ARBITRARILY DETAINED

On October 3, 2023, days after expressing her interest in running for the next presidential elections, security forces arrested opposition figure Abir Moussi. She had been trying to submit an appeal against presidential decrees related to the upcoming local elections claiming a lack of transparency in the electoral process. Security forces arrested Abir Moussi and drove her to an unknown location. On October 5, she was questioned by an investigative judge related to a series of security-related allegations and the judge ordered her pre-trial detention. The Tunisian authorities must immediately release Abir Moussi and drop the charges against her as they are based solely on the peaceful exercise of her rights to freedom of expression, association and assembly.

Write to the President of the Republic of Tunisia urging him to:

- Immediately release Abir Moussi and drop all charges against her as they stem from her peaceful political activism.
- Pending her release, ensure Abir Moussi is granted regular access to her family, lawyers and adequate medical care, and is held in conditions that comply with international standards for the treatment of prisoners.

Write to:

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

And copy:

Mr. Maher TRIMECHE
Counsellor & Chargé d'affaires, a.i.
Embassy of the Republic of Tunisia
515 O'Connor Street
Ottawa, ON K1S 3P8
Tel: (613) 237-0330, -0332 Fax: (613) 237-7939
Email: at.ottawa@diplomatie.gov.tn

ADDITIONAL INFORMATION

Abir Moussi (48) is a lawyer and the president of the Free Destourian Party (PDL) and a prominent opposition figure to President Kais Saied. She was a member of Parliament from 2019 to 2021. According to her lawyers, Abir Moussi's health is deteriorating in detention and may continue to worsen after she started a hunger strike on November 28.

On October 5, Abir Moussi was interrogated by an investigative judge at the Tunis Court of First Instance under charges of seeking to “*change the form of government*”, “*inciting violence on the Tunisian territory*”, and “*attack with the aim of provoking disorder*” under Article 72 of the Penal Code, and “*processing of personal data without the consent of the data subject*” and “*interference with the freedom to work*” under Articles 27 and 87 of the Data Protection Law. She now faces the death penalty under Article 72 of the Penal Code for peacefully exercising her rights to freedom of expression, assembly and association.

Abir Moussi now faces the death penalty for exercising her right to freedom of expression and peaceful assembly. Increased use of criminal law to prosecute opposition political activists in retaliation for their peaceful political engagements has cast a chilling impact on the civic space.

On July 25, 2021, President Saied claimed emergency powers that he said were granted to him by Tunisia's 2014 Constitution. Since February 2023, the Human Rights situation in Tunisia has been [rapidly deteriorating](#) as several opposition figures have been targeted. Authorities 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 the peaceful exercise of their human rights.

This [crackdown on opposition](#) threatens human rights including the rights to freedom of expression, association and peaceful assembly in Tunisia, rights protected under Articles 19, 21 and 22 of the International Covenant on Civil and Political Rights and Articles 9, 10 and 11 of the African Charter on Human and Peoples’ Rights to which Tunisia is a state party.

*Please send your appeals until **February 2, 2024**. If there’s the need for further action after that date, the UA will be duly updated.*