

Annual Report on the Situation of Press Freedoms in Tunisia

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General introduction

The Journalists' Syndicate Confronts the Collapse of What Remains of Tunisian Media

On World Press Freedom Day, observed every May 3, the National Syndicate of Tunisian Journalists issues its annual report on press freedoms in Tunisia from April 2024 to April 2025. This report comes at a time when the country is undergoing a severe crisis regarding public freedoms, especially freedom of the press and expression.

During this period, journalists continued to face prosecutions outside the legal framework governing their profession. Courts easily issued prison sentences and detention orders against them, while restrictions and incitement against journalists persisted.

Four journalists and media workers remain behind bars for practicing their profession.—Chadha Haj Mbarak, Mourad Zghidi, Sonia Dhahmani, and Borhane Bessaies.

Tunisian courts issued 10 prison sentences this year, 6 of which were implemented, one was suspended, and 3 remain under appeal. The Syndicate recorded 167 assaults on journalists, reporters, and photojournalists. A policy of media blackout continued, especially by the Presidency of the Republic, the House of Representatives, the Presidency of Government, and affiliated ministries. Journalists were barred from working, required to obtain authorizations not stipulated by law, denied access to information, and faced infringements on their right to access public data.

This period was also marked by ongoing threats and incitement against journalists, especially in the digital space, creating a dangerous and insecure environment for them. This situation has had a disastrous impact on public narrative, democratic life, and citizens' participation in public affairs. It has led to the disappearance of pluralistic dialogue, diversity, and differing viewpoints in the public sphere. Consequently, misinformation and fake news have spread widely, with the public space becoming dominated by a single, official narrative.

The systematic sidelining of the High Authority for Audiovisual Communication (HAICA) had a clear impact on the severe decline in the quality of media content. Public media returned to toeing the government line, while legal prosecutions increased in the absence of a regulatory role—particularly regarding court coverage and media performance during the presidential election period, which marked Tunisia's fourth presidential elections since the revolution of December 17 – January 14.

It is now evident that the political authorities are intent on tightening the noose around freedom of expression and retaliating against any media institution or journalist who fulfills their societal responsibility by monitoring the executive authority and discussing issues of public interest.

The National Syndicate of Tunisian Journalists emphasizes the serious danger posed by the continued use of the judiciary to target freedom of expression in Tunisia through Decree 54 of 2022 on combating crimes related to information and communication systems. The Syndicate, with a group of MPs, submitted a proposal to amend the decree and another for a law on audiovisual communication and the regulation of the audiovisual communication authority. However, the outlook remains grim.

The president of the Assembly, Brahim Bouderbala, has obstructed the passage of the proposed amendment for over a year, abusing his position, undermining MPs' legislative rights, and flouting the Constitution, national laws, and parliamentary rules.

When the proposed amendment was finally released from the Bureau of the Assembly—under parliamentary, civil, and public pressure—the President of the Assembly once again attempted to prolong the crisis by transferring it along with ten other amendment proposals to the General Legislation Committee in an unprecedented move. This overwhelmed the committee's agenda, creating prioritization and scheduling issues, in what appears to be a deliberate and clear scenario to undermine remaining trust in the legislature.

During the same period, the institutional, economic, and social marginalization of journalism continued. The crisis in the media sector deepened, and journalists suffered further impoverishment amid a complete lack of state oversight regarding precarious employment in the sector. Hundreds of journalists face economic injustice, forced unemployment, meager wages, no social coverage, arbitrary dismissals, and unpaid salaries. The Syndicate believes that protecting journalists' economic and social rights is essential to upholding an independent, credible, and quality-driven media sector that promotes diversity and facilitates public discourse in the country.

The National Syndicate of Tunisian Journalists affirms its ongoing commitment to defending the fundamental freedoms of all Tunisians, particularly freedom of the press and expression, and their constitutional right to access credible and high-quality public information. It will continue to defend journalists' right to decent living and to work free from intimidation and pressure—through protective legislation and an independent, fair judiciary that upholds the values of freedom.

Zied Dabbar

Syndicate's President

Situation of Press Freedom in Tunisia

A Quantitative and Qualitative Analysis

During the reporting period (from April 1, 2024 to April 1, 2025), press freedom in Tunisia experienced significant setbacks, particularly regarding the protection of rights and freedoms. The National Syndicate of Tunisian Journalists recorded 167 violations—this is the lowest number in the past five years regarding the safety and security of journalists.

However, the use of the judiciary as a tool to pressure journalists persisted, with 32 legal actions initiated against journalists outside the framework of the laws regulating their profession. Additionally, official institutions continued to adopt a policy of opacity and poor communication, as evidenced by frequent instances of harassment, obstruction, and information withholding.

Pre-publication censorship and content suppression also persisted during the reporting period. The report notes an evolving trend in the number of violations over the past five years:

Year	2021	2022	2023	2024	2025
Number of violations	200	214	257	211	167

These figures cannot be fully understood without considering the impact of the ongoing legislative deadlock regarding the laws governing journalistic work and the regulation of the audiovisual media sector. This legislative stagnation has left the media landscape in a state of paralysis, marked by the absence of regulatory bodies and the encroachment of non-specialized entities—such as the Electoral Commission—into regulatory matters, particularly during the presidential election period.

The month of May was the most challenging for journalists, recording the highest number of violations throughout the entire year.

The climate of opacity and unlawful barriers to access to information also persisted. These obstacles came not only from the executive authority and its structures and administrations, but also from the legislative and judicial branches. Recurrent incidents included barring journalists from entering the People's Representative Assembly and courtrooms, which seriously undermined the fundamental right to access information.

Evolution of violations by month:

Month	Number of violations
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April 2024	17
May 2024	24
June 2024	14
July 2024	17
August 2024	16
September 2024	14
October 2024	17
November 2024	6
December 2024	13
January 2025	11
February 2025	8
March 2025	10

Judicial Handling of Journalists' Cases

It has become increasingly evident that the judiciary is being used to apply Decree No. 54 of 2022, on combating crimes related to information and communication systems, as a tool to suppress freedom of expression in Tunisia. From the beginning of the reporting period, prosecutions under this decree became frequent, reaching a total of 14 cases.

Additionally, 10 prison sentences were issued against journalists during the reporting year. Out of these, 6 sentences were implemented, 1 was suspended, and 3 are currently under appeal.

The most recent prison sentence was handed down to journalist Sonia Dahmani, amounting to 18 months. The harshest sentence this year was the preliminary five-year prison sentence against journalist Chadha Haj Mbarek, which is also under appeal.

Public confidence in political speech affirming the state's commitment to freedom of expression significantly declined during the reporting period. This was driven by an increase in cases initiated by the Public Prosecutor, which reached 19 instances, along with a surge in the number of investigation orders. Complaints were also raised by ministries on 2 occasions, by public bodies and individual citizens on 3 occasions each, and by communication officers, media professionals, security agents, doctors, and public employees on 1 occasion each.

Journalists were also prosecuted under various punitive legal frameworks during the reporting year, including: Decree 54, the Anti-Terrorism and Money Laundering Law. These laws were used to bring charges against media figures such as: journalist Mourad Zeghidi, journalist Mohamed Boughaleb and media people Borhane Bssaïes and Sonia Dahmani

In total, journalists were prosecuted 32 times outside the scope of the legal framework regulating their profession. The legal bases for these referrals are distributed as follows:

Media prosecutions:

Referral text	Number of cases
Anti-Terrorism and Money Laundering Law	4
Decree No. 54 on Combating Information and Communication Systems Crimes	14
Penal code	9
Communication Code	2
Electoral code	2
Decree 116	1

During the reporting period, Tunisian Courts Issued 10 Prison Sentences against journalists. Among them, 6 sentences were executed, targeting: Mohamed Boughaleb, Borhane Bssaïes, Mourad Zeghidi, Chadha Haj Mbarek and Sonia Dahmani, 1 suspended against Ghassen Ben Khelifa and 2 in-absentia (subject to objection/appeal) against Walid El Mejri and Hedi Redaoui. Two fine verdicts were issued as part of the follow-up to cases filed against journalists during the same period.

The Right to Access Information

The state's respect for the right to access and obtain information is measured by evaluating public policies related to proactive disclosure, communication practices, and administrative transparency. This respect is manifested through legislation, communication strategies, internal circulars, and administrative decisions that regulate communication within government institutions and between public authorities, the media, and the general public.

Such policies are intended to serve the public interest and reinforce transparency as a fundamental democratic principle.

Article 19

1. Everyone has the right to hold opinions without interference.
2. Everyone has the right to freedom of expression. This right includes the freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice.
3. The exercise of the rights provided for in paragraph 2 carries with it special duties and responsibilities. It may therefore be subject

to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others;
- (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Although Tunisia enshrined the right to access information in its Constitution and through the Access to Information Law, it continued to impose unlawful restrictions on this right within state institutions. Notably, Circular No. 4—despite an agreement to suspend its application—remains in effect, posing a barrier to transparency. These restrictions were further reinforced by Circular No. 19, which regulates government communication and has contributed to continued political opacity and media exclusion.

The executive authority persisted in requiring prior authorizations for interviews and statements and imposed illegitimate obstacles to journalists' access to key state institutions such as the People's Representative Assembly, the Presidency, and the Government Presidency.

During the reporting period, Tunisia also introduced legal barriers to media operations during the presidential election coverage by amending the electoral law. This led to a series of harassments, warnings, and complaints filed by the Independent High Authority for Elections (ISIE) against journalists.

The National Syndicate of Tunisian Journalists recorded 92 violations related specifically to the right to access, publish, and circulate information.

Despite these challenges, cooperation continued between the Syndicate and the Independent High Authority for Elections to implement preventive measures aimed at facilitating journalistic work during the election period. However, the very electoral authorities responsible for organizing the vote were implicated in 22 of the reported violations.

The Syndicate also reported ongoing incidents of censorship and editorial interference by media institution managements.

Violations related to access to information

Banning from work	32
Withholding information	12
harassment	30
Arbitrary detention	6
Publication ban	1

Pre-censorship	7
Censorship	4

Many parties were responsible for these violations, especially official ones, which were responsible for 68 out of the 92 recorded violations related to access to and dissemination of information during the period covered by the report.

Distribution of responsible parties for violations of the right to access information

Reponsible party	Number of violations
Police officers	20
Judicial parties	15
Election institutions	4
Public employees Communication officers	10
Management of media institutions	7
Local officials	8
Judicial authorities	7
Head of polling centres	5
Media	3
Presidency of the republic	2
citizens	1
Member of Parliament	2
Ministries	2
Private sector employees	1
Traders	1
Head of polling centres	1
Social media and youtube	1
Orgonization Committees	1
Subsidiary bodies	1

Violations Targeting the Physical and Psychological Safety of Journalists

The Sustainable Development Goals have emphasized the protection of journalists from physical violence, which is considered one of the most dangerous forms of assault. They have also addressed the growing challenge of psychological violence, which has become a key focus in international efforts to enhance the protection of journalists.

The Tunisian legislator criminalized violations against journalists under Article 14 of Decree No. 115 on Freedom of the Press, Printing, and Publishing. This article stipulates the punishment of perpetrators and refers to the penal code. Over the past five years, journalists' physical and psychological safety has been increasingly targeted.

During the year covered by this report, violence against the physical and psychological safety of journalists continued. Journalists were subjected to incitement on 29 occasions, in addition to threats and various forms of assault.

These violations were categorized as follows:

Number of violations	Type of violation
29	Incitement
7	Physical violation
5	Verbal violation
1	Threat
1	Sexual harassment

Violations by official authorities against journalists

Official authorities were involved in 102 out of the 167 violations recorded during the period from April 1, 2024, to the end of March 2025. These violations were perpetrated by a variety of official bodies.

Reponsible party	Number of violations
Police officers	23
Judicial authorities	33
Election Instance	17
Public officers	5
Local officials	5
Head of polling centres	5
Government officials	2
Presidency of the republic	2
Members of Parliament	3
Ministries	4
Head of polling centres	1
Subsidiary bodies	1
Independent	1

Violations by Non-State Actors

During the period covered by the report, from April 1, 2024, to the end of March 2025, journalists were subjected to 65 violations by non-state actors. These included incitement on social media, harassment and intimidation by media institution managers, social media activists, communication officers, and citizens

Violators	Number of violations
Social media activists	23
Communication officers	12
Managements of media institutions	8
Sports fan clubs members	5
Media staff	5
Citizens	4
Civil society activists	1
Artists	1
Doctors	1
Youtube	1
Traders	1
Private companies officers	1
Organization committee	1
Politicians	1

Violence against female journalists

Since the beginning of its work, the Journalists' Syndicate has established both quantitative and qualitative criteria for monitoring violence against female journalists. The Syndicate has also developed its methodology for documenting gender-based violence through its Monitoring Unit.

During the reporting period, female journalists were subjected to 65 violations, as follows:

Violations	While Alone	Within Groups	Total number of violations
Incitement	7	0	7
Harassment	9	6	15
Prevention from working	8	6	14
Verbal abuse	5	0	5

Physical abuse	2	1	3
withholding information	8	1	9
Censorship	2	0	2
Judicial prosecution	8	1	9
Sexual harassment	1	0	1

Female journalists were subjected to verbal violation, incitement, and censorship, particularly while working alone. Social media platforms were the scene of 13 violations targeting female journalists.

A total of 14 gender-based violations against women journalists were recorded, including:

- 6 cases of incitement
- 4 cases of verbal violation
- 2 cases of harassment
- 1 case of physical violation
- 1 case of sexual harassment

The perpetrators of these violations included:

- Social media activists on 7 occasions
- Security personnel on 2 occasions
- Citizens, public employees, artists, media institution management, and journalists—each involved in 1 incident

In light of the numerous risks faced by women journalists in the course of their work—particularly when working alone or from various actors in the professional environment—and amid the rise in gender-based incitement on social media and from multiple parties, the Syndicate established a new mechanism in 2024 for receiving complaints related to gender-based violence.

General Recommendations

In light of its monitoring of the situation

of press freedom in Tunisia over the past year, the National Syndicate of Tunisian Journalists (SNJT) wishes to present the following recommendations to all stakeholders involved in the media sector in Tunisia:

1. The Presidency of the Republic:

- Work to strengthen the protection of freedom of expression and press through legislative initiatives that uphold Tunisia's commitments to journalist protection and safeguard the freedoms enshrined in the Tunisian Constitution.
- Ensure that all media institutions enjoy equal access to information and are granted attendance at national and international events, while respecting the principles of diversity and pluralism in the media as essential components of democracy and transparency.
- Engage with professional organizations and bodies to develop public policies related to the media sector, and cooperate with them to address the structural, economic, and social crises affecting the media industry.

2. People's Representative Assembly:

- Reopen access to the People's Representative Assembly for all journalists and representatives of national and foreign media, and put an end to practices that hinder journalists' right to access parliamentary information. Reactivate the media center dedicated to journalists and photojournalists to allow them to carry out their work effectively.
- Respect the public nature of committee sessions and enable journalists to cover debates on draft laws, thereby promoting transparency in parliamentary work and oversight of the Assembly's functioning.
- Adopt a participatory approach in drafting legislation related to freedom of expression and freedom of the press, and prioritize such legislation to support, regulate, and reform the media sector.

- Expedite the review of the legislative initiative referred to the General Legislation Committee to amend Decree-Law No. 54 on combating cybercrime, with the aim of abolishing custodial penalties for online publishing offenses and instead applying existing legislation—primarily Decree-Law No. 115 governing freedom of the press, printing, and publishing.
- Review the referral process concerning the draft amendment to Decree-Law No. 54 and the draft organic law on audiovisual communication and the regulation of the Audiovisual Communication Authority, and correct the procedural course by referring these texts to the relevant committee in accordance with Articles 123 and 49 of the People’s Representative Assembly Rules of Procedure.

3. Presidency of the Government:

- Establish a permanent, independent national mechanism to monitor violations of press freedom and freedom of expression, in order to ensure fairness and justice.
- Revise its communication policy to ensure openness and equal access for all media outlets. In addition to addressing previous shortcomings—particularly during official visits by government officials to various regions—and developing a decentralized communication mechanism that guarantees media diversity and pluralism.
- Repeal all circulars and internal memoranda (e.g., Circulars No. 4 and No. 19) that impose unjustified restrictions on the free flow of information.

4. Judicial Authorities:

- Cease referring journalists and media professionals for prosecution under Decree-Law No. 54 on cybercrime, and consider Article 24 of the decree obsolete pending the completion of its legislative amendment.
- Stop prosecuting journalists under punitive laws that impose custodial sentences and fall outside the legal framework governing freedom of expression, press, and publishing (i.e., Decree-Law No. 115).
- Review custodial rulings issued against journalists during first-instance and appellate stages, and foster a progressive legal approach that respects freedom of expression.
- Consider the Press Council as a reference and advisor in cases related to media publications, particularly in print and online media, recognizing that journalism is a profession governed by ethical standards and practices that should be understood by the judiciary.

5. Political and Civil Actors:

- Stand firmly against attempts to control or dominate the media, and support the efforts of journalists and the media sector in resisting restrictions, while ensuring freedom of journalistic work and freedom of expression.

Key Legislative and Practical Obstacles to Press Freedom

During the 2024–2025 period, Tunisia’s press sector has faced numerous legal and judicial challenges that have placed an additional burden on journalists and journalistic work. These challenges have undoubtedly affected freedom of speech and writing, and in turn, the public’s right to access good quality journalistic and media content.

Anyone observing the media landscape can clearly see that journalists and media institutions are not working in a free or supportive environment. They are subject to various pressures—political, social, economic, and more—and are struggling to emerge from a series of ongoing crises of all kinds. There are no public policies or support plans from the state aimed at helping journalism and media in Tunisia; instead, media outlets are left to fend for themselves, grappling with severe difficulties to survive and remain operational.

In addition to restrictive legislation such as Decree-Law No. 54, the Penal Code, and other similar legal texts, judicial prosecutions and custodial sentences have further narrowed the space for press freedom and stifled free expression. In this context, it is important to highlight the role of the legislature in urgently amending such laws—especially Decree 54—as well as the judiciary’s responsibility in safeguarding press freedoms and the citizen’s right to freely access news and information.

Through this report, the National Syndicate of Tunisian Journalists aims to shed light on a set of key challenges it considers to be the most serious and pressing in the field of press freedom. These are:

- Incitement against journalists.
- Access to information and requesting licences.

- Decree 54

Incitement Against Journalists

Journalists are frequently subjected to various forms of threats and incitement, including calls for violence, murder, kidnapping, rape, and other crimes. The Tunisian Constitution and legal framework contain several provisions designed to protect journalists—provided that these laws are applied effectively and in good faith.

Incitement Under Decree No. 115

Decree No. 115 includes several articles that affirm freedom of expression and press freedom, while also offering journalists protection against all forms of threats and incitement, whether directly or via social media networks.

Article 11 of the decree stipulates that no journalist may be subjected to pressure from any authority. The term “any authority” encompasses all types of political, economic, financial, and other forms of pressure, including public opinion, political power, and capital interests.

Article 12 states that a journalist’s opinions or the information they publish shall not be grounds for violating their dignity or infringing upon their physical or moral integrity.

Article 51 punishes those who directly incite, through any of the means listed in Article 50, the commission of crimes such as murder, assault, rape, or looting—even if the incitement is not followed by action. If the incitement leads to the commission of a crime, penalties are increased to their maximum, and laws on criminal participation are applied.

Article 50 provides that anyone who directly incites a person or persons to commit a crime as described in Article 51—through speech, writing, publications, or any publicly displayed visual or written form—is punishable as an accomplice if the incitement leads to action.

Article 52 criminalizes incitement to hatred based on race, religion, or ethnicity, particularly when it promotes discrimination, uses hostile means or violence, or spreads ideas rooted in racial discrimination.

The Act of Incitement

Public incitement to violence, murder, or similar acts is considered a crime under the Tunisian Penal Code. Incitement involves prompting others to react negatively and with hatred toward individuals or groups based on their nationality, religion, ethnicity, gender, or disability. Such incitement can occur through writing, images, videos, or other forms of media.

Incitement is considered public when the speech or content can be seen, read, or heard by the general public—for example, when posted on a social media platform. It is important to distinguish incitement from the lesser offenses of insult (injure) and defamation (diffamation).

Anyone who is a victim of, or a witness to, an online post inciting violence or discrimination has the right to notify the public prosecutor, who may then initiate an investigation. In such cases, the prosecutor may officially contact the host or platform where the content is published and request the removal of the inciting material. The victim also has the right to request the takedown of the harmful content directly from the platform host or publisher.

If the inciting content is a comment posted, for example, under a video on a social media platform, the victim may also request its removal from the online publication's editor or content moderator.

Tunisian law grants the victim the right to take legal action against the person responsible for the incitement. Additionally, if the platform or website host refuses to remove the content after receiving a formal written request, the host's legal representative may be held criminally liable. The same applies to the editor-in-chief of an online publication who fails to remove a comment that incites hatred or violence.

Incitement against female journalists

Monitoring work conducted by the Safety Center's Observation Unit at the National Syndicate of Tunisian Journalists (SNJT) has revealed that female journalists are frequently targeted by gender-based incitement campaigns, often tied to their personal or family lives. This targeting reflects the perpetrators' awareness of the journalists' specific social circumstances. According to a study conducted by UNESCO, more than 70% of the female journalists surveyed reported being victims of threats, incitement, or online abuse related to their professional activities.

In many cases, these campaigns and related offenses lead to significant deterioration in the journalists' mental, psychological, and physical health. These challenges are further exacerbated by the absence of investigations or legal proceedings against the perpetrators. On the contrary, many female journalists have found themselves subjected to legal action for defamation, which is often used as a pressure tactic to silence them and force them to give up their rights.

Protection from incitement under international law

The International Federation of Journalists (IFJ) has drafted a proposed international convention on the safety of journalists. The aim of this convention is to ensure the safety and protection of journalists during both peacetime and armed conflict, and to guarantee their ability to practice journalism freely and independently, in an environment free from harassment, threats, or incitement.

The draft convention obliges states to take all practical measures to prevent threats, violence, and violations of journalists' right to life and physical integrity. This includes adopting criminal legislation and establishing oversight bodies—such as police and judiciary actors—responsible for implementing protections for journalists.

The proposed convention also calls on states to incorporate specific legislative and practical measures aimed at combating gender-based violence against female journalists and media professionals.

Additionally, the draft stipulates that countries should establish a national information-gathering mechanism capable of rapidly collecting and disseminating data on threats and attacks against journalists to all relevant law enforcement bodies.

Under the draft convention, states are required to implement an early warning and rapid response system that allows journalists under threat to access state protection mechanisms directly and promptly—without those measures restricting their work. In the event of crimes committed against journalists, the state is duty-bound to adopt necessary and appropriate actions to shield journalists from incitement or other targeted attacks.

Moreover, the state must take steps to reduce harassment against journalists, including the provision of free medical services, psychological support, and legal assistance.

Finally, the draft convention obliges states to launch neutral, rapid, thorough, independent, and effective judicial and administrative investigations into acts of incitement and threats against journalists. This includes prosecuting not only the perpetrators of incitement but also those who assist, encourage, or conceal such crimes.

Access to Information and Requesting Licenses

Access to news and information is a fundamental right intrinsically linked to freedom of expression and press freedom. It ensures that all individuals have access to the data held by public authorities, as well as by private entities responsible for managing public services or those conducting activities of public interest.

The information subject to the right of access includes all types of data across various domains such as economic, scientific, technical, cultural, and others. This information may take multiple forms, including texts, images, speeches, and other formats.

The right of access to information enables the general public to obtain all relevant data regarding events, statistics, facts, documents, and more—through various means, including media outlets and the internet. This right is protected by several international conventions, all of which affirm the right of every individual to access information as a way to ensure meaningful participation in democratic life and in decision-making processes that affect their future.

For these reasons, the right to access information is considered a cornerstone of democracy. It is a vital tool for combating corruption and ensuring transparency in public affairs, while also empowering individuals to defend and exercise their rights in practice.

This right consists of three main components:

- The right of all individuals, including journalists, to access news, information, and statistics, including the submission of access-to-information requests to the bodies defined by law.
- The duty of public authorities to respond to access requests and to proactively publish and make information available to the general public, including automatic and updated publication as stipulated by law.
- The right of citizens to receive news and information.

Access to Information under Tunisian Legislation

The Tunisian Constitution guarantees the right to access information and news, which contributes to establishing transparency and good governance.

Organic Law No. 22 of 2016 concerning the right of access to information states in its first article that it aims to guarantee every person's right to access information in order to enhance transparency and accountability in the management of public services, improve their quality, build public trust in public bodies, and support citizen participation in the formulation, implementation, and evaluation of public policies, as well as to advance scientific research. The law specifies that access to information is achieved either through proactive publication by the relevant institution or through requests submitted by individuals. It also obliges public institutions to publish and regularly update a list of information accessible to the public, with certain exceptions outlined in the law.

Decree n° 115 includes important provisions regarding the freedom to circulate, publish, and receive news, opinions, and ideas in any form, in accordance with international conventions ratified by Tunisia, including Article 19 of the International Covenant on Civil and Political Rights. Article 9 of the decree prohibits imposing any restrictions that would hinder the free circulation of information or obstruct the citizen's right to free, pluralistic, and transparent media.

Article 10 affirms the journalist's right to access information, news, data, and statistics and to obtain them from various sources, in accordance with the conditions and procedures set by law. It also grants journalists the right to request from public institutions the information, news, and statistics in their possession, unless such materials are legally classified as confidential.

Journalism and Professional Access to Information

Freedom of the press is rooted in its social and professional role within a democratic society. The role of the media revolves around the search for, collection, processing, commentary on, and dissemination of information without obstacles. The information in question is of public interest and is essential for the protection of democratic life.

The right to access information is tied to every citizen's right to receive information. This right is also inherently linked to the right of the media and journalists to seek and transmit information freely and to the public's right to receive it without restriction. It is further connected to the concept of the public interest, which encompasses all that is necessary for citizens to participate in social life and exercise their political choices. As such, media outlets and journalists perform a social and civic function, and they must assess what falls under the scope of public interest regardless of personal gain or preconceived opinions.

The ability of the media and journalists to access news and sources is a fundamental condition for the existence of a free press and for the respect of the public's right to be informed. This entails protecting journalists and media organizations from any practices or interference that might obstruct them from fulfilling their societal mission. Free access to information is essential for enabling citizens to form informed opinions and engage in broad, open democratic dialogue.

For its part, the state must clearly express its commitment to transforming governance toward greater transparency and accountability. Public authorities and their affiliated bodies are thus obligated to respect the goal of transparency and to facilitate access to public documents. These principles were indeed present in the mind of the legislator when enacting Organic Law No. 22 of 2016.

However, in some cases, governments may choose to withhold information under the pretext of protecting the public interest based on subjective or circumstantial assessments and without a legal basis. Nonetheless, such governments should not expect the press to adopt the same perspective when reporting or analyzing such information. Any unlawful obstruction to access information constitutes a violation of press freedom and its social function, as well as an infringement of the citizens' legitimate right to receive information about public administration.

Ultimately, information is the outcome of journalistic work that involves various actors within the media institution and follows a process that includes researching, collecting, processing, verifying, and finally publishing it for the public.

The Most Important Areas of the Right to Access Information

In general, journalism depends heavily on the right to access information. Here, we focus on three specific areas where this principle is especially critical.

- Journalists' Access to the Courts

The justice system and its administration are matters of public concern, and judicial processes should be known and understood by all, despite the sensitive and private nature of some cases. The Tunisian Code of Criminal Procedure guarantees the principle of public hearings, with some exceptions where the court may decide to hold closed sessions. International standards agree that such exceptions should be rare and strictly limited. Even in cases where a hearing is closed, journalists should not be excluded, as their role is to inform the public about matters of public interest and to assess the administration of justice.

International standards also emphasize that national laws should include specific provisions that guarantee journalists' access to courts. These rules should strike a balance between protecting individuals' privacy and ensuring open justice and the public's right to receive information.

Decree No. 115 includes several regulations governing journalists' access to courts and reporting on cases before them. Article 62 of the decree prohibits the use of cameras, mobile phones, audiovisual recording devices, or any other tools during hearings and inside courtrooms unless prior authorization is granted by the competent judicial authority.

The law prohibits the dissemination of information about crimes of rape or sexual harassment against minors by any means. It also bans the publication of investigative documents before they are read in a public session, as well as the publication of information about paternity suits, divorce cases, abortion, and the details of civil cases or judicial deliberations.

In many cases, journalists are barred from reporting on court proceedings for reasons of confidentiality or public order. This practice contradicts international standards that call for broader access for journalists to courtrooms, including the right to attend closed hearings—provided their role is not to report on confidential content but to evaluate the functioning of the justice system.

- Journalists' access to news sources

The primary goal of news journalism is to inform the public about events, facts, and phenomena in society and the world, in addition to matters of public interest. News journalism allows citizens to understand their communities and the world they live in, and to form informed opinions about current events.

Deciding which facts and events to publish falls under the editorial discretion of newsrooms. Media outlets also have the exclusive right to choose the journalistic format used to present the information they gather.

- Investigative journalism

The term investigative journalism refers to a process involving the search for, collection, and verification of information through various means (document research, witness testimonies, interviews with credible sources, etc.). Investigative journalists aim to delve into specific issues or problems. The purpose is also to uncover hidden aspects of certain activities, cases, events, or social phenomena that remain in the shadows due to their complexity, secrecy, or lack of visibility.

To fulfill this mission, investigative journalists gather evidence and collect testimonies and information that help shed light on political, economic, or social issues that are often ignored by routine news coverage or commentary.

Investigative journalism faces numerous challenges and constraints, which sometimes justify the use of covert methods to access information, such as hidden cameras, concealed microphones, or anonymity. Journalistic ethics recognize the journalist's right to use such methods in exceptional circumstances, provided that there are no alternative means to obtain the information and that these methods are justified by a compelling public interest—an interest assessed either by the journalist personally or by the media organization.

Journalists' Right to Access Information and News According to Decree 115

All international conventions, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, affirm the importance of freedom of expression. This includes the right to seek, receive, and impart information and ideas through any media, regardless of frontiers, while respecting the rights and reputations of others and protecting public order, public health, and morals.

Applicable standards impose an obligation on public institutions to publish data and statistics about their activities proactively. These standards also grant journalists the right to access the information and statistics held by public administrations unless such access is legally restricted.

While it is understandable that officials may be overwhelmed during peak periods, there are practical solutions available, such as publishing information on ministry websites and expanding the authority of media officers at both the central and regional levels to provide statements regarding certain statistics and information needed by journalists—especially during times of heightened public interest. On the contrary, some public media officers have become insufficiently cooperative with journalists and local correspondents. This necessitates the establishment of a clear strategy and action plan regarding the responsibilities and duties of press officers and the need for their readiness to engage in partnerships with local media outlets by providing them with useful news and statistics. In this way, the press officer becomes a facilitator of communication rather than a hindrance to journalistic work.

Regarding the requirement for journalists to obtain permits, no such requirement exists in any law. The principle remains the freedom of journalistic work and freedom of photography, while any exceptions (such as prior authorization) must be explicitly and narrowly defined by law. Despite frequent mention of such permits, this requirement is repeatedly raised without legal justification. This calls for the authorities to issue written instructions to public employees and security forces regarding when they can demand permits and when journalists are legally entitled to work freely.

In addition to constitutional guarantees and international conventions affirming journalists' right to access news and information, Article 10 of Decree 115 states:

"Journalists, like all citizens, have the right to access information, news, data, and statistics and to obtain them from various sources. Journalists may request such information, news, and statistics from the relevant authorities unless these materials are legally classified as confidential."

Article 9 of the same decree provides that:

"No restrictions may be imposed that hinder the free circulation of information or that obstruct equal opportunity among different media institutions in obtaining information, or that would impair the citizen's right to free, pluralistic, and transparent media."

Freedom of the press cannot be merely a tool in the hands of the state, government, or administration, nor can it be arbitrarily conditioned by those in power. The question arises: how do we protect press freedom from being monopolized by public authorities or placed under the control of any political regime?

At the same time, press freedom must not be at the mercy of private interests or financial stakeholders in media organizations. Press freedom is not a privilege for journalists and writers alone; it is a right for all citizens to produce and disseminate news and opinions. Freedom of the press is not an end in itself—it is a means of expressing opinions freely and exercising the right to critique. The right to information and the right to receive information are interdependent and together form the core of press freedom.

Access to news is a fundamental right tied to freedom of expression, of which freedom of the press is a part. This right includes access to information held by public authorities, private entities managing public services, or individuals engaged in activities of public interest. The term "information" here refers to all types of data in technical, scientific, economic, cultural, and political fields. These can take the form of images, texts, or speeches.

The principle of access to information enables citizens to be informed and to participate meaningfully in democratic processes and decisions that affect their future. For this reason, access to information is considered one of the pillars of democracy and a key tool in combating corruption in public life.

By enabling journalists to access information, transparency and accountability are strengthened, and governments are compelled to make information available to the public. In many cases, however, those who hold information deliberately withhold it to obstruct journalists and silence them—often at the expense of democracy and good governance.

Many officials invoke public security or similar concerns to justify expanding the scope of secrecy and information classification. But as documented by the National Syndicate of Tunisian Journalists, these justifications are often baseless. Ultimately, it is the citizen who pays the price—left without the essential information necessary for daily life or for making informed choices.

Decree 54

Decree 54 remains a sword hanging over journalists' heads, leading to renewed calls for a comprehensive review of its provisions, the complete repeal of Article 24, and the amendment of other articles to align with Tunisia's international obligations.

- Revisiting Decree 54

The title of Decree 54 refers to combating crimes related to information and communication systems. According to Article 1, the decree aims to: "Set provisions aimed at preventing and repressing crimes related to information and communication systems, gathering electronic evidence related to these crimes, and supporting international efforts in the field, in accordance with international, regional, and bilateral conventions ratified by the Republic of Tunisia."

Article 2 states that: "Public authorities, when applying the provisions of this decree, shall adhere to constitutional guarantees, relevant international, regional, and bilateral treaties ratified by Tunisia, and national legislation concerning human rights, freedoms, and the protection of personal data."

Article 5 of the decree includes a set of definitions related to information systems, data, communication systems, service providers, traffic data, data carriers, software, and the deletion of digital information. These terms are clearly technical and have no direct connection to freedom of expression or publishing. This confirms that the decree should remain strictly confined to addressing crimes related to information and communication systems in the narrow technical sense, under judicial oversight, and without infringing on people's rights and freedoms—while also ensuring public safety and the security of communication networks. While these goals may appear contradictory, carefully crafted, participatory legal drafting can achieve both.

The Tunisian legal system already includes constitutional provisions, international treaties ratified by Tunisia (such as the Budapest Convention on Cybercrime), and other related legislation.

Cybercrimes are, by nature, transnational and require international cooperation, emphasizing the need to align national laws with international agreements. Additionally, the United Nations is currently preparing an international convention on cybercrime, which will be open for signature by states.

- Problematic Provisions

Decree 54 includes several articles that raise serious concerns. Chief among them is Article 24, which imposes prison sentences for producing, promoting, publishing, sending, or preparing false news, data, rumors, forged or fake documents, or falsely attributed materials—with the intention of infringing on others' rights, harming public security or national defense, or causing public panic. Penalties are increased if the target is a public official.

Article 24 poses a real threat to freedom of expression. It contains vague and overly broad terms that violate the principle of legal certainty and contradict the Constitution, Article 19 of the International Covenant on Civil and Political Rights, and Decree 115. It also breaches the constitutional principle of proportionality, which must be respected when restricting rights and freedoms. The article grants discretionary power to prosecutors and judges in criminalizing and punishing acts, contradicting the judiciary's role in protecting freedom of expression and the press. Furthermore, it contributes to legal inflation by criminalizing acts already covered by previous laws.

Other problematic provisions include Article 28, which criminalizes the act of “deliberately obstructing an investigation by refusing to hand over digital data or access to it for reading or understanding seized data, or by deliberately deleting or hiding it before it is seized.”

Article 25 criminalizes: “Anyone who deliberately uses information and communication systems to violate copyright and related rights without the right holders' authorization, with the aim of making a profit or harming the economy or others' rights.”

Both articles include broad and vague language that opens the door to criminalizing many behaviors without sufficient clarity—undermining the principle of legal certainty, especially with vague notions like “harming the economy.”

- Standards for Cybercrime Legislation

It is widely agreed that the benchmark for cybercrime legislation should be international agreements, which define commonly accepted standards while protecting freedom of expression and enabling international cooperation. Cybercrimes are inherently technical, transnational offenses requiring international collaboration to address technical challenges and enforce investigative tools—while respecting personal data, privacy, and confidentiality.

Cybercrime offenses are primarily technical and must follow exceptional investigative procedures under judicial supervision. They aim to protect information and communication systems, prevent data breaches, and stop the theft or destruction of digital data—often involving highly sophisticated methods.

In terms of content, for example, the Budapest Convention only criminalizes specific content-related offenses such as child pornography or copyright infringement. Otherwise, the convention does not prescribe international cooperation on content-based crimes.

It can be said that while Decree 54 originated from the Budapest Convention, it expanded into areas that harm freedom of expression and limit the judiciary's role in protecting rights and freedoms—especially concerning procedural safeguards. It also violates principles of necessity, proportionality, and legal certainty.

Other controversial articles include Article 6, which mandates data retention in information systems for no less than two years from the date of recording. The data in question includes information identifying service users, communication traffic data, device information, users' geographical location, and data related to the access or use of protected value-added content. According to the Budapest Convention, data retention cannot exceed 90 days and must be accessible only by judicial order.

Article 9 allows prosecutors, investigative judges, or authorized judicial police officers to access stored data, communication traffic data, and even seize entire information systems or parts thereof. It also permits real-time collection or recording of communication traffic data. Meanwhile, Article 10 allows for the interception of communications based on a written and reasoned order by the public prosecutor or investigating judge.

These two articles are inconsistent with Article 11 of Decree 115, which guarantees the confidentiality of journalistic sources. That article stipulates that breaching source confidentiality is only permissible by judicial order, and only when the information concerns individuals' safety and no alternative method exists to obtain the information.

Decree 54 must undergo reform through an inclusive dialogue involving all relevant stakeholders. The amendments must align with international standards that guarantee legal certainty, legality, necessity, proportionality, and respect for freedom of expression and the press.

Legal Commentary on the Criminal Cassation Ruling in the Case of Sonia Dahmani

The Court of Cassation issued a criminal ruling No. 74848 dated February 3, 2025, challenging the decision of the Indictment Chamber in Tunis, which had upheld the decision to close the investigative phase and to press charges against the journalist and media commentator Sonia Dahmani under Article 24 of Decree 54 of 2022.

In terms of facts, criminal proceedings were initiated against television commentator Sonia Dahmani following statements she made on November 9, 2023, during a broadcast on IFM Radio, in which she referred to some detainees being denied medical treatment and families being prevented from visiting their relatives in prison.

As a matter of essence, The Court of Cassation overturned the decision and referred the case back, particularly regarding the application of Decree 54.

The court based its ruling on five key legal principles:

- Supremacy of the Constitution and International Conventions

- The Exceptional Nature of Restrictions on Freedom of Expression and the Press
- Clarification of the Scope of Application of Decree 54
- Rules for Interpreting Criminal Law
- Applicability of Decree 115 to Sonia Dahmani's Case

Supremacy of the Constitution and International Conventions

The Court of Cassation affirmed that the Tunisian legal system is hierarchical, operating under the principle of legal norm hierarchy, requiring lower-level legal texts to comply with higher-level ones. A law only gains legitimacy if it is consistent and non-contradictory with higher legal norms. This principle applies not only to lawmakers but also to the authorities enforcing the law, including the judiciary.

The ruling recalled the special status of rights and freedoms in Tunisian legislation, including the dedication of an entire chapter in the Constitution (Chapter 2) to enshrining them. It also highlighted Tunisia's ratification of key international and regional treaties on human rights.

The court specifically referenced: Article 37 of the Tunisian Constitution, which protects freedom of thought, opinion, and expression, Article 19 of the Universal Declaration of Human Rights, Article 19 of the International Covenant on Civil and Political Rights (ICCPR).

The Exceptional Nature of Restrictions on Freedom of Expression and the Press

The Court recognized that freedom of opinion, thought, and expression may be subject to certain limitations, similar to other fundamental freedoms, in order to protect the rights of others, or for reasons of public order, national defense, or public health.

However, the Court emphasized that freedoms and rights are the rule, and restrictions are the exception. Any limitation must be clearly established by law, and necessary in a democratic society, as stipulated in: Article 55 of the Tunisian Constitution, Article 29 of the Universal Declaration of Human Rights, Articles 21 and 22 of the ICCPR. The court also cited interpretations by the European Court of Human Rights and the UN Human Rights Committee, which define a "democratic society" as one based on pluralism, tolerance, and openness.

The ruling acknowledged that although Decree 54 imposes restrictions on freedom of expression, Article 2 of the decree explicitly requires compliance with the hierarchy of the legal system, obligating authorities to respect constitutional guarantees and the international and regional treaties ratified by Tunisia—especially those that protect freedom of expression and the press.

Scope of Application of Decree 54

The Court of Cassation stated that a proper reading of Article 24 of Decree 54 requires reference to Article 2 of the same decree, which outlines its purpose as being: "To prevent and penalize crimes related to information and communication systems, regulate the rules of collecting electronic evidence, and support international efforts in this field within the framework of conventions..."

The Court emphasized that the provisions of Decree 54 clearly define its scope of application, pointing out that Article 5 defines relevant terms precisely to avoid confusion between the crimes targeted by the decree and other, similar offenses that fall outside its intended scope.

The Court found that these definitions were introduced to fill legislative gaps concerning new forms of crimes resulting from technological developments, the diversity of software systems, data storage devices, and the proliferation of social media platforms.

It concluded that the scope of Decree 54 is limited to crimes committed through or using information or communication systems, digital data, or software, and does not extend to journalists' opinions expressed through print, radio, or television media.

Accordingly, Article 1 of Decree 54 does not cover acts such as those of a journalist expressing opinions in the public sphere, commenting on news, or expressing views on public affairs.

The Court ruled that raising concerns about prison conditions during a radio broadcast does not fall under Article 24 of Decree 54. Even if the statements prove to be inaccurate, the individual should be held accountable, if at all, under the provisions of Decree 115.

The Court found that the Indictment Chamber misunderstood the provisions of Decree 54, mischaracterized the facts, and chose the wrong legal basis. The chamber failed to specify which paragraph of Article 24 applied (first or second), avoided examining whether the legal elements of the offense were present, and did not assess the novelty of the case that would justify referring it to a criminal chamber. It also noted that the commentator's statements were general criticisms of practices, without accusing any specific individual or institution.

Interpretation Rules of Criminal Law

The Court of Cassation reaffirmed that clear legal texts must be applied as written and not interpreted. When a text contains ambiguities, interpretation must aim to ease application rather than to impose stricter restrictions—especially in criminal law, interpretation must always favor the defendant.

The Court emphasized that criminal judges may interpret ambiguous terms, but such interpretation is governed by strict legal rules, particularly those laid down by the legislator.

Assuming that the provisions of the decree are open to interpretation, the Court held that such interpretation must comply with Article 2 of the decree, which aligns with paragraph 2 of Article 55 of the Constitution. This constitutional provision states that any limitations on rights and freedoms must not affect their essence, and must be justified and proportionate.

The Court concluded this section by referencing Article 30 of the Universal Declaration of Human Rights, which states that no part of the declaration should be interpreted as allowing the restriction of the rights it guarantees. Therefore, interpretation must always favor freedoms, not restrictions.

Application of Decree 115 to Sonia Dahmani's Case

In its landmark decision, the Court of Cassation concluded that Decree 115—which regulates the freedom of the press, printing, and publishing—is the relevant legal framework for this case.

It held that Sonia Dahmani’s discussion of prisoners’ treatment and her circulation of publicly available reports does not fall under Article 24 of Decree 54. If her statements were inaccurate, any legal accountability should fall under the provisions of Decree 115.

The Court ruled that the Indictment Chamber failed to legally characterize the case properly and misapplied Article 24 in a way that was inconsistent with both its internal provisions and higher legal texts, including the Constitution and international human rights instruments.

Appendices

Overview of Judicial Proceedings Against Journalists

From April 1, 2024, to April 1, 2025

Judicial proceedings against journalists continued during the reporting period, with a total of 32 prosecutions recorded outside the legal framework regulating freedom of the press, printing, and publishing. Among these, 14 prosecutions were initiated under Decree 54, which concerns the fight against crimes related to information and communication systems.

This year also witnessed the issuance of 10 custodial sentences, only one of which was suspended. In addition, pre-trial detention orders were issued repeatedly, indicating a troubling trend in the treatment of journalists by the judiciary.

Issues raised during the reporting period

Case No. 1: Mohamed Boughaleb

Month: April 2024

Charge: Dissemination of false information under Article 24 of Decree 54

Complainant: Secondary school teacher

Reason: Publishing content on social media

Status: Released after being placed in detention

Outcome: Case pending trial

Case No. 2: Samir Sassi

Month: April 2024

Charge: Under the Anti-Terrorism and Anti-Money Laundering Law

Complainant: Public Prosecutor's Office

Reason: Publishing content on social media

Status: Released

Outcome: Under preliminary investigation

Case No. 3: Houssine Ben Amor

Month: April 2024

Charge: Under Decree 116 regulating the audiovisual sector

Complainant: High Independent Authority for Audiovisual Communication (HAICA)

Reason: Interview with a politician

Status: Released

Outcome: Under judicial investigation

Case No. 4: Khouloud Mabrouk

Month: April 2024

Charge: No charges brought yet

Complainant: Public Prosecutor's Office

Reason: Interview with a politician

Status: Released

Outcome: Under preliminary investigation

Case No. 5: Khouloud Mabrouk

Month: April 2024

Charge: Violation of official decisions issued by competent authorities

Complainant: Public Prosecutor's Office

Reason: Interview with a politician

Status: Released

Outcome: Under preliminary investigation

Case No. 6: Sonia Dahmani

Month: May 2024

Charge: Dissemination of false information under Article 24 of Decree 54

Complainant: Public Prosecutor's Office

Reason: Radio commentary

Status: Serving sentence

Outcome: Convicted and sentenced to prison

Case No. 7: Legal Representative of "Diwan FM" radio

Month: May 2024

Charge: No charges yet

Complainant: Public Prosecutor's Office

Reason: Media content

Status: Released

Outcome: Under preliminary investigation

Case No. 8: Legal Representative of "IFM" radio

Month: May 2024

Charge: No charges yet

Complainant: Public Prosecutor's Office

Reason: Media content

Status: Released

Outcome: Under preliminary investigation

Case No. 9: Sonia Dahmani

Month: June 2024

Charge: Under Article 24 of Decree 54

Complainant: Public Prosecutor's Office

Reason: Radio commentary

Status: Serving sentence

Outcome: Convicted and sentenced to prison

Case No. 10: Sonia Dahmani

Month: June 2024

Charge: Under Article 24 of Decree 54

Complainant: Public Prosecutor's Office

Reason: Television commentary

Status: Imprisoned

Outcome: Under judicial investigation

Case No. 11: Montassar Sassi

Month: June 2024

Charge: Drone recording without permit

Complainant: Public Prosecutor's Office

Reason: Publishing content on social media

Status: Released

Outcome: Case dropped by Prosecutor's Office

Case No. 12: Mouldi Abbassi

Month: June 2024

Charge: False news under Article 24, Decree 54

Complainant: A citizen

Reason: Journalistic article

Status: Released

Outcome: Sentenced to prison (first instance); appeal in progress

Case No. 13: Mourad Zeghidi

Month: July 2024

Charge: Under Article 24, Decree 54 of 2022

Complainant: Public Prosecutor's Office

Reason: Radio comment

Status: Served sentence

Outcome: Final prison sentence

Case No. 14: Borhane Bessaies

Month: July 2024

Charge: Under Article 24, Decree 54 of 2022

Complainant: Public Prosecutor's Office

Reason: Radio comment

Status: Serving sentence

Outcome: Final prison sentence

Case No. 15: Sonia Dahmani

Month: July 2024

Charge: Under Article 24, Decree 54 of 2022

Complainant: Public Prosecutor's Office

Reason: Radio commentary

Status: Imprisoned

Outcome: Before Indictment Chamber

Case No. 16: Walid Mejri

Month: July 2024

Charge: Under Penal Code

Complainant: State Litigation Officer

Reason: Journalistic article

Status: Released

Outcome: Preliminary ruling dismissing case

Case No. 17: Mohamed Samih El Beji

Month: July 2024

Charge: Under Article 86 of the Telecommunications Code

Complainant: Public Prosecutor's Office

Reason: Journalistic article

Status: Released

Outcome: Under preliminary investigation

Case No. 18: Sofiane El Arfaoui

Month: September 2024

Charge: Under Penal Code

Complainant: Public communications officer (public institution)

Reason: Radio statement

Status: Released

Outcome: Under preliminary investigation

Case No. 19: Saber Ayari

Month: October 2024

Charge: Under Electoral Code

Complainant: Independent High Authority for Elections

Reason: Radio statement

Status: Released

Outcome: Under preliminary investigation

Case No. 20: Zouheir Jiss

Month: October 2024

Charge: Under Penal Code

Complainant: A citizen

Reason: Radio statement

Status: Released

Outcome: Under preliminary investigation

Case No. 21: Khawla Boukrim

Month: November 2024

Charge: Under Penal Code

Complainant: Police officer

Reason: Field reporting

Status: Released

Outcome: Under preliminary investigation

Case No. 22: Nejib Ben Jeddou

Month: November 2024

Charge: No charges yet

Complainant: Public Prosecutor's Office

Reason: Journalistic work

Status: Released

Outcome: Under preliminary investigation

Case No. 23: Hechmi Nouria

Month: November 2024

Charge: No charges yet

Complainant: Independent High Authority for Elections

Reason: Television statement

Status: Released

Outcome: Under preliminary investigation

Case No. 24: Mourad Zeghidi

Month: December 2024

Charge: Under Anti-Terrorism and Anti-Money Laundering Law

Complainant: Public Prosecutor's Office

Reason: Financial matter at a media outlet

Status: Imprisoned

Outcome: Under judicial investigation

Case No. 25: Borhane Bessaies

Month: December 2024

Charge: Under Anti-Terrorism and Anti-Money Laundering Law

Complainant: Public Prosecutor's Office

Reason: Financial matter at a media outlet

Status: Imprisoned

Outcome: Under judicial investigation

Case No. 26: Ibrahim El Rabhi

Month: December 2024

Charge: Under Penal Code

Complainant: A citizen

Reason: Field reporting

Status: Released

Outcome: Under first-instance trial

Case No. 27: Bilel Cherni

Month: December 2024

Charge: Under Penal Code

Complainant: Media outlet owner

Reason: Employment dispute / media outlet

Status: Released

Outcome: Under preliminary investigation

Case No. 28: Jamel Arfaoui

Month: January 2025

Charge: Under Article 24 of Decree 54

Complainant: Public Prosecutor's Office

Reason: Journalistic article

Status: Released

Outcome: Under preliminary investigation

Case No. 29: Makrem Saidi

Month: January 2025

Charge: Under Article 24 of Decree 54

Complainant: Public Prosecutor's Office

Reason: Publishing content on social media

Status: Released

Outcome: Under preliminary investigation

Case No. 30: Hedi Raddaoui

Month: January 2025

Charge: Under Article 86 of the Telecommunications Code

Complainant: Doctor

Reason: Journalistic article

Status: Released

Outcome: Appeal pending against an initial default judgment

Case No. 31: Lamia Ben Ghali

Month: March 2025

Charge: Under Article 24 of Decree 54

Complainant: Public Prosecutor's Office

Reason: Publishing content on social media

Status: Released

Outcome: Under preliminary investigation

Case No. 32: Salwa Charfi & Haithem El Mekki

Month: March 2025

Charge: Under Article 24 of Decree 54

Complainant: Public Prosecutor's Office

Reason: Publishing content on social media

Status: Released

Outcome: Under preliminary investigation

An inventory of published cases for more than a year.

The Syndicate continued to follow up on the cases brought before the judiciary at all stages, including preliminary, appeal, and cassation proceedings. Most cases resulted in custodial sentences, such as those of colleagues Ghassen Ben Khalifa, Khalifa Guesmi, and Shadha Haj Mbarek.

Name and Surname: Ghassen Ben Khalifa

Month: November 2023

Charge: Under the Anti-Terrorism Law and the Penal Code

Complainant: Public Prosecutor

Reason: Posting content on social media

Status: Released

Fate: Trial in the preliminary phase

Name and Surname: Journalist Malek Sassi, Photojournalist Labib Ben Fatma, Coordinator Hamza Obeid (Attasjaa TV)

Month: December 2023

Charge: Under the Penal Code

Complainant: Public Prosecutor

Reason: Field Journalism

Status: Released

Fate: Financial fine in the preliminary phase

Name and Surname: Naji Zaiiri

Month: January 2024

Charge: Under the Whistleblower Protection Law

Complainant: Foreign citizen

Reason: Television statements

Fate: Financial fine in the appeal phase

Name and Surname: Kashf Media

Month: February 2024

Charge: Under the Penal Code

Complainant: Citizen

Reason: Journalistic work

Status: Released

Final outcome: Remanded by the Public Prosecution

First name and surname: Ghassen Ben Khalifa

Month: March 2024

Charge: Under the provisions of Article 86 of the Communications Code

Complainant: Citizen

Reason: Posting content on social media

Status: Released

Final outcome: Initial prison sentence / Under appeal

First name and surname: Awatef Khlaf

Month: March 2024

Charge: Under the provisions of Article 86 of the Communications Code and Article 24 of Decree 54

Complainant: Citizen

Reason: Journalistic article

Status: Released

Final outcome: Initial ruling dismissing the case

First name and surname: Sonia Dahmani

Month: March 2024

Charge: Under the provisions of Article 24 of Decree 54

Complainant: Public Prosecution Reason: Radio comment

Status: Imprisonment

Final outcome: Judicial investigation

First name and surname: Yassine Romdhani

Month: October 2023

Charge: Under Article 24 of Decree 54

Complainant: Public institution

Reason: Journalistic work

Status: Release

Final outcome: Initial trial

First name and surname: Khalifa Guesmi

Month: 2022

Charge: Under the Anti-Terrorism Law

Complainant: Public Prosecution

Reason: Newspaper article

Status: Release after imprisonment

Final outcome: Conviction in first instance/appeal

First name and surname: Shadha Haji Mbarek

Month: 2022

Charge: Under the Penal Code

Complainant: Public Prosecution

Reason: Journalistic work

Status: Imprisonment

Final outcome: Initial prison sentence/appeal

First name and surname: Mohamed Boughalleb

Month: January 2024

Charge: Disseminating false news within the meaning of Article 24 of Decree 54

Complainant: Employee

Reason: Audiovisual content critical of a government official

Status: Completion of a prison sentence

Result: Prison sentence

First Name and Surname: Marouane Chalghoumi

Month: March 2024

Charge: Insulting others via social media

Complainant: Citizen

Reason: Newspaper article

Status: Released

Result: Case dismissed

First Name and Surname: Hichem Snoussi

Month: June 2020/2024

Charge: Within the meaning of the Personal Data Law

Complainant: Owners of a TV channel

Reason: Press statement

Status: Released

Result: Under preliminary investigation

Journalist's Guide

To Face Judicial Prosecution

Prepared by the Lawyer: Mr Mondher Cherni

Foreword by the National Syndicate of Tunisian Journalists (SNJT)

Journalists are often subject to criminal prosecution under various legal provisions due to or in connection with their journalistic work.

Given the complexity of criminal laws and procedural rules, journalists frequently find themselves confused by the intricate procedures and measures taken against them. In many cases, they do not have enough time to seek legal advice from specialists. Moreover, the laws governing publishing and the press are dispersed across multiple legal codes, which further complicates matters for journalists facing legal action.

In response to this situation, the National Syndicate of Tunisian Journalists has decided to issue a concise procedural guide that outlines the most important procedural rules useful to journalists in facing judicial prosecutions. This guide also informs them of their rights, particularly in urgent situations or when they are unable to consult with a lawyer or legal expert.

The guide seeks to present information in a simplified and succinct manner, enough to help protect the journalist's rights throughout the different stages of potential criminal proceedings, and to ensure their right to a fair and just trial.

Zied Dabbar

President of the National Syndicate of Tunisian Journalists

Foreword by the International Federation of Journalists

Who would have imagined that journalists in Tunisia — once a symbol of freedom after the 2011 revolution — would find themselves in urgent need of a legal guide to defend themselves against repressive measures?

Tunisia, once hailed as the only democracy to have maintained a balanced social dialogue after the Arab Spring, became in 2023 a stage for attempts by the government and the President of the Republic to muzzle the press through a repressive decree.

Of course, journalists did not expect this shift. They remained committed to their fundamental duty: providing accurate and reliable information to the public, while upholding the ethical principles of journalism as outlined in the Global Charter of Ethics for Journalists, adopted by the IFJ World Congress in Tunis in 2019.

Today, the International Federation of Journalists stands with Tunisian journalists more than ever — at a time when five of their colleagues are behind bars simply for fulfilling their professional duty. This stark reality makes it essential, as 2024 draws to a close, to provide journalists with a comprehensive legal guide to help them face these growing challenges.

A true democracy does not imprison its journalists, does not reject social dialogue, and does not punish free expression. Tunisia must reclaim its unity, and the National Syndicate of Tunisian Journalists must play its full role in this process — a responsibility it is ready to shoulder. What is at stake is nothing less than the future of press freedom and the future of the country itself.

Secretary General of the International Federation of Journalists

Anthony Bellanger

Journalist's Right to a Fair Trial under International Agreements

Article 14 of the International Covenant on Civil and Political Rights (ICCPR) states:

“All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him... everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law... Any judgment rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.”

Anyone accused of a criminal offense has the right to be presumed innocent until proven guilty according to law.

Each person facing criminal charges shall be entitled to the following minimum guarantees, in full equality:

- To be informed promptly and in detail, in a language he or she understands, of the nature and cause of the charge against him or her.
- To have adequate time and facilities for the preparation of his or her defense and to communicate with counsel of his or her own choosing.
- To be tried without undue delay.
- To be tried in his or her presence, and to defend himself or herself in person or through legal assistance of his or her own choosing.
- To examine, or have examined, the witnesses against him or her and to obtain the attendance and examination of witnesses on his or her behalf under the same conditions as witnesses against him or her.
- To have the free assistance of an interpreter if he or she cannot understand or speak the language used in court.
- Not to be compelled to testify against himself or herself or to confess guilt.

Anyone convicted of a crime shall have the right to have his or her conviction and sentence reviewed by a higher tribunal according to law.

If a person has been convicted by a final judgment and the conviction has been subsequently reversed... due to a newly discovered fact proving a miscarriage of justice, the person shall be compensated according to law.

No one shall be liable to be tried or punished again for an offense for which he or she has already been finally convicted or acquitted.

Article 9, paragraph 1 of the ICCPR states:

“Everyone has the right to freedom and self-security. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”

Article 9 of the Universal Declaration of Human Rights further affirms:

“No one shall be subjected to arbitrary arrest, detention or exile.”

Definition of Arbitrary Detention

The United Nations Human Rights Committee considers that several criteria define arbitrary detention:

- When there is clearly no legal basis justifying the deprivation of liberty.
- When the deprivation of liberty results from the exercise of rights or freedoms guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.
- In cases of serious, total, or partial non-compliance with international standards of fair trial as set out in the Universal Declaration of Human Rights and other relevant international instruments accepted by the concerned states, to the extent that the deprivation of liberty becomes arbitrary.

Legal Status of Journalists in Criminal Proceedings

This guide addresses the various procedural stages that a journalist may face in the course of a criminal case, from the initiation of proceedings and the preliminary investigation, through the judicial investigation stage, and up to the trial and any subsequent appeals.

I – The Preliminary Investigation Phase

- According to the Code of Criminal Procedure, the Public Prosecutor is responsible for initiating and conducting public prosecution.
- In certain cases, criminal proceedings may be initiated by the victim.
- Proceedings may also be initiated by officials legally empowered to do so.
- A journalist may be prosecuted through one of the following two procedures:
- Caught in flagrante delicto
- Regular prosecution

Flagrante delicto

According to the Code of Criminal Procedure, a case is considered flagrante delicto (caught in the act) if the crime is: Committed in the moment or shortly thereafter, or if the suspect is pursued by the public, or found in possession of objects, or bearing signs or evidence indicating involvement in the crime—provided this occurs shortly after the crime, or if the crime is committed in a residence, and the owner calls upon a judicial officer to observe the crime.

In such cases, judicial police officers are permitted to arrest the person caught in the act.

The investigating officer will draw up an official report and immediately inform the Public Prosecutor of the crime and any actions taken, allowing the prosecutor to decide what steps to take (e.g., supplementary investigations, detention, etc.).

Regular Prosecution

A journalist may also be prosecuted based on: a complaint by an individual (natural or legal person), a public body, or by a decision from the Public Prosecutor.

Procedural Requirements for Summons to Preliminary Investigation by the Judicial Police

A summons for a preliminary investigation is sent to the journalist either in writing through administrative channels, or by a bailiff to the journalist's personal address (as registered on their national ID).

The summons must include the following information:

- Full name, profession, and address,
- The place, date, and time of appearance,
- The purpose of the summons and the journalist's legal status (witness, suspect, etc.).

The summons may be personally handed to the journalist in exchange for a signature, or given to a family member residing with them—again, with a signed acknowledgment.

If the journalist fails to respond to a properly issued summons, they may become the subject of a search warrant for the purposes of investigation.

Outcome of Police Reports and Criminal Complaints Filed Against Journalists

Upon reviewing a complaint filed against a journalist, the Public Prosecutor or one of his assistants may take one of the following decisions:

- Dismiss the complaint against the journalist due to its civil nature or the absence of a criminal offense.

- Forward the complaint to the judicial police (investigator) to hear the parties involved and return the file for further decision.

Once the investigation authorized by the Public Prosecutor has been completed, the police forward the report, and the Public Prosecutor may then:

- Dismiss the complaint.
- Return the file to the investigator for additional tasks.
- Refer the journalist to the competent court.
- Refer the journalist to the investigating judge.

The journalist has the right to inquire about the status of his/her file from the Public Prosecutor's office or the investigative office (via the information desk), to protect their rights and take appropriate actions within the relevant deadlines.

Recommendations Regarding Journalists' Hearings by the Judicial Police

- Respect summons appointments.
- Bring the written summons received and present it to the investigator.
- Journalists have the right to bring witnesses to be heard by the investigator or to request that they be summoned later.
- Journalists have the right to be assisted by a lawyer during their hearing, confrontations, or identification line-ups.

The journalist's statements are recorded in a report that includes its number, date, the issuing authority, and the identity of the judicial police officer and clerk.

The journalist and their lawyer sign the report after reading it.

Investigation reports generally include the following:

- Case summary and all associated reports.
- Complainant's hearing report.
- Witness hearing reports.
- Hearing reports of the journalist and their witnesses.
- Search and seizure report.
- Medical examination warrant/report.
- Confrontation report.
- Identification and recognition report.

Additional reports may be prepared depending on the specifics of the case.

All reports are signed by the judicial police officer, the journalist (if under suspicion), and their lawyer.

Seizure of Equipment

According to Article 97 of the Code of Criminal Procedure, judicial police officers may not seize a journalist's work equipment (e.g., phone, camera, microphone...) except in cases of flagrante delicto involving a felony or misdemeanor, or where there is imminent danger outside such cases.

Thus, any seizure of work tools must not be arbitrary and must relate to a legitimate investigation or judicial inquiry.

In the event of seizure, a detailed list of the seized items must be drawn up in the presence of the journalist, along with a written seizure report. The items should be placed in a sealed envelope or file, or labeled with the date of seizure and report number.

Only documents or objects likely to help uncover the truth may be seized.

According to Article 100 of the Code of Criminal Procedure, if a journalist does not request the return of seized items within three years from the date of case dismissal or final judgment, the items become the property of the state.

Detention of Journalists

Detention for the purposes of preliminary investigation is decided by the Public Prosecutor in writing, in cases of flagrante delicto or where the investigation necessitates it, as per the Code of Criminal Procedure:

- For infractions (violations): 24 hours, non-renewable.
- For misdemeanors: 48 hours, renewable once for 24 hours by a written and justified decision from the Public Prosecutor.
- For felonies: 48 hours, renewable once for 48 hours by a written and justified decision.
- For terrorism cases: 5 days, renewable twice for the same period. The prosecutor may deny access to a lawyer during the first 48 hours.
- For financial crimes: 5 days, renewable once.

Rights of the Detained Journalist

Right to Information:

The journalist must be informed of the detention decision, its reasons, duration, and whether it can be extended. They must also be informed of: their right to a medical examination, their right to a lawyer, their right to notify a family member or designated contact.

If the journalist is a foreign national, diplomatic or consular authorities may be notified.

The same process includes asking whether the journalist wishes for a lawyer to be appointed.

The journalist must also be informed of any decision to extend detention and the reasons for it.

Right to Defense:

Journalists have the right to appoint a lawyer whether they are detained in flagrante delicto or via summons. The lawyer may attend hearings or confrontations.

Family members also have the right to appoint a lawyer once informed of the detention.

In cases of flagrante delicto, journalists have the right to meet their lawyer privately for 30 minutes and again for the same duration if detention is extended.

Right to Medical Examination:

A journalist, their lawyer, or family can request a medical examination, which must be conducted immediately, free of charge, and may include physical, psychological, or psychiatric assessments.

The journalist must also be allowed to receive their usual medications, subject to the attending physician's opinion.

Right to Protection:

During hearings, detention, or extended detention, the journalist has the right to be protected from torture, ill-treatment, and violence.

They may request to meet their lawyer as per the law.

Right to Appear Before a Judge:

Upon the expiry of the detention period, the journalist must be brought before the Public Prosecutor, who will question them about the charges and treatment received.

The journalist must also be informed of any extension and its justification.

Right to a Translator/ interpreter:

A foreign journalist has the right to request a translator/ interpreter and be informed of all their legal rights.

Journalists with disabilities may request a sign language interpreter.

Right to Review:

The journalist has the right to read and review the investigation reports presented for signature.

They may refuse to sign for any reason they deem valid, and the refusal must be documented by the investigator, including the stated reason.

Practical Issues

Several practical issues arise during preliminary investigations, including:

- Phone summonses (rather than written): violates the requirement for written procedures to protect all parties.
- Failure to disclose the subject of the summons: deprives the journalist of the right to defense and preparing appropriately.
- Failure to notify family or lawyer of the journalist's location, especially in flagrant cases: violates the right to inform someone of the arrest.
- Failure to read the list of rights before or after detention: breaches international and Tunisian legal standards.
- Forcing journalists to sign reports without their lawyer present: violates their right to informed and voluntary consent.
- Discouraging legal counsel by saying the case is "simple": undermines the journalist's right to legal defense.
- Long waiting times for hearings cause psychological exhaustion, possibly amounting to mistreatment.
- Short notice between summons and hearing, sometimes on the same day: violates the right to prepare an adequate defense.
- Starting proceedings without a lawyer after the journalist requests one: violates the right to a fair trial.
- Refusing to accept medication delivered by family: violates the journalist's medical rights; the solution is physician verification and approval.
- Questioning foreign journalists without a translator: breaches their right to understand proceedings.
- Refusing the lawyer's presence before the Public Prosecutor after detention: violates the right to legal counsel.
- Journalists questioned by non-specialized police units (e.g., anti-crime units): the solution is to create a specialized unit for press cases or have the Public Prosecutor handle them directly.

Procedures Under Decree-Law 115 for Defamation and Insult Cases

When a journalist is prosecuted under Decree-Law 115 for defamation or insult, the following special procedures apply:

A summons is sent to the journalist and the Public Prosecutor by the complainant via bailiff, including:

- A description of the alleged act.
- The legal text cited.

- The complainant's address in the city where the court is located.
- A minimum notice period of 20 days between the summons and the hearing before the trial court.

To prove the truth of defamatory allegations, the journalist must, within 10 days of receiving the summons:

- Send the complainant (via bailiff) a notice including:
 - A statement detailing the acts attributed to the journalist and described in the summons, which they seek to prove as true.
 - A copy of the documents and evidence supporting the truth of what was written.
 - The names, professions, and addresses of the witnesses whose testimonies the journalist intends to rely on.
 - The journalist must designate an address for correspondence within the jurisdiction of the court in the response record (Article 72 of Decree-Law No. 115).

The same procedure applies when the Public Prosecutor initiates the case directly, especially in cases of defamation or insult targeting groups based on ethnicity, religion, or similar criteria (Article 69 of Decree 115).

In practice, these procedures are rarely followed, and issues of defamation and replies are usually addressed during trial hearings.

According to Article 75 of Decree 115, the court must issue its judgment in defamation and insult cases within one month of the first hearing.

Public and civil claims for offenses under Decree 115 are subject to a statute of limitations of six full months from the date of the offense or from the last procedural action.

II - Judicial Investigation Phase:

Judicial investigation is optional in misdemeanors (offenses punishable by up to five years in prison) and mandatory in felonies.

A journalist may be referred to the investigating judge by the public prosecutor following the conclusion of the preliminary investigation—mandatorily in felonies and optionally in misdemeanors.

The journalist has the right to be assisted by a lawyer before the investigating judge and may also request the presence of a translator if they do not speak Arabic or have a disability.

The summons to the investigation must include the following information:

- The journalist's identity, profession, address, place, date, and time of appearance, and the nature of the charge.

The investigation records must be signed by the journalist, their lawyer, the investigating judge, the clerk, and the translator. The journalist may refuse to sign, in which case the refusal and the reason must be documented.

Detention Warrant (Incarceration Order):

The investigating judge may issue a detention warrant against the journalist if the offense was committed in flagrante delicto or if there is strong evidence justifying detention as a measure to prevent further offenses, ensure enforcement of the sentence, or safeguard the investigation process.

The public prosecutor or the court may also issue a detention warrant pending trial.

In misdemeanors, pretrial detention may last six months, extendable once for up to three months.

In felonies, it may be extended twice, with each extension not exceeding four months.

The investigating judge's decision to issue a detention warrant can be appealed before the Indictment Chamber, which also reviews decisions to refer the journalist to trial.

The Indictment Chamber serves as a second level of investigation.

III - Trial Phase:

The decision to refer a journalist to trial may be issued:

By the public prosecutor in cases involving misdemeanors or infractions, or

By the investigating judge in cases involving felonies or misdemeanors where an investigation was conducted.

The journalist is summoned to the trial session via a written notice delivered to the address recorded in the case file.

If the summons is not personally served, the court may issue a default judgment.

If the summons is personally served but the journalist fails to appear, the court may issue a quasi-default (considered present) judgment.

If the journalist is present, the judgment is considered in-person.

In misdemeanor cases, the journalist may be represented by a lawyer. In felony cases, legal representation is mandatory. The court may appoint a lawyer if the journalist has not designated one.

The journalist's personal attendance is mandatory in felony cases and in misdemeanors punishable by imprisonment.

In other misdemeanors, the journalist may be represented by a lawyer, although the court may still require personal attendance if deemed necessary.

Court sessions are public, unless the court decides—on its own or at the request of the public prosecutor—to hold them in private to preserve public order or public morality.

The court begins by hearing the complainant, if present, followed by witnesses and experts. The journalist (the accused) is then interrogated. The journalist's lawyer is given the final word before the presiding judge closes the hearing and the court delivers its verdict either immediately, later in the session, or at a subsequent date.

Appeals:

The deadline to appeal an initial in-person judgment is ten days from the day following the date of the ruling.

For a quasi-default judgment, the appeal deadline remains open until the journalist is personally notified, after which a ten-day appeal period begins.

For a default judgment, the deadline to file an objection remains open until personal notification is made. From that point, the journalist has ten days to file an objection.

Written Request Templates (Judicial and Legal Matters)

Applicant: [Full Name]

Request for a Copy of a Criminal Judgment

To the Chief Clerk of the Court of [Name of Court],

I kindly request to be provided with an official (non-certified) copy of the criminal judgment No. [...],
dated [...], issued by the Court of [...].

Signature

Applicant: [Full Name]

Request for a Certificate of Criminal Judgment Text

To the Chief Clerk of the Court of [Name of Court],

I kindly request to be provided with a certificate containing the text of the criminal judgment No.
[...], dated [...], issued by the Court of [...].

Signature

Applicant: [Full Name]

Request for a Summary of a Criminal Judgment

To the President of the Court of [Name of Court],

I kindly request your permission to obtain a summary of the criminal judgment (in-person / default /
considered in-person) No. [...], dated [...], issued by the Court of [...], for submission to the relevant
authority.

Signature

Applicant: [Full Name]

Request for a Search Cancellation Certificate

To the Chief Clerk of the Court of [Name of Court],

I kindly request a certificate confirming the cancellation of the search warrant related to criminal case No. [...] (default / considered in-person), dated [...], issued by the Court of [...].

Signature

Applicant: [Full Name]

Objection to a Criminal Judgment (First Instance / Appeal)

To the Chief Clerk of the Court of [Name of Court],

Whereas a default judgment was issued by the Court of [...] under No. [...], dated [...], ruling [...];

And whereas the applicant wishes to file an objection to the said judgment.

Therefore,

I kindly request the registration of my objection to the judgment mentioned above.

Signature

Applicant: [Full Name]

Appeal of a Criminal Judgment (In-Person / Considered In-Person)

To the Chief Clerk of the Court of [Name of Court],

Whereas a first-instance criminal judgment (in-person / considered in-person) was issued by the Court of [...] under No. [...], dated [...], ruling [...];

And whereas the applicant wishes to appeal the aforementioned judgment.

Therefore,

I kindly request the registration of my appeal to the judgment mentioned above.

Signature

Applicant: [Full Name]

Request for the Return of Supporting Documents

To the Chief Clerk of [Name of Court],

I kindly request the return of the documents and supporting materials that belong to me and were submitted in the criminal case concluded by a judgment on [...], issued by the Court of [...].

Signature

Applicant: [Full Name]

Request for Return of Seized Property

To the Public Prosecutor,

Whereas property belonging to me was seized in the investigative case No. [...], in which a dismissal order was issued on [...];

Therefore,

I kindly request your authorization to recover the seized items that are my property in the aforementioned case.

Signature

Applicant: [Full Name]

Request for Return of Seized Property

To the Investigating Judge of [Court Name],

Whereas property belonging to me was seized in investigative case No. [...], in which a dismissal order was issued on [...];

Therefore,

I kindly request your authorization to recover the seized items that are my property in the aforementioned case.

Signature

Applicant: [Full Name]

Request for a Certificate of Dismissal of Criminal Complaint

To the Public Prosecutor at [Name of Court],

I kindly request a certificate of dismissal regarding the criminal complaint No. [...], dated [...], based on police report No. [...], dated [...], issued by the judicial police.

Signature

Applicant: [Full Name]

Request for a Certificate of Dismissal of an Investigative Case

To the Investigating Judge at the Court of First Instance of [...],

I kindly request a certificate of dismissal regarding the investigative criminal case No. [...], dated [...].

Signature

Applicant: [Full Name]

Request for Certificate of Criminal Case Filing

To the Chief Clerk of the Court of [...],

I kindly request a filing certificate for criminal case No. [...], scheduled for a hearing on [...].

Signature

Applicant: [Full Name]

Request for Certified Copy of Investigation Reports

To the Chief Clerk of the Court of [...],

I kindly request a certified true copy of the investigation report related to the criminal complaint No. [...], in which a dismissal order was issued on [...] by the Court of [...], and which is part of criminal case No. [...], decided on [...] by the same court.

Signature

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