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| MDE 30/8982/2025 - Tunisia - Date: 28 January 2025 |
| FURTHER INFORMATION | URGENT ACTION | FI UA 076/24-1 |
| Human rights defender on hunger strike |
| TUNISIA |

On 14 January, the 14th anniversary of the Tunisian revolution, prominent human rights defender Sihem Bensedrine announced an open-ended hunger strike to protest her arbitrary detention since August 2024 solely for exercising her human rights. On 26 January 2025, she was hospitalized due to health complications. On 28 January, her lawyers learned that a Tunis investigative judge has extended her pre-trial detention for another four months on charges of «fraud», «forgery» and «abuse of official capacity» in relation to her role exposing alleged corruption as President of the Truth and Dignity Commission (IVD). Authorities must immediately and unconditionally release Sihem Bensedrine, drop all the charges against her and end the misuse of the criminal justice system to target her.

Sihem Bensedrine, 74, is a prominent human rights defender, recognized for her independent journalism and human rights work under former President Ben Ali, who was ousted on 14 January 2011. Since President Kaies Saied’s power grab in July 2021, she has been a vocal critic of actions undermining the rule of law and judicial independence in Tunisia. From 2014 to 2018, she led the IVD, an organization established to document and seek accountability for human rights violations and corruption by state officials from 1955 to 2013, with the authority to refer serious cases to specialized transitional justice criminal chambers.

In December 2018, the IVD concluded its work and transferred 205 cases related to human rights violations and corruption for prosecution before the 13 Specialized Criminal Chambers in Tunisia. A number of these cases were related to alleged corruption within the banking sector. Individuals accused by the IVD of several corruption related offences include former ministers, high profile businessmen, former governors of the Central Bank, high ranking state bank employees and government officials.The IVD, which was established in March 2014 with a four-year mandate (extendable by one year), extended its mandate until the end of 2018 despite opposition from the parliament who voted against the extension. On 28 December 2018, the Presidency informed the IVD that its report was due three days later on 31 December. To meet the deadline, the IVD board, chaired by Sihem Bensedrine, adopted a preliminary report on 30 December 2018, pending revisions. The final report was published on the IVD website on 26 March 2019 and in the Official Gazette (JORT) on 24 June 2020. Throughout its mandate, the IVD faced efforts to undermine its work, with government agencies like the ministries of interior and defence failing to fully cooperate.

In May 2020, a former IVD Commissioner filed a complaint against Sihem Bensedrine with the National Higher Instance Against Corruption, accusing her of «forging the final report» by adding a section on corruption in the Tunisian banking system, specifically regarding a dispute between the government and the French Tunisian Bank. The complaint alleges she did this for personal gain, as the added section could lead to costly reparations for the government. In March 2021, the National Higher Instance Against Corruption referred the complaint to the Tunis General Prosecution. In 2021, the judicial police’s economic investigations unit opened an investigation into the complaint and summoned members of the IVD for questioning. The complaint alleged that revisions added to the preliminary version of the report in the chapter on corruption in the banking system amounted to «forgery» with the intention of «bring harm to the Tunisian state». In the context of this investigation, on 22 November 2022, an investigative judge in the Economic and Financial Judicial Unit questioned Sihem Bensedrine as a witness. On 20 February 2023, the prosecution requested the investigating judge to bring criminal charges against Sihem Bensedrine for «taking advantage of her position in order gain undue advantages», causing damage to the administration to achieve a benefit, and through forgery and use of forged documents under Articles 32, 96, 98, 172, 175, 176 and 177 of the Penal Code. On 2 March 2023, the investigating judge changed Sihem Bensedrine’s status in the investigation from witness to suspect. On 7 March 2023, the judge issued a travel ban against Sihem Bensedrine. On 1 August 2024, following a hearing, an investigative judge of the Economic and Financial Judicial Pole at the Tunis Court of First Instance ordered the pre-trial detention of Sihem Bensedrine under the same charges. The criminal charges against Sihem Bensedrine, which she denies, are based on the claims of the former commissioner who submitted the complaint. The prosecution did not present any concrete evidence to justify the pre-trial detention order or the criminal investigation.

Given the failure thus far of the prosecution to provide concrete evidence of any criminal act that could be related to the changes introduced to the IVD report, the criminal charges against Sihem Bensedrine appear to be a form of retaliation for the work she undertook as president of the IVD, and more particularly for the opinions or facts contained in the IVD final report and the prosecutions instigated by IVD against alleged perpetrators. In May 2023, UN human rights experts voiced concern that Sihem Bensedrine's prosecution seemed retaliatory, linked to her role with the IVD and its corruption cases. International standards mandate states to ensure the right to truth about gross human rights violations through non-judicial means like truth commissions, and to protect IVD members from defamation or legal action related to their work.

TAKE ACTION

* Write an appeal in your own words or use the **model letter** on **page 2**.
* Please take action before **28 June** 2025.
* Preferred language: **Arabic, French, English**. You can also write in your own language.
* **INFO POSTAGE**: Post delivery is possible to almost all countries. Please check at the Swiss Post whether letters are currently being delivered to the destination country.
If not, please send by email, fax or social media and/or via the embassy with the request for forwarding to the named person. Thank you !

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| APPEALS TO | COPIES TO |
| President of the Republic Kais Saied(Route de la Goulette, Site archéologique de Carthage, Tunisie)**Best way to reach the target**:Facebook: <https://www.facebook.com/Presidence.tn/> Twitter/X: @TnPresidencyEmail: contact@carthage.tn**Additional target**:Minister of Justice Leila JaffelEmail: info@e-justice.tnFax: +216 71 568 106Facebook: <https://www.facebook.com/ministere.justice.tunisie>  | Botschaft von Tunesien / Ambassade de TunisieKirchenfeldstrasse 633005 BernFax: 031 351 04 45E-Mail: at.berne@diplomatie.gov.tn |
| ⭢ **Social media guidance** and **additional targets** see online: [amnesty.ch](https://www.amnesty.ch) 🔍**UA 076/24** |

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President of the Republic

Kais Saied

Route de la Goulette, Site archéologique de Carthage

Tunisie

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Your Excellency,

**I write to you to express my grave concern over the ongoing arbitrary detention of prominent 74-year-old human rights defender Sihem Bensedrine since her arrest on 1 August**. On 14 January, she announced an open-ended hunger strike to protest her arbitrary detention. Her lawyers shared this message in which she announced her hunger strike on her Facebook page: «I will no longer stand the injustice that strikes me. Justice cannot be based on lies and calamities, but on concrete, tangible evidence». She is detained solely in relation to her work as President of the Truth and Dignity Commission (IVD) from 2014 to 2018 which investigated and referred to the prosecution its findings on crimes committed by Tunisian authorities from 1955 to 2013.

Sihem Bensedrine has been under investigation since February 2023 following a complaint by a former IVD board member alleging forgery because revisions had been made to the IVD final report after it was submitted to the then president in December 2018. On 7 March 2023, an investigative judge charged Sihem Bensedrine with «forgery», «fraud» and «abuse of official capacity» and banned her from traveling. On 1 August 2024, the judge ordered Sihem Bensedrine’s pre-trial detention and she was taken into custody on the same day. On 28 January 2025, the investigative judge informed her lawyers that he extended her pre-trial detention for another four months. Sihem Bensedrine’s prosecution appears to be a form of reprisal against the work of the IVD exposing allegations of human rights abuses and corruption committed by past Tunisian authorities.

Since she started her hunger strike, Sihem Bensedrine’s health has rapidly deteriorated. She is experiencing weakness and low oxygen levels, leading to her being placed under respiratory assistance in the prison infirmary. On 26 January, she was transferred to a hospital outside prison because her health deteriorated further. Sihem Bensedrine’s pre-existing health conditions, including high blood pressure and cardiac issues, increase her vulnerability.

**I urge you to immediately and unconditionally release Sihem Bensedrine, drop all the charges against her and end the misuse of the criminal justice system to target her. Pending her release, she must be granted adequate access to qualified health professionals providing health care in compliance with medical ethics, including the principles of confidentiality, autonomy and informed consent. Ensure she also has access to her family, lawyers and is held in conditions that comply with international standards.**

Yours sincerely,

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**Copie**

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