

URGENT ACTION

EX-MINISTER SENTENCED TO TEN YEARS IN PRISON

On 18 October 2024, the Criminal Chamber of the Court of First Instance in Tunis sentenced Ennahdha leader and former justice minister Nouredine Bhiri to ten years in prison on the basis of a social media post attributed to him and which he denied writing. Nouredine Bhiri was accused of “trying to change the form of the government and inciting people against each other” under Article 72 of the Tunisian penal code. Nouredine Bhiri who has spent 18 months in arbitrary detention in the Mornaguia prison is being further punished simply for his peaceful political opposition. The Tunisian authorities must immediately release him and quash his conviction and sentence as his imprisonment is solely based on the peaceful exercise of his human rights.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President of the Republic Kais Saied

Route de la Goulette

Site archéologique de Carthage, Tunisie

Email: contact@carthage.tn

Twitter: @TnPresidency

Your Excellency,

I write to you and your government to express my grave concern over the unjust conviction and arbitrary detention of senior Ennahdha leader and former justice minister Nouredine Bhiri.

The Criminal Chamber of the Court of First Instance in Tunis convicted and sentenced him to a harsh ten-year in prison on politically motivated and bogus charges for a social media post he denied writing. Following a technical expertise requested by the accusation chamber, a court appointed committee concluded that he did not write the post. However, Nouredine Bhiri should never have been arrested or charged or detained in the first place, even if he had written the social media post, as it relates to the exercise of his right to freedom of expression, which is guaranteed and safeguarded by international human rights law, including Article 19 of the International Covenant on Civil and Political Rights (ICCPR), and Article 9 of the African Charter on Human and Peoples' Rights, to which Tunisia is a state party.

According to Nouredine Bhiri's defence committee, the verdict issued against him followed an unfair judicial process that violated the rule of law and fair trial guarantees. For instance, his lawyers filed a complaint against the investigative judge who interrogated Nouredine Bhiri after his arrest and who initially refused Nouredine Bhiri's transfer to hospital despite apparent traces of beatings. On 13 February 2023, security forces violently arrested Nouredine Bhiri, severely injuring him on the shoulder. He spent several days in various medical facilities including for surgery on his shoulder, to treat fractured ribs and respiratory issues. The public prosecution disregarded the reports of torture raised by Nouredine Bhiri's lawyers, including the judge's denial of medical care.

I therefore urge you and your government to ensure that Nouredine Bhiri is immediately released from arbitrary detention, and that his conviction and sentence are quashed. Pending his release, I urge you and your government to ensure that he receives any medical treatment he may require and continue to allow him regular access and visits from his family and lawyers. Moreover, I call on you and your government to cease your targeted arrests of critics for the peaceful exercise of their human rights including the rights to freedom of expression, association and assembly.

Yours sincerely,

ADDITIONAL INFORMATION

Noureddine Bhiri (66) is a leading member of Ennahdha and former Minister of Justice from 2011 to 2013 who served under a coalition government created following the ouster of long-time ruler Zine el Abidine Ben Ali on 14 January 2011. Noureddine Bhiri is a lawyer and standing member of the Tunisian Bar Association. He had also previously served as vice-president of Ennahdha, the main political party in Tunisia with a majority in parliament before President Kais Saied suspended it on 25 July 2021 citing emergency powers under Article 80 of the Constitution. The party has criticized President Saied's concentration of powers since the July 2021 suspension of parliament, calling it a coup.

Authorities have particularly targeted members of Ennahdha, Tunisia's largest opposition party and ordered the party to stop holding meetings at its offices. They initiated criminal investigations against at least 21 Ennahdha leaders and members and detained at least 12. On 30 October 2023, the Tunis appeal court [sentenced](#) Rached Ghannouchi, Ennahdha's president and former speaker of the dissolved parliament, to 15 months' imprisonment under the 2015 anti-terrorism law, based on his public remarks.

The arrest of Noureddine Bhiri on 13 February 2023 and his subsequent detention stem solely from critical online remarks that the authorities claim he had posted on 8 January 2023 on his private Facebook page, around the time of a demonstration organized by members of the National Salvation Front, an opposition coalition. A copy of the Facebook post was shared with Amnesty International by a member of his defence team. In the post, he calls for "peaceful resistance against the coup". He says that "people shouldn't be afraid of the coup and that they need leadership". Additionally, Noureddine Bhiri denied being the author of the social media post. In any case, the speech in the Facebook post, which is no longer available online, is fully protected by international human rights law.

He has long suffered from diabetes and a high blood pressure, and normally takes regular medication for both ailments. His health is at risk. Under international human rights law, and specifically the International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and Peoples' Rights everyone has the rights to freedom of expression, association and liberty.

Noureddine Bhiri had already experienced arbitrary arrest and house arrest when men in civilian clothing arrested [him and another man Fathi Beldi](#), a former Interior Ministry official, on 31 December 2021 and held them both at undisclosed locations for two days. Authorities subsequently placed both men under house arrest. On 7 March 2022, the Ministry of Interior lifted the house arrest and Tunisian authorities eventually filed no formal charges against both men.

On 25 July 2021, President Saied claimed emergency powers that he said were granted to him by Tunisia's 2014 Constitution. Over 70 people, including political opponents, lawyers, journalists, activists and [human rights defenders](#) have been subjected to unfair prosecutions and/or arbitrary detention since the end of 2022. At least 40 people remain arbitrarily detained as of May 2024 in connection with the peaceful exercise of their human rights including the rights to freedom of expression, association and assembly.

On 15 October 2024, United Nations Human Rights Chief Volker Turk [urged](#) the Tunisian government to respect human rights following a presidential campaign that was characterized by an assault on journalists, activists and the opposition.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic, French and English.
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 1 February 2025.
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Noureddine Bhiri (he/him).

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde30/8033/2024/en/>.