

## **The Executive's Security and Judicial Arms Undermine Truth and Dignity in Tunisia**

The Civil Coalition for Transitional Justice and civil society organizations received with great dismay and anger the issuance of an arrest warrant against the President of the Truth and Dignity Commission (IVD) and human rights activist, Ms. Sihem Ben Sedrine, on the first of August 2024.

The signatories to this statement believe that the legal pursuit and prosecution of Ms. Sihem Ben Sedrine on malicious charges not only falls within a political context characterized by the suppression of all dissenting, free, and human rights voices and the systematic dismantling of all intermediary institutions, but it is also an act of persecution clearly aimed at nullifying the final report of the IVD, which sought to dismantle the system of corruption and tyranny established before the 2010-2011 Revolution. Such attempts aim to exonerate the perpetrators of previous regimes and ensure their impunity, depriving victims of their basic human rights to dignity and reparation. This prosecution is additionally a blatant violation of Organic Law No. 53 of 2013 dated December 24, 2013, Establishing and Organizing Transitional Justice, specifically its 69<sup>th</sup> article, which prohibits prosecuting commission members based on the contents of the final report while it is still in effect.

The prosecution and judicial harassment of Sihem Ben Sedrine reflect a vindictive and selective approach by a regime that has chosen to use all its apparatus to target human rights defenders or resurrect old cases, while maintaining judicial silence and complete immunity for those who violated rights and freedoms during the era of dictatorship. The judiciary under the executive authority has indeed systematically obstructed nearly 205 cases referred by the IVD to the judiciary against 1,500 individuals (including 1,200 affiliated with the Ministry of Interior) accused of the most severe human rights violations such as deliberate killing, torture, enforced disappearance, misuse of public funds, among others.

The Civil Coalition, along with its partners from various associations and organizations, has previously expressed concerns about numerous attempts by the authorities to shut down the transitional justice process both before and after July 25, 2021.

Since the President assumed power, there have been numerous attempts to undermine all the gains of the Revolution and the transitional justice process. The authority has sought to create a parallel process through the Reconciliation Law, denying victims their rights to justice and reparation, paralyzing the specialized judicial chambers through arbitrary judicial transfers, all the while repeatedly promoting those accused of violations during the dictatorship, and involving some of them in contributing to a unilaterally drafted constitution in 2022. These continuous and repeated efforts aim to deny the country's history and bury the truths of corruption and tyranny from decades of dictatorship, wasting the rights of victims who believed in the path of transitional justice and justice in general after the fall of dictator Ben Ali in 2011.

Therefore, the Civil Coalition for Transitional Justice and civil society organizations express:

- Their condemnation and denunciation of the judicial harassment, including travel bans and judicial pursuits culminating in the issuance of an arrest warrant on August 1st, faced by the President of the Truth and Dignity Commission, Ms. Sihem Ben Sedrine, for her work with IVD commission.
- Their absolute and unconditional solidarity with the President of the Truth and Dignity Commission, the activist against Ben Ali's tyranny, Ms. Sihem Ben Sedrine, demanding the cessation of malicious and retaliatory pursuits against her and her immediate release, especially since it blatantly violates the 2013 Transitional Justice Law in its article 69.
- Their condemnation of the State's continued use of all its apparatus to undermine the country's achievements, deny justice to victims, and explicitly target those who worked to hold perpetrators accountable, while ensuring absolute impunity for those who stole, looted, tortured, and killed the Tunisian people for decades.
- Their rejection of the judiciary's subjugation and manipulation according to electoral agendas to eliminate opposition and silence critics, harassing human rights defenders, former commission heads, and actors of civil society, political opponents, and trade unionists, rather than maintaining an independent judiciary that effectively pursues perpetrators and human rights violators.

#### Signatory organizations :

- Ligue Tunisienne des Droits de l'Homme
- Forum Tunisien pour les Droits Economiques et Sociaux
- Association Tunisienne des Femmes Démocrates
- Association des Magistrats Tunisiens
- Réseau Tunisien pour la Justice Transitionnelle
- Association Beity
- Aswat Nissa
- Association Calam
- Intersection Association for Rights and Freedoms
- Association Tunisienne pour la Défense des Libertés Individuelles
- DAMJ
- Organisation Mondiale Contre la Torture
- Avocats Sans Frontières
- Fédération Internationale pour les Droits Humains
- No Peace Without Justice
- NOVACT
- Association Karama pour les Droits et les Droits et les Libertés
- Al Bawsala
- Association Yakadha pour la Démocratie en Tunisie
- Le Comité pour le Respect des Libertés et des Droits de l'Homme
- Association Al Khatt
- Association Tunisienne pour les Droits et les Libertés
- Nachaz