



International Fair Trial Day

## **International Fair Trial Day (IFTD), 14 June 2025**

### **Focus Country: Tunisia**

**Save the Date for IFTD event: Thursday, 12 June 2025, Brussels**  
**and Call for Nominations for the Ebru Timtik Award (deadline 1 May 2025)**

#### **Background**

The annual [International Fair Trial Day \(IFTD\)](#) has been observed each year on 14 June since 2021. Established by a group of lawyers and lawyers' organisations, the initiative is supported by over 100 legal associations across the world, who are committed to the vital importance of the right to a fair trial and addressing the serious challenges to due process rights worldwide.

The IFTD is coordinated by a Steering Group\* which, each year, selects a focus country - where fair trial rights are being systemically violated – following a nomination process, and organises an event to mark the IFTD, as well as a series of activities around the event to draw attention to the situation in that country. The conference brings together national and international stakeholders to examine systemic fair trial issues and develop concrete recommendations to address them, which are shared in a public statement and report on the event.

The Ebru Timtik Award was established alongside the IFTD. Ebru Timtik is a lawyer from Turkey who lost her life on 27 August 2020 as a result of a 238-day hunger strike she undertook to protest against the systemic violations of fair trial rights which people in Turkey are facing. Every year, on the occasion of the IFTD, the Ebru Timtik Award is granted by an independent jury to an individual, individuals and/or an organisation that has/have made a significant contribution to the defence and promotion of the right to a fair trial in the focus country.

Previous IFTD and Ebru Timtik Awards took place as follows:

- 2021: [Turkey](#) was the first IFTD focus country. A [virtual conference](#) was held on 14 June 2021 and the first Ebru Timtik Award was granted posthumously to Ebru Timtik herself.
- 2022: [Egypt](#) was selected as the focus country. The [conference](#) took place in Palermo, Italy on 17-18 June 2022. [Mohamed El-Baqer and Haitham Mohammadein](#), two Egyptian human rights lawyers who were in detention at the time, received the Ebru

Timtik Award.

- 2023: [Mexico](#) was the IFTD focus country, with a [conference](#) held in Mexico City on 14 June 2023. The winners of the Ebru Timtik Award 2023 were two feminist lawyers, [Alicia de los Ríos Merino and Ana Yeli Pérez Garrido](#), who were celebrated for their tireless work for the justice struggle to address the systemic issue of enforced disappearances and violence against women in Mexico.
- 2024: [The Philippines](#) was selected as the focus country. A [conference](#) was held in Manila on 14 June 2024, where the [National Union of People's Lawyers \(NUPL\)](#) won the Ebru Timtik Award for decades of work giving meaning to due process of law “at the risk of personal harassment, false accusations, imprisonment, death threats, and even state-mandated liquidations”.

## 2025 International Fair Trial Day Focus Country: Tunisia

Several nominations were received for this year's IFTD focus country. **Following due consideration of the proposals and two rounds of voting, Tunisia has been chosen as the focus country of 2025.** Tunisia was selected based on the following human rights concerns:

### a) Declining independence of the judiciary

Tunisia has experienced a significant decline in judicial independence in recent years. In February 2022, President Kais Saied dissolved the Supreme Judicial Council (CSM), an independent body that appointed judges and monitored the judiciary.<sup>1</sup> President Saied replaced the CSM with a provisional judicial council directly controlled by his office, enabling him to appoint and dismiss judges at will. This consolidated executive power over the judicial system, undermined judicial autonomy and violated the separation of powers, a cornerstone of democracy. Judges now face the threat of political reprisal for decisions that go against the executive, which compromises the impartiality necessary for fair trials. The lack of a system to hold the executive accountable for these actions has led to increasing concerns about the judiciary's ability to function independently.

In June 2022, President Saied summarily dismissed 57 judges, citing corruption and misconduct.<sup>2</sup> However, these dismissals were carried out without due process, leaving no opportunity for judicial review or appeals. Such actions threaten judicial impartiality, as judges may fear removal for issuing rulings that challenge the executive, further eroding the rule of law.

In addition to structural changes, the President has restricted the freedom of association and expression for judges. A February 2022 decree prohibited judges from striking or engaging in collective actions that might disrupt court operations, stripping them of basic rights to advocate for judicial independence.<sup>3</sup> This move contravenes international legal standards, which protect the rights of judges to voice concerns and organize for the

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<sup>1</sup> International Commission of Jurists (May 2022), *Tunisia: Decree-Law 2022-11 on the temporary High Judicial Council – Questions & Answers*, <https://www.icj.org/wp-content/uploads/2022/05/Tunisia-decree11-QA-Publications-legal-briefing-2022-ENG.pdf>.

<sup>2</sup> Amnesty International (10 June 2022), *Tunisia: Arbitrary dismissals a blow to judicial independence*, <https://www.amnesty.org/en/latest/news/2022/06/tunisia-arbitrary-dismissals-a-blow-to-judicial-independence/>.

<sup>3</sup> The Official Gazette of the Republic of Tunisia (12 February 2022), *Decree-Law No. 2022-11 relating to the creation of the provisional High Council of the Judiciary*, [http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX\\_10136-35-EswGTeYJQ/RechercheTexte/SYNC\\_-15774930](http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX_10136-35-EswGTeYJQ/RechercheTexte/SYNC_-15774930)

defence of their profession and its integrity.

The consequences of these actions on fair trial rights are alarming. With the judiciary under executive control, the risk of political interference in legal proceedings increases. Judges may be pressured to rule in favour of the government in politically sensitive cases, undermining the fairness of trials, especially for opposition figures or critics of the regime. For instance, some of the judges dismissed in 2022 had reportedly refused to prosecute opposition leaders at the government's behest.

Another concerning development is the use of military courts to try civilians, a practice that has expanded in recent years. Military judges, who are part of the military hierarchy and subject to military discipline, cannot be considered independent or impartial. For example, on October 10, 2024, the Tunis Military Appeals Court sentenced Chaima Issa, a human rights activist, to a six-month suspended prison sentence in connection with remarks she made on radio criticizing President Saied.<sup>4</sup>

This practice violates international legal standards, particularly the right to be tried by a competent, independent, and impartial tribunal as enshrined in the International Covenant on Civil and Political Rights (ICCPR).

b) Obstacles to the rights of defence and lack of protection of lawyers, journalists and human rights defenders

In Tunisia, violations of lawyer-client confidentiality have become a growing concern, particularly in cases involving political opposition figures and human rights defenders. Several instances illustrate the systematic erosion of this fundamental principle, which is crucial for ensuring a fair trial and protecting the rights of defendants. For example, prison guards reportedly searched the bag of lawyer Bechir Manoubi Ferchichi without his knowledge or presence, while he was visiting his client in detention. Despite the search being conducted unlawfully, it led to his arrest and investigation based on items seized that they claimed were intended to facilitate an escape.<sup>5</sup> The case sparked outrage within Tunisia's legal community, as it was seen as a direct attack on the lawyer's right to confidential communication with their client.

Since 2021, the situation for fair trials in Tunisia has become increasingly dire through the instrumentalization of justice and harassment by Tunisian authorities of lawyers, judges, critics, journalists and bloggers, civil society and political activists. This has included surveillance, arrest, enforced disappearance, detention, and prosecution of those exercising their right to freedom of expression, and/or their professional function.

Harassment and intimidation of lawyers, particularly those handling politically sensitive cases, has intensified significantly in recent years. This manifests in various forms, including criminal prosecution, physical aggression, and legal restrictions, severely undermining the independence of the legal profession and threatening the rights to a fair trial and access to justice. Over 60 lawyers were reported to be under investigation as of

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<sup>4</sup> Center for Justice (10 January 2024), *Tunisia: Military Court of Appeal sentences activist Shaimaa Issa to six months in prison – CFJ calls for an end to arbitrary measures against her*, <https://www.cfjustice.org/tunisia-military-court-of-appeal-sentences-activist-shaimaa-issa-to-six-months-in-prison-cfj-calls-for-an-end-to-arbitrary-measures-against-her/>.

<sup>5</sup> Lawyers for Lawyers, World Organisation Against Torture et al. (2024), *Lawyers in Danger: The Ongoing Crackdown on Lawyers in Tunisia*, <https://omct-tunisie.org/wp-content/uploads/2024/01/Avocat-en-danger-ENG-Final.pdf>.

June 2024.<sup>6</sup> If convicted, these lawyers could face severe penalties, including lengthy prison sentences and heavy fines.<sup>7</sup>

The exclusion of legal protections from the 2022 Constitution, compared to the previous 2014 version, foreshadowed the regime's intent to weaken the legal profession and erode judicial independence.<sup>8</sup> The use of vague and broad legal provisions, such as those found in Tunisia's Telecommunications Code and Penal Code, has enabled authorities to target at least 20 lawyers with charges ranging from "spreading fake news" to "offending public officials." In line with such practices, lawyers, such as Abdelaziz Essid, are being tried for "offending others" and "accusing public officials of illegal acts" regarding comments made about a conspiracy case he was defending. This environment of judicial harassment has severely restricted lawyers' ability to carry out their duties, undermining their role in upholding the rule of law and defending human rights.

Journalists and media outlets are also under serious threat, as recent years have been characterized by increased control of the media, limiting exchanges with journalists in favour of unilateral communiqués, and judicial harassment of journalists.

In September 2022, President Saïed signed the now infamous Decree 54, which makes it illegal "to produce, spread, disseminate, send or write false news with the aim of infringing the rights of others, harming public safety or national defense or sowing terror among the population", punishable with a five-year prison sentence. The Decree in effect "turned every journalist into a suspect" who "can be summoned for questioning at any time over anything they post online".<sup>9</sup> Figures from Human Rights Watch and Amnesty International suggest that, from the end of 2022 to May 2024, over 70 people, including political opponents, lawyers, journalists, activists, human rights defenders, and social media users had been subjected to arbitrary prosecutions; at least 40 remained arbitrarily detained, with most held in connection with the exercise of their internationally protected rights.<sup>10</sup> On 24 October 2024, Sonia Dahmani, a prominent Tunisian lawyer and media commentator, was sentenced to two years in prison for statements made on the radio criticizing Tunisia's immigration procedures.<sup>11</sup> According to the Committee to Protect Journalists, as of 1 December 2024, at least 5 journalists were detained in Tunisia, the highest number since 1992.<sup>12</sup> Despite its official objectives, Decree 54 has reportedly

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<sup>6</sup> Conseil National des Barreaux (14 June 2024), *Resolution concerning the situation of lawyers in Tunisia*, [https://www.cnb.avocat.fr/sites/default/files/documents/xx.cnb-rp\\_2024-06-14\\_caei\\_resolution\\_concernant\\_la\\_situation\\_des\\_avocats\\_en\\_tunisie\\_ok.pdf](https://www.cnb.avocat.fr/sites/default/files/documents/xx.cnb-rp_2024-06-14_caei_resolution_concernant_la_situation_des_avocats_en_tunisie_ok.pdf)

<sup>7</sup> Amnesty International (March 2024), *Tunisia: Authorities targeting of lawyers undermines access to justice*, <https://www.amnesty.org/en/latest/news/2024/03/tunisia-authorities-targeting-of-lawyers-undermines-access-to-justice/>

<sup>8</sup> Lawyers for Lawyers, World Organisation Against Torture et al. (2024), *Lawyers in Danger: The Ongoing Crackdown on Lawyers in Tunisia*, <https://omct-tunisie.org/wp-content/uploads/2024/01/Avocat-en-danger-ENG-Final.pdf>

<sup>9</sup> Ziad Debbar, President of the National Syndicate of Tunisian Journalists (SNJT), cited in Committee to Protect Journalists (16 January 2025), *Tunisia uses new cybercrime law to jail record number of journalists*, <https://cpj.org/2025/01/tunisia-uses-new-cybercrime-law-to-jail-record-number-of-journalists/>

<sup>10</sup> Amnesty International (30 May 2024), *Tunisia: Authorities escalate clampdown on media, freedom of expression*, <https://www.amnesty.org/en/latest/news/2024/05/tunisia-authorities-escalate-clampdown-on-media-freedom-of-expression/>

<sup>11</sup> FIDH (2024), *Tunisia: International solidarity with lawyers against the return of repression*, <https://www.fidh.org/fr/regions/maghreb-moyen-orient/tunisie/tunisie-solidarite-internationale-avec-les-avocat-es-contre-le-retour>; Euro-Mediterranean Human Rights Monitor (3 October 2023), *Tunisia: Anti-terrorism law threatens civilians and sparks fear among dissidents*, <https://euromedmonitor.org/en/article/6447>

<sup>12</sup> Committee to Protect Journalists (16 January 2025), *Tunisia uses new cybercrime law to jail record number of journalists*, <https://cpj.org/2025/01/tunisia-uses-new-cybercrime-law-to-jail-record-number-of-journalists/>; see also, Reporters Without Borders, *Tunisia*, <https://rsf.org/en/country/tunisia>

“never been applied to cyber attacks”.<sup>13</sup>

On 15 October 2024, the UN Human Rights Chief Volker Türk issued a statement<sup>14</sup> calling on the Tunisian authorities to protect the country’s democratic processes and uphold fundamental freedoms after a presidential campaign marred by a crackdown on the opposition, independent activists and journalists. A spokesperson for Volker Türk noted that several presidential hopefuls have been arrested and received lengthy prison sentences on various charges, remarking that “such cases are troubling. Their trials indicate a lack of respect for due process and fair trial guarantees”<sup>15</sup>.

#### c) Torture and ill-treatment of detainees and conditions of detention

Conditions in Tunisian prisons are harsh: individuals are held in large, overcrowded dormitories with poor hygiene and nutrition, difficulty accessing medical care, inadequate visiting facilities, violence, and regular reports of torture. As of 2021, Tunisian prisons operate at over 126% capacity, with almost 23,500 people detained in a system with official capacity for 18,500.<sup>16</sup>

Political prisoners have reported being targeted with humiliating and degrading treatment and subjected to extremely poor conditions of detention amounting to torture or ill-treatment. This has included being held in cells without access to a toilet or hot water and, in 2023, two political prisoners were reportedly moved to cells infested with bugs and insects, which were constantly illuminated by five neon light bulbs.<sup>17</sup> On September 10, 2024, lawyer Sonia Dahmani was forced to change her outfit before appearing in court for a hearing in her trial, in favour of a degrading and humiliating outfit - wearing a stained cloth - chosen by the prison governor.

Following its visit to Tunisia in 2022, the UN Subcommittee on Torture (SPT) stated that the visit “revealed severe issues of concern to the SPT, including prison overcrowding which prevents the separation of accused and convicted detainees. Police violence also persists because of the impunity of its perpetrators”.<sup>18</sup>

Overcrowding in Tunisian prisons has been attributed to extended delays in the legal process, long sentences and a large proportion of persons detained on remand, awaiting trial.

#### d) Impunity and limited access to justice in the context of systemic violations of migrants’

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<sup>13</sup> Ziad Debbar, President of the National Syndicate of Tunisian Journalists (SNJT), cited in France 24 (3 May 2024), *Tunisian Decree 54 on ‘false news’ stifles dissent: rights groups*, <https://www.france24.com/en/live-news/20240503-tunisian-decree-54-on-false-news-stifles-dissent-rights-groups>.

<sup>14</sup> United Nations Human Rights Office of the High Commissioner (15 October 2024), *Türk calls on Tunisia to uphold rule of law and democratic freedoms*, <https://www.ohchr.org/en/press-releases/2024/10/turk-calls-tunisia-uphold-rule-law-and-democratic-freedoms>.

<sup>15</sup> The United Nations Office in Geneva (15 October 2024), *Tunisia human rights situation* <https://www.unognewsroom.org/story/en/2390/2024-10-15-un-human-rights-spokesperson-liz-throssell-on-the-situation-in-tunisia-1080p>.

<sup>16</sup> World Prison Brief, *Tunisia*, <https://www.prisonstudies.org/country/tunisia>.

<sup>17</sup> Middle East Eye (1 April 2023), <https://www.middleeasteye.net/news/tunisia-political-prisoners-filthy-infested-cells-bad-conditions>.

<sup>18</sup> United Nations Human Rights Office of the High Commissioner (6 April 2022), *Tunisia: Progress made but concerns remain, says UN torture prevention body*, <https://www.ohchr.org/en/press-releases/2022/04/tunisia-progress-made-concerns-remain-says-un-torture-prevention-body>.

## rights

Migrants and asylum seekers have been subjected to alarming treatment, including physical and psychological harm, as well as systematic violations of their right to fair trial and due process in Tunisia. Migrants and refugees are often subjected to arbitrary detention, denied access to legal representation and deprived of fair judicial review. In May 2024, security forces expelled hundreds of migrants and refugees from Tunisia, including women, children and asylum seekers who had camped outside the offices of UNHCR and IOM. This was quickly followed by the arrest and detention of Abderrazek Krimi and Mustafa Djemali, the project director and head of the Tunisian Refugee Council (TRC) respectively, who were interrogated by the criminal brigade police regarding the source of TRC's foreign funding, before being placed in custody and accused of illegally sheltering persons in Tunisia.

UN experts have expressed alarm at reports of human rights violations against migrants, refugees and victims of trafficking during search and rescue operations and transfers to border areas,<sup>19</sup> as well as the arrests and smear campaigns against migrant rights defenders.<sup>20</sup> Six members of civil society are currently in detention for assisting migrants, including representatives of the association Tunisie Terre d'asile, accused of facilitating the illegal residence of migrants. NGOs have also been summoned and subjected to tax inspections, resulting in the immediate freezing of their accounts, hindering their activities.

These actions not only undermine the rights of migrants, refugees, and those advocating for their rights, but also create a chilling effect on civil society organizations. The lack of accountability for such repression signals a broader disregard for international human rights norms, which guarantee the protection of human rights defenders and the fundamental freedoms they champion.

In this context, the European Commission and Tunisia have expressed their desire to establish a stronger operational partnership in the field of migration, the fight against human trafficking and the promotion of legal migration. Human rights experts have warned particularly about the risks of a migration cooperation agreement which “only includes very general language on human rights, and no concrete indication of whether safeguards would be put in place or what those would be”<sup>21</sup>, leading to the probable deterioration of an already critical situation for migrants in Africa<sup>22</sup>. As alerted by Amnesty International “the ongoing cooperation between the European Union (EU), EU member states, and Tunisia on migration control (...) is contributing to human rights violations”.<sup>23</sup> The IFTD focus on Tunisia in 2025 will serve as a timely opportunity to raise awareness among

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<sup>19</sup> United Nations Human Rights Office of the High Commissioner (14 October 2024), *Tunisia: UN experts concerned over safety of migrants, refugees, and victims*, <https://www.ohchr.org/en/press-releases/2024/10/tunisia-un-experts-concerned-over-safety-migrants-refugees-and-victims>.

<sup>20</sup> United Nations Human Rights Office of the High Commissioner (1 October 2024), *Tunisia: UN expert alarmed by arrests and smear campaigns against migrant rights defenders*. <https://www.ohchr.org/en/press-releases/2024/10/tunisia-un-expert-alarmed-arrests-and-smear-campaigns-against-migrant-rights>.

<sup>21</sup> Council of Europe, Commissioner for Human Rights (17 July 2023) *European states' migration co-operation with Tunisia should be subject to clear human rights safeguards*, <https://www.coe.int/en/web/commissioner/-/european-states-migration-co-operation-with-tunisia-should-be-subject-to-clear-human-rights-safeguards>.

<sup>22</sup> African Commission on Human and Peoples' Rights, Intersession report of Ms Salma Sassi-Safer, Commissioner and Special Rapporteur on Refugees, Asylum Seekers, Displaced Persons and Migrants in Africa 79OS (16 May 2024), <https://achpr.au.int/en/intersession-activity-reports/special-rapporteur-refugees-asylum-seekers-displaced-persons-and-2> para. 96.

<sup>23</sup> Amnesty International (October 2024), *Joint statement: Tunisia is not a place of safety for people rescued at sea*, <https://www.amnesty.org/en/latest/news/2024/10/joint-statement-tunisia-is-not-a-place-of-safety-for-people-rescued-at-sea/>.

European authorities of the impact of this agreement on the human rights situation in Tunisia.

**Pressure by international actors, and solidarity and support to the Tunisian legal community, remain crucial to improve the human rights situation in Tunisia. The 2025 IFTD offers a concrete opportunity for dialogue, and promises to have a strong impact with strategic analysis of policy and systemic conditions.**

### **Call for nominations for the Ebru Timtik Award**

The Steering Group of the IFTD also invites nominations of one or more individual(s) or an organisation for the Ebru Timtik Award from amongst those who have demonstrated outstanding commitment and sacrifice in upholding fundamental values related to the right to a fair trial in Tunisia. The individual(s) or organisation nominated for the award must be or have been active in defending and or promoting the right to a fair trial in Tunisia through either a recent outstanding piece of work in relation to this fundamental right or their distinguished long-term involvement in fair trial issues.

The deadline for nominations is **1 May 2025**. Nominations are welcomed from organisations, or groups of individuals supported by an organisation (see point 3 below). Nominations must be submitted in English to [nominationsetaward@gmail.com](mailto:nominationsetaward@gmail.com) and include:

- (1) the candidate's detailed biography
- (2) a letter signed by the nominating organisation/group of individuals explaining the reasons why they/it consider(s) that the candidate should be granted the Award, and
- (3) one recommendation/supporting letter from an unrelated, external organisation, if the application is submitted by a group of individuals.

For full details of the award criteria and process, please see "[Selection criteria for the grant of the Ebru Timtik Fair Trial Award](#)". After the deadline, a jury composed of independent experts on the right to a fair trial, including one or more from the focus country, will review and assess the nominations and determine the award recipient(s).

\*The Steering Group for the International Fair Trial Day and Ebru Timtik Award is comprised of the following organisations:

- Avocats Européens Démocrates/European Democratic Lawyers (AED)
- Bar Human Rights Committee of England and Wales (BHRC)
- Conseil national des barreaux/National Council of Bars (CNB)
- Consiglio Nazionale Forense/National Bar Council of Italy (CNF)
- Çağdaş Hukukçular Derneği/Progressive Lawyers' Association (ÇHD)
- Défense Sans Frontières – Avocats Solidaires (DSF-AS)
- European Association of Lawyers for Democracy and World Human Rights (ELDH)
- Federation Barreaux d'Europe/Federation of European Bars (FBE)

- The International Association of Democratic Lawyers (IADL)
- International Bar Association Human Rights Institute (IBAHRI)
- International Commission of Jurists (ICJ)
- International Observatory for Lawyers in Danger (OIAD)
- Lawyers for Lawyers (L4L)
- Ordine degli Avvocati di Bologna/Bologna Bar Association
- Özgürlük İçin Hukukçular Derneği/Association of Lawyers for Freedom (ÖHD)
- Republikanischer Anwaltinnen- und Anwalteverein eV/Republican Lawyers Association (RAV)
- The Law Society of England and Wales (LSEW)
- Institut pour l'État de Droit de l'Union Internationale des Avocats/The Institute for the Rule of Law of the International Association of Lawyers (UIA-IROL)