

URGENT ACTION

PROMINENT JOURNALIST ARBITRARILY DETAINED

Journalist Mohamed Boughalleb has been arbitrarily detained since his arrest by security forces on 22 March 2024 following a complaint by a senior official of the Ministry of Religious Affairs. The complaint was based on comments Mohamed Boughalleb's made publicly on his social media page as well as on TV and radio shows, questioning spending by the Ministry of Religious Affairs. He was subsequently convicted and sentenced to eight months in prison for defaming the official. He is also arbitrarily held in pre-trial detention in a separate case under Decree-Law 2022-54 on Cybercrimes, also in connection with his public comments. His health has severely deteriorated during his detention, amid the failure of the authorities to grant him access to adequate healthcare. The Tunisian authorities must immediately and unconditionally release Mohamed Boughalleb as he is detained solely for peacefully exercising his right to freedom of expression.

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 express my grave concern over the prolonged arbitrary detention of 60-year-old journalist Mohamed Boughalleb since March 2024 solely for peacefully exercising his human rights. Security forces arrested him on 22 March based on a complaint submitted by a senior official of the Ministry of Religious Affairs after Mohamed Boughalleb publicly questioned the ministry's spending.

On 26 March 2024, the public prosecutor at the Tunis Court of First Instance charged Mohamed Boughalleb with "attributing illegal acts to a public official without providing evidence" and "insulting others or disturbing their comfort through public telecommunications networks" under Articles 128 of the Penal Code and 86 of the Telecommunications Code, respectively. On 17 April, Mohamed Boughalleb was convicted and sentenced to six months in prison; his sentence was increased to eight months by the Tunis Court of Appeal on 28 June 2024. On 5 April 2024, an investigative judge at the Tunis Court of First Instance charged Mohamed Boughalleb in a separate case under article 24 of Decree-Law 2022-54 on Cybercrimes for "using telecommunications networks to produce, send, or disseminate "fake news" or "rumours;" to harm, defame, or incite violence against others" following a complaint from a professor claiming that Mohamed Boughalleb "insulted" her on Facebook. Mohamed Boughalleb has maintained that the comments she claimed were "insulting" were not made from his account. The judge issued a pre-trial detention order in connection to these charges.

Mohamed Boughalleb's health has severely deteriorated during his unjust detention. He suffers from chronic illnesses such as diabetes and high blood pressure; and developed prostate problems. His diabetes has worsened in prison, triggering repeated infections. His eyesight and hearing were severely impacted. Despite this, he has not been granted access to adequate medical care in prison, including his daily medicine and regular medical examinations. On 4 November 2024, Mohamed Boughalleb was transferred from his prison cell to another wing of El Mornaguia prison where conditions are worse due to overcrowding.

I urge you to ensure the immediate and unconditional release of Mohamed Boughalleb as he is detained solely for the peaceful exercise of his human rights. Pending his release, I call on you to ensure that he is held in conditions meeting international standards for the treatment of prisoners and granted regular access to adequate healthcare. Moreover, I call on the Tunisian authorities to cease targeted arrests of critics, journalists and political opponents for the peaceful exercise of their rights to freedom of expression.

Yours sincerely,

ADDITIONAL INFORMATION

Mohamed Boughalleb is a prominent Tunisian journalist. He has been vocal in frequently criticizing the president and other officials during TV and radio shows including accusing them of bad governance and corruption. Despite serving his unjust eight months prison sentence, Mohamed Boughalleb remains arbitrarily detained in relation to a separate case. In April 2024, a judge ordered his pre-trial detention on bogus charges of spreading false news on the basis of Article 24 of Decree Law 2022-54 on Cybercrimes. He is accused of insulting an individual on his social media page. However, according to his lawyers, he was not the author of the post in question or the owner of the social media page. On 11 February 2025, the Tunis Cassation Court is scheduled to decide whether to refer this case to trial or drop the charges against him. He risks five years in prison and a fine of 50,000 Dinars (around 16,000 USD) under Article 24 which criminalizes using telecommunications networks to produce, send, or disseminate “fake news,” “false data,” “false rumours,” or “fake, falsified, or falsely attributed documents” to harm, defame, or incite violence against others, or to undermine public safety or national defence, spread fear, or incite hatred.

Since May 2024, Tunisian authorities have further ramped up their [crackdown](#) on media and the right to freedom of expression, convicting two journalists and a media channel founder and sentencing them to prison terms, detaining and prosecuting another media figure and intimidating private media. On 22 May, the Tunis First Instance Court [sentenced](#) Borhen Bsaies and Mourad Zeghidi, both prominent journalists, to a year in prison under article 24 of [Decree-Law 2022-54 on Cybercrimes](#), in separate cases. The next day, the same court handed [media founder](#) and tech activist Houssein Hajlaoui a nine-month suspended prison sentence in relation to his online expression after detaining him for 11 days. On 11 May 2024, [Sonia Dahmani](#), a lawyer and media commentator and Bsaies' and Zeghidi's colleague on the popular daily program “Emission Impossible” on the private radio station IFM, was also arrested under Decree-Law 2022-54 on Cybercrimes. On 6 July 2024, the Tunis Court of First Instance sentenced Sonia Dahmani to a year in prison, reduced to eight months in appeal, for making an ironic comment on the situation of migrants in Tunisia during a TV show. On 24 October 2024, the same court sentenced her to an additional two years in prison in a separate case for highlighting racist and discriminatory practices in Tunisia. All three remained arbitrarily detained.

Since its promulgation in September 2022, authorities have been using [Decree-Law 2022-54](#) to target individuals exercising their right to freedom of expression. Decree-Law 2022-54 contravenes human rights treaties including the provisions of the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights to which Tunisia is a state party. Both Article 9 of the Charter and Article 19 of the Covenant guarantee the right to freedom of expression. Restrictions on the right based on ambiguous, overly broad terms such as “fake news” and other repressive provisions of the cybercrime law fail to meet the requirements of legality, necessity and proportionality.

On 25 July 2021, President Kais Saied claimed emergency powers, claiming these were granted to him by Tunisia's 2014 Constitution. Since February 2022, the human rights situation in Tunisia has been rapidly [deteriorating](#) as several opposition figures, dissidents, perceived enemies of the president and critics of the government have been targeted and harassed. Authorities have carried out successive waves of arrests targeted political opponents and perceived critics of President Kais Saied. Over 70 people, including [political opponents](#), [lawyers](#), [journalists](#), [activists](#) and [human rights defenders](#) have been subjected to arbitrary prosecutions and/or arbitrary detention since the end of 2022 in connection with the exercise of their internationally guaranteed rights such as the rights to freedom of expression, peaceful assembly and association. The crackdown on opposition and critics is a flagrant attack on the rule of law and human rights including the rights to freedom of expression, association and peaceful assembly in Tunisia, rights protected under Articles 19, 21 and 22 of the International Covenant on Civil and Political Rights and Articles 9, 10 and 11 of the African Charter on Human and Peoples' Rights.

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: 24 June 2025.

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Mohamed Boughalleb (he/him).