

Chadha Haj Mbarek or how the Tunisian authorities are attacking freedom of expression

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Journalist Chadha Haj Mbarek was arrested in early October 2021, in connection with the so-called “Instalingo company” case. She was accused of plotting against state security, undermining public order and insulting the President of the Republic, all of which are charges brought against many activists by the current regime since July 25, 2021, when Kaïs Saïed imposed his state of emergency. Her family was ill-treated, her father and her two brothers arrested and then released, before the examining magistrate decided to release her as well and drop the charges against her last summer. However, the public prosecutor decided to appeal, and three times appointed an examining magistrate to ensure that she remained in detention.

Lawyers and the Journalists’ Union were alarmed by Chadha Haj Mbarek’s precarious state of health, with several illnesses, including kidney disease and hearing loss, resulting from neglect and treatment in prison.

Chadha Haj Mbarek’s arrest is part of a systematic campaign launched by Tunisia’s current regime against freedom of expression, notably through Decree 54, which has hit journalists and bloggers such as Khalifa Guesmi, sentenced to five years in prison for publishing information he had obtained from a security source, and columnist and lawyer Sonia Dahmani, prosecuted following a complaint lodged against her by the Minister of Justice, Leila Jaffel, for her statements on the state of Tunisian prisons.

On January 4, 2024, the International Federation of Journalists sent an open letter to President Kaïs Saïed calling on him to use all his powers to uphold the Constitution, protect press freedom and release journalists Chadha Haj Mbarek and Khalifa Guesmi ; it demanded that he “put an end to the arbitrary adoption of laws and decrees that violate the procedures for prosecuting journalists”.

The Committee for the Respect of Freedoms and Human Rights in Tunisia (CRLDHT), which monitors the continuing deterioration of freedoms and attempts to silence, intimidate and prevent any critical or independent voice from expressing itself through the use of judicial power:

- holds the Tunisian authorities responsible for the deterioration in the journalist’s state of health. It reminds them of their international obligations and denounces their violation of all conventions guaranteeing the right of detainees to receive the necessary care and not to expose them to neglect and abuse.
- It also calls on the Tunisian authorities to release journalists Chadha Haj Mbarek, Khalifa Guesmi and all prisoners of conscience, to repeal Decree 54 which restricts freedoms, and to stop using the law against journalists, politicians, bloggers, businessmen and activists.
- Furthermore, it calls on human rights organizations and all democratic forces in the Maghreb and around the world to support prisoners of conscience in Tunisia and demand their release.

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