



MONTHLY BULLETIN

The Specialised Criminal Chambers in Transitional Justice in Tunisia

These newsletters aim to shed light on trial proceedings and integrate diverse narratives to highlight victims' experiences by combining legal analysis and lived-experiences. They seek to foster public engagement and raise collective awareness while emphasizing the importance of accountability and supporting victim-led efforts. This initiative comes to bridge the gap between technical judicial reporting, with a focus on providing more accessible and comprehensive resources to the broader public, including victims and grassroots organizations, to ensure that their voices are adequately heard. The initiative may also serve as an advocacy tool.

This work stems from the sacrifices and documentation efforts of victims themselves, affirming their unwavering commitment and enduring pursuit of truth and the completion of the transitional justice process in Tunisia.

IN THIS ISSUE:

- Monthly Statistics at a Glance
- This Month's Highlight
- Legal Brief
- In Focus

THE TUNIS SPECIALIZED CRIMINAL CHAMBER IN TRANSITIONAL JUSTICE
March 2025 Sessions and Postponement Schedule

5

March 03 session postponed to May 29, 2025	March 06 session postponed to June 02, 2025	March 10 session postponed to June 05, 2025	March 13 session postponed to June 09, 2025
• Case No. 19 - Hamida Ajengui, Fatma Mathlouthi and Salma Farhat • Case No. 28 - Abuses against Leftists (1974-1975)	• Case No. 06 - Martyr Anis Farhani (Revolution Events) • Case No. 14 - 25 Martyrs (Revolution Events) and 13 Victims (including Rached Aoun, Jamel Alouane, Malek Habachi, Khaled Neffati, Abdeljalil Nouri and Helmi Mannai)	• Case No. 01 - Martyr Mouldi Ben Amor • Case No. 05 - Martyr Sohnoun Jouhri • Case No. 29 - Martyr Abdelbasset Khadhraoui and fellow Victims of the Revolution events	• Case No. 32 - Events of Black Thursday - January 26, 1978 • Case No. 33 - Unionists, Events of Black Thursday - January 26, 1978 • Case No. 84 - The late Kaddour Ben Yohret and others
March 17 session postponed to April 28, 2025	March 24 session postponed to May 05, 2025	March 27 session postponed to May 12, 2025	
• Case No. 09 - Martyr Adnan Ben Said and Victim Boubaker Kallali • Case No. 22 - Martyr Major Mohamed Mansouri • Case No. 69 - Bar President Bechir Essid	• Case No. 04 - Rached Jaïdane • Case No. 23 - Mohamed Koussaï Jaïbi • Case No. 30 - Victims of gross violations in the context of trials of Islamists from 1986 to 2005	• Case No. 07 - Barraket Sahel Group • Case No. 41 - The late Habib Jebali • Case No. 57 - The late Cherif Laaridhi	
• Cases Concerning Violations of Bodily Integrity • Cases Concerning Violations of the Right to Life			

Session adjournments range from a minimum of 42 days to a maximum of 88 days

For the record:

Following two consecutive blank judicial years due to insufficient *quorum* requirements in the Tunis SCC, judicial proceedings have officially resumed as of March 17, 2025. This resumption was accompanied by some modifications to the Chamber's functioning, mainly consisting of the following:

- By virtue of a working memorandum issued by the Ministry of Justice on March 11, 2025, transitional justice files pending before the Tunis SCC have been reassigned to the jurisdiction of the Third Criminal Chamber.
- The hearing calendar has been condensed from a bi-weekly into a weekly schedule, with the Chamber now convening exclusively on Mondays at 09:00 a.m. in Courtroom No. 01. Cases that were previously scheduled for hearings on Thursdays have been transferred to the Monday sessions.
- The session adjournment delays in TJ cases have been reduced, with the time frame decreasing from approximately three months to five weeks.

Women without freedom: A history of gendered abuse (1955-2013)

The Truth and Dignity Commission's final report documented an alarming scope of violations against women through previous regimes. The Commission received a total of 14,057 files submitted by female victims, detailing 23,717 instances of abuse.

As for testimonies, they were collected during both public and confidential hearings. In this regard, on March 10, 2017 - coinciding with International Women's Rights Day - the Commission held its landmark seventh public hearing specifically to spotlight the stories of women who endured the following forms of abuse:



1. Seizing Freedom of Belief and Dress: The Systematic Persecution Of Veiled Women

Under both the Bourguiba and Ben Ali regimes, the state waged systematic campaigns against freedom of religious expression and dress. A total of 3,099 files related to these violations were received by the TDC, of which 37% were submitted by women.

These campaigns targeted hundreds of thousands of Tunisian women, especially affecting female students, workers, and housewives alike - many of whom had no political affiliations whatsoever.

Documented consequences:

- Denial of the right to work and earn a livelihood;
- Obstruction of access to education;
- Restriction of freedom of movement;
- Arbitrary arrest and detention;
- Forced removal of the veil in public spaces;
- Persistent harassment and intimidation by security forces.

These abuses were institutionalized through a series of administrative circulars issued by various ministries over the years, including:

Circular No. 22 (1981), issued by Prime Minister Mohamed Mzali, directed ministers to monitor the attire of civil servants in administrations and public institutions. The circular warned against « departing from traditional dress codes » and condemned the veil as « anachronistic sectarian attire ».

Circular No. 108 (1981), issued by the Minister of National Education, Mohamed Fredj Chedly, reinforcing the above and labeling the veil as « a form of deviance » and « extremist, destructive appearance » that « contradicts the Supreme Fighter's [Bourguiba's] vision ».

Circular No. 102 (1986), issued by Minister of National Education, Amor Chedly, on the appearance of teachers, administrative agents and pupils.

Subsequent circulars followed, extending the restrictions to the security apparatus, universities, and healthcare settings:

- **No. 81 (1986)** – Ministry of Interior (Zine El Abidine Ben Ali)
- **No. 76 (1987)** – Ministry of National Education (Amor Chedly)
- **No. 35/1 (2001)** – Ministry of Education (Moncer Rouissi)
- **Nos. 35 (2001), 70 and 80 (2002)** – Ministry of Higher Education (Sadok Chaabane)
- **No. 98 (2003)** – Ministry of Health (Habib Mbarek)

2. Silencing Voices: The Ordeal of Women Activists

In the dark chapters of Tunisia's journey through repression and authoritarianism, women opposition figures endured calculated campaigns of silencing:

During the **Bourguiba era**, dealing with opposition was characterized by a systematic policy of excluding women activists and targeting women from various political and intellectual orientations. Female dissidents faced severe reprisals, and arbitrary arrests and prosecutions included:

- Women supporters of the 1956 armed resistance efforts were charged with grave national security offenses, including conspiracy, weapons possession, failure to declare the formation of a saboteurs' gang, and homicide;
- Female members of the Husseini family were subjected to politically motivated trials for alleged conspiracy, embezzlement of funds and confiscation of jewelry belonging to the former Bey's family;
- Women activists affiliated with the leftist opposition movement Perspectives – El Amel Ettounsi faced charges of conspiracy against the state, dissemination of false information, and defamation of the head of state.

Female detainees during this period endured brutal torture within the Ministry of Interior's headquarters as well as detention centers and state security facilities.

The subsequent **Ben Ali regime** intensified these practices over its 23-year rule, utilizing both state security apparatus and the Democratic Constitutional Rally (ruling party) networks to intimidate activists. The regime imposed severe suffering on thousands of women through night-time raids on family homes, arbitrary arrests, physical torture, sexual and psychological harassment, and sham trials lacking basic procedural safeguards. Were particularly targeted:

- Female students, whether affiliated with the Tunisian General Union of Students or the General Union of Tunisia's Students, were prosecuted as part of the ban on party pluralism and suspension of student activities and protests;
- Women protesters from the villages of the Gafsa mining basin who took part in the 2008 popular uprising were subjected to serious human rights violations;
- Women involved in the course of the 2011 revolution were subjected to numerous violations and physical assault that sometimes resulted in death. Some female protesters were shot, while others were fired upon in front of or inside their homes.

The Grim Legacy: 58 Years of Gendered Patterns of Repression

- **Methodical Violence Across Political Movements:** Regardless of ideology, politically active women endured identical patterns of multi-dimensional violence (political, physical, psychological, verbal, sexual, economic);
- **Imprisonment, torture and repeated humiliation** as standard operating practices;
- **Sexual Violence as Political Weapon:** Documented cases of sexual assault, forced nudity and rape, or threats thereof (against women, men, and children) sometimes in front of family members, within police stations, Interior Ministry premises and prisons, reveal the strategic use of sexual humiliation against women, in addition to cases of forced abortion, representing the ultimate violation of bodily integrity;
- **Medical Neglect as Punishment** through systematic denial of healthcare rights and medical treatment in hospitals;
- **Pervasive Surveillance** through suffocating daily monitoring and intrusive administrative and security inspections;
- **Educational Exclusion:** Targeted academic discrimination barring women from accessing secondary schools, universities and national qualification examinations (such as the Bar admission exam), creating lifelong economic consequences;
- **Economic Strangulation:** Permanent blacklisting from public sector employment records, arbitrary dismissals from work, and reputation sabotage;
- **Movement Restriction:** Confinement through internal restrictions (between regions) and international travel bans, passport confiscations and humiliating regular police check-ins;
- **Family Targeting:** Strategic intimidation of family members (harassment, night-time home invasions and arrests);
- **Weaponizing Marital Bonds:** The state interfered in intimate relationships, with the aim of extracting information and humiliation through torture and assaults on one or both spouses, and resorted to forced divorce of spouses among political opponents: of 340 documented cases pressured to separate, 57% ended in divorce, while 43% refused;
- **Judicial Persecution:** Women were prosecuted for their involvement in union activities, political parties, and demonstrations (the TDC documented 229 political trials targeting women). Fabricated charges often led to harsh prison sentences.

Impunity Watch, *Transitional Justice in Tunisia from the Perspective of Women Victims*, Country Report, 2023, available via: https://www.impunitywatch.org/wp-content/uploads/2023/06/Tunisia_victim_participation_ENI.pdf

3. From Family Comfort To State Control: The Weaponization Of The « Quffa »

For women, victimhood extends beyond direct harm to include indirect suffering related to violations experienced by husbands, children, fathers, and siblings. This is legally formalized in Organic Law No. 53 of 2013, which defines a victim as any individual having suffered harm as a result of a violation, and explicitly recognizes family members who suffered harm due to their kinship with a victim. Within this framework of expanded victimhood, the regime's repression reached beyond prison walls, as it did not merely imprison dissidents but deliberately punished their families.

Visitation rights were transformed into instruments of collective punishment and weaponized to fracture family bonds. For countless Tunisian women, the journey to see imprisoned loved ones constituted one of the most profound forms of hardship. The *quffa* (prison parcel) was not just a means of delivering food, clothing, or cigarettes. It represented an act of silent resistance against systemic oppression by mothers, wives, daughters and sisters - an expression of an unbroken connection despite walls, wires, and repression.

This came at significant personal costs. Women prepared these parcels with care and hope, often with no guarantee of reaching the prisoner or being permitted entry themselves. Many traveled great distances, shouldered financial burdens, and were systematically humiliated at prison gates, where guards mercilessly searched the parcels, violated their privacy, and deliberately damaged their contents.

Women within Tunisia's TJ Legal Framework

The Recognition of Gender-Specific Urgent Remedies	Major Implementation Gaps
The specific nature of violations against women in Tunisia is recognized through Organic Law No. 53 of 2013 on Establishing and Organizing Transitional Justice. Article 12 mandates that: « The State shall provide immediate care and temporary compensation to all the victims in need thereof, particularly the elderly, the women, the children, the disabled and individuals with special needs, the sick and vulnerable groups, without waiting for the reparations decisions or judgments to be issued ».	Lack of Immediate Compensation: The only disbursements occurred prior to Law No. 53 and were distributed without special consideration for women's unique circumstances.
	Institutional Failures: Successive governments have failed to operationalize the Dignity Fund, to establish a parliamentary compensation body and to implement the TDC's recommendations.
	Absence of Support Systems: No psychological, social, or economic support mechanisms have been established for women victims.
	Lack of Symbolic Reparations: The state issued no official apologies, explicit acknowledgment of women-specific violations, and there were no initiatives for archiving and commemoration of women's experiences.
	Direct/Indirect Victim Classification Limitations: The Organic Law classification fails to adequately capture women's experiences (e.g. wives who experienced distinct violations but are not recognized as independent victims).

In Focus

Women's Participation in Tunisia's TJ Process

From Grassroots to Governance



Leading the Way: Women in Leadership Roles

Women assumed pivotal leadership positions within Tunisia's Truth and Dignity Commission, presiding over the entire Commission and chairing three out of its six specialized Sub-Commissions: the Inquest and Investigation Sub-Commission, the Reparations and Rehabilitation Sub-Commission as well as the dedicated Women's Sub-Commission. Their involvement at this level was instrumental in **embedding gender-sensitive approaches** throughout the TJ process, **paving the way for more meaningful participation by women from civil society organizations and female survivors of human rights violations.**

Building Bridges: Women as Civil Society Liaisons

Women-led civil society organizations served as crucial intermediaries, connecting grassroots communities with official TJ institutions. Their engagement enhanced the credibility and accessibility of the process through targeted awareness campaigns emphasising the importance of the TJ process and women's status within it, identifying and addressing gender-specific barriers as well as providing evidence-based recommendations to the TDC. **Their fieldwork yielded remarkable results, with a fivefold increase in women's participation levels.** The percentage of **testimonies** submitted by female victims to the TDC **quintupled from 5% in 2014 to 23% by 2016, ensuring a more comprehensive accounting of abuses through previous regimes and integrating women's experiences into the retelling of Tunisian history.**

Bearing Witness: Women Victims Sharing their Stories

The Tunisian transitional justice process expanded the concept of victimhood to encompass a diverse range of women's experiences. Through a wider spectrum of victimhood, abuses include:

- **Direct violations** (Sexual violence, imprisonment, torture)
- **Gendered harms** (Daily harassment, forcible removal of the veil)
- **Indirect violations** (Socio-economic abuses, expulsion from school, dismissal from work, the imprisonment of relatives, disruptive security checks)

However, a number of barriers to women's full participation remained:

Exclusion and Underrepresentation

- Male dominance notably at the implementation level;
- Insufficient outreach to less engaged and harder-to-reach groups - particularly women in marginalized regions;
- Self-exclusion by victims who felt unable to participate due to limited education or awareness of the process.

Communication-Related Challenges

- Limited knowledge of the transitional justice process, required procedures, and necessary documentation for filing cases;
- Reduced visibility for non-politicized victims who were not affiliated with established victims' associations or networks.

Psychological and Social Barriers

- Persistent feelings of shame and stigma surrounding gender-specific violations;
- The emotional toll and risk of retraumatization during public testimonies or when recounting abuses to strangers;
- Concerns that the expanded definition of victimhood created a *de facto* hierarchy of suffering.

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 We kindly invite you to:

- ◆ **Explore** the insights and analysis featured in this issue ;
- ◆ **Share** this newsletter with colleagues and partners in the legal and human rights communities to foster a broader dialogue on transitional justice ;
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*Your participation strengthens our collective commitment
to justice and accountability.*