



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.

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Throughout May 2025, **only the Tunis SCC continued to hold regular sessions (every Monday). The remaining 12 chambers, however, remained at a standstill.** Meanwhile, one non-specialized criminal chamber within the Tunis Court continued to automatically postpone TJ hearings, without providing any justification or details pertaining to the cases, on Thursdays, May 08, 15, 22, and 29. As a result, there has been **no substantive progress across 60 pending cases, with delays ranging from 11 to 126 days.** For the families and survivors seeking justice, the wait only grows longer – further slowed by :

- The lack of essential technical courtroom equipment, such as microphones – making it difficult to follow proceedings, particularly for elderly victims and alleged perpetrators.
- A notable decline in attendance by key parties : victims, witnesses, alleged perpetrators, and legal representatives.
- The visible drop in documentation efforts compared to earlier periods.
- The chamber's continued failure to reach the legal *quorum*, along with the need for specialized training in TJ.

Below is a detailed account of the sessions held by the Tunis SCC in May 2025:

Session	Case	Observations
Monday, May 05, 2025 4 cases All postponed to: June 30, 2025 Very low attendance No lawyers present A representative of the World Organization Against Torture (OMCT - Tunisia) was present	Case No. 04	• Mr. Rached Jaïdane appeared in court and reaffirmed his previous statements. The representative of OMCT - Tunisia was present alongside him. Some of the alleged perpetrators were also in attendance. • The hearing was postponed pending the execution of a preparatory ruling.
	Case No. 08	• The mother of martyr Essifi attended, holding a photograph of her son. The widow of another martyr (Revolution events in Kram West) also appeared. Both reiterated their earlier testimonies. Other civil parties were absent. Some of the alleged perpetrators were present and reaffirmed their prior statements. • The presiding judge requested an update on the outcome of related past trials.
	Case No. 23	• Mr. Mohamed Koussai Jaïbi was absent, having already testified in a previous session. • The representative of OMCT - Tunisia attended. • Only some of the accused were present – all of whom had previously been questioned. No other parties were in attendance.
	Case No. 30	• This case involves over 90 alleged perpetrators and more than 30 victims, covering violations committed between 1986 and 2005. • Mr. Bechir El Khalfi appeared and reaffirmed his earlier statements, urging the court to take necessary measures to summon and question the accused and to ensure accountability. • Some of the alleged perpetrators were present. Those previously interrogated confirmed their earlier statements. Others, who had not yet been questioned, were also in attendance. One defendant requested court-appointed legal aid due to financial hardship. The court had previously reached out to the Bar Association on this matter but had yet to receive a response.
Monday, May 12, 2025 5 cases All postponed to : July 7, 2025 Near-total absence of victims' families, alleged perpetrators, and witnesses Limited presence of lawyers	Case No. 03/55	• No one from the family of the student martyr Ahmed Amri / Azizi was present, nor any legal representative on their behalf. • None of the alleged perpetrators or witnesses appeared. Only the lawyer representing the main accused attended and requested a postponement to secure their client's presence.
	Case No. 12	• No one from the family of martyr Taieb Khammassi or their legal representatives appeared, nor did any witnesses. • One alleged perpetrator and his lawyer attended, requesting a postponement to allow for the continuation of their client's questioning.
	Case No. 41	• Neither Ms. Aroussia Kaabi, widow of the late Habib Jebali, nor any family members or legal representatives were present. None of the alleged perpetrators or witnesses attended the session either.
	Case No. 57	• The brother of the late Cherif Laaridhi was the sole attendee. He submitted documents to be added to the case file. No legal counsel was present, and none of the accused or witnesses appeared.
	Case No. 86	• This case concerns violations committed against leftist activists in 1987. • There was no attendance from victims' families, legal representatives, or witnesses. All of the alleged perpetrators were absent as well.
Note – Case No. 07 : Barraket Essahel Group This case had originally been scheduled for May 12 but was rescheduled to March 24 at the request of a defense lawyer in order to lift a travel ban on her client. The case has since been postponed to June 02, 2025.		

Session	Case	Observations
Monday, May 19, 2025 11 cases All postponed to: September 22, 2025 Limited attendance overall Near-total absence of lawyers Observers present from the UN OHCHR, OMCT and Avocats Sans Frontières, as well as several civil society activists. The session was followed by a peaceful gathering outside the Ministry of Justice, to denounce ongoing impunity and demand accountability.	Case No. 13	- Mr. Najib Mrad appeared in court and reaffirmed his previous testimony. He stressed that TJ cases have now entered their seventh year without resolution, which has directly discouraged victims and their families from continuing to engage. He emphasized that delivering rulings in these cases – especially those ready for judgment, like his – is not only a matter of justice, but of national interest, and once again called for accountability for everyone who subjected him to torture. - No one from the family of martyr Fathi Khiari, nor any of the other victims in the case (Kais Founi, Mohamed Fouzi and Samir Bentili) or their legal representatives, was present. - Some of the alleged perpetrators appeared and categorically denied involvement in torture, in this or any other case. - The presiding judge stated that she had assumed her position two months ago and is currently working on implementing preparatory rulings and issuing summonses to absentees. She added that while many official correspondences with the Ministry of Interior had received responses, the chamber still lacks confirmed identities or addresses of several key alleged perpetrators.
	Case No. 34	- Several victims of the 1984 Bread Riots (Grand Tunis) attended the session and called for expedited proceedings, stressing that most of them have either passed away or are now too ill to participate. They noted that many of the alleged perpetrators have died, while the former Minister of Interior continues to refuse to appear before the chamber. - None of the alleged perpetrators or their legal representatives were present. - Attorney Monia Bouali appeared on behalf of Ms. Kalthoum Kannou and Naziha Boudhib, reiterating the call to expedite the case and emphasizing the need for proper transitional justice training to avoid future appeals. The judge confirmed that efforts to prepare final rulings are ongoing.
	Case No. 116	Mr. Mohamed Karim Ben Jemia attended the session, but no representative from the municipality of La Marsa appeared, and no response had been received to the chamber's earlier correspondence.
	Case No. 127	Ali Kasmi was in attendance and reaffirmed his previous statements. His lawyer, the alleged perpetrator, and his legal representative were all absent.
	Cases Nos. 16, 17, 62, 111, 112, 125 and 126	No victims, witnesses, or legal representatives were present in the following cases: None of the rights holders, witnesses, or their legal representatives appeared in the cases of Mohamed Amer Deguechi, Mohamed Chedly Bouaziz, Mohamed Ali Abd El Aal and Amor Ben Ali Abd El Aal, Mohamed Jalel Eddine Ben Hassine, Said Ben Mohamed Chedly Hassine, Salah Ben Chaabane, and Abdelwaheb Ouertani.
Monday, May 26, 2025 16 cases All postponed to: September 29, 2025 Weak attendance overall Limited presence of lawyers	Cases Nos. 58, 59, 63, and 64	No victims, accused, representatives, or witnesses attended in the cases concerning Taieb Akremi, the late Adel Toumi, Abderrahmen El Echi, Riadh El Allali, Salah Arfaoui, Abderrazak Ben Aziz, and Anis Jelassi.
	Cases Nos. 15, 21, 26, 56, 60, 61, 65, 66, 67, and 68	- There was a complete absence of all concerned parties: no victims, legal representatives, or witnesses appeared in court for the cases concerning martyr Moncef Zarrouk and victim Mohamed Hedi Zemzemi, martyr Hssan Mbarki, Rachida Kouki, Hachmi Mekki, El Waqf Essoufi, Mohamed Khrif, Mohamed Amin Oueslati, Mohamed Amine Oueslati, Hatem Mouaffak, Chrif Metaalak, and the late Sadok Hichri. Similarly, no alleged perpetrators or their legal representatives attended. - The Ministry of Interior and the General Directorate of Prisons and Rehabilitation have not responded to the chamber's correspondence. - Several court summonses have not been received by the intended parties. - Additional formalities remain pending, including obtaining death certificates, appeal rulings, and enforcement of preparatory judgments.
	Cases Nos. 76 and 79	In both of these corruption cases, legal counsel attended but victims and alleged perpetrators were absent.

Case Status and Summary

Sixty cases

All postponed

Seven years and counting without justice

Overview of the judicial accountability process : Seven years on, and the gavel has yet to fall

The SCCs play a pivotal role that extends beyond accountability, to memory preservation, institutional reform, truth, and non-recurrence guarantees. Despite a promising start in 2018, the judicial accountability process now appears stuck in a cycle of repeated postponements with seven difficult years passing without final rulings. The first TJ case hearing took place on May 29, 2018, before the specialized criminal chamber in Gabès, drawing a large crowd of associations, organizations, and the “Caravans of Truth” initiative. This moment sparked renewed hope for victims, survivors, and their families – a symbol of long-awaited justice. However, this momentum faded as numerous challenges arose:

Challenges pertaining to fair trial guarantees

- **Lengthy litigation and stalled progress** : Many TJ cases have exceeded twenty hearings without significant developments. These delays fundamentally violate victims' rights and raise serious questions about adherence to constitutionally guaranteed safeguards – especially **the right to a fair trial within a reasonable timeframe**, an essential human right. Moreover, the pace of judicial work fails to reflect the exceptional nature of TJ. It is worth noting that the absence of the accused does not prevent the chambers from issuing rulings if it is legally established that they were properly summoned or could not be reached, contrary to civil procedures.
- **Weak investigations and case file readiness** : The Truth and Dignity Commission referred 131 files to the SCCs by means of referral decisions. These included cases lacking indictments, with incomplete or vague accusations, some involving deceased persons, or relying on photocopies of older files. In this regard, two scenarios must be distinguished. In cases of **weak or superficial investigations**, the chamber may remedy shortcomings through supplementary investigative measures as allowed by law. Where **investigations are completely absent**, the only solution is to refer the case back to the investigation stage through an investigating judge. It is also worth noting an **additional problem** facing some cases, particularly those relating to remote periods of time: the **absence or death of most of the parties concerned hinders fact-finding due to the lack of first-hand, live testimony**.

Chamber-related concerns

- **Judicial appointments and the quorum crisis** : The 2022/2023 judicial rotation was not carried out – an unprecedented development which enabled a slight stability in chambers' composition, and allowed for several testimonies from victims and those perpetrators who did appear. The year 2023/2024 was a blank year, as a result of the rotation affecting 7 out of 13 SCC presidents as well as judges from all chambers. Transfers resumed again in 2024/2025, but by virtue of Ministry of Justice memoranda rather than the annual rotation, stalling chamber operations for the second consecutive year. Additionally, SCCs' composition is not consistent with the requirements outlined in Organic Law No. 53 of 2013, notably in light of the lack of oversight by the High Judicial Council and specialized training in TJ. Hearings are thus repeatedly adjourned due to the lack of legal *quorum*.
- **The ongoing operational standstill, and its lone exception** : In March 2025, judges were appointed pursuant to a working memorandum to resume the work of the Tunis SCC only, which is handling approximately 62% of all TJ cases. Despite this resumption, the number of hearing days was reduced from two to one day a week, in the absence of testimony from witnesses or claimants and questioning of the alleged perpetrators.

Procedural and administrative issues

The genuine will to pursue alleged perpetrators is lacking, reflected in **the failure to execute summonses, arrest warrants, and travel bans**, all hindering judicial accountability. Hesitation is also observed in activating mechanisms to sanction those deliberately obstructing justice, such as Article 110 of the Criminal Code (up to six months' imprisonment for the deliberate failure to arrest an accused individual) and Organic Law No. 10 of 2017 (considering obstruction of judicial decisions a form of corruption). It is worth mentioning the possibility of resorting to international actors, such as UN Special Rapporteurs, to help expedite transitional justice mechanisms and combat impunity.

TJ hearings' conditions

Courtrooms lack basic amenities such as sound equipment that would allow for clear audibility. Attendance by victims and their families has also declined noticeably, driven by growing frustration and despair over the protracted judicial process, the lack of effective measures, and the absence of sufficient support.

Absent media, eroding memory

The accountability process suffers from **weak and inadequate coverage**, reflecting a lack of media interest and declining public awareness, as well as the misrepresentations that surround the process. This calls for the inclusion of media outlets whenever possible, as well as strengthening the role of **alternative platforms**, particularly with regard to preserving national memory, closely monitoring transitional justice processes, and **accurately conveying information**.





The clock is ticking on justice

Victims and survivors are engulfed by anger and despair, driven by factors including lack of psychological support, scarce resources, and high costs of transportation and legal follow-up amid near-total absence of legal counsel. Many find themselves in a race against time as their health deteriorates under the weight of waiting, leaving them with the feeling of chasing shadows. And although redress decisions have been issued for some 30,000 victims, they remain unenforced, amounting to mere ink on paper.

The cruelty of this neglect is compounded by deliberate attempts to smear victims' reputations and to vilify them – portraying them as embezzlers of public funds and discrediting the legitimacy of their claims. In the absence of comprehensive care and rehabilitation policies and amidst weak logistical and legal support, this process becomes an additional burden layered atop the original violations endured by victims and survivors.

Seven years of hearings, and still no justice ... How long can accountability remain a promise?

Legal Brief

United Nations Human Rights Mechanisms

Mechanism	Treaty bodies	Universal Periodic Review	Special Procedures
Nature	Conventional, based on international human rights treaties	Non-conventional, based on the UN Charter	Non-conventional, based on the UN Charter
Scope	Member states party to core human rights treaties	All 193 United Nations member states	Independent experts and special rapporteurs
Process	There are 9 core treaties from which 10 committees have emanated, namely the Committee Against Torture and the Committee on Enforced Disappearances. States submit periodic reports, which are counterbalanced by parallel reports or “shadow reports”. This helps establish a more balanced narrative, including the state’s official account, and those of victims, researchers, associations and civil society actors. Based on this combined input, the committee issues recommendations to the state. Six of these committees, including the Committee Against Torture, have jurisdiction to review individual complaints pertaining to treaty violations, provided certain conditions are met (such as state recognition of the committee’s jurisdiction and exhaustion of local remedies).	The UPR is a mechanism which calls for each member state to have its human rights record (all human rights generations) reviewed by other states once every 4 or 4.5 years before the Human Rights Council. The Council has 47 member states at once and its membership changes periodically. A report is submitted by the state on the measures it has undertaken to improve its human rights situation and overcome challenges that impede their enjoyment. Then, based on multi-stakeholder inputs and pre-session reports (“shadow reports”), the state receives recommendations from other member states for continuous improvement in areas of violation.	Special rapporteurs and experts are mandated to report and advise on human rights situations, from either a substantive or country-specific perspective. There are sixty 60 special procedures : 46 with thematic mandates (e.g., enforced disappearances, torture, truth and justice, reparations, guarantees of non-repetition) and 14 with country mandates. Among the simplest mechanisms in terms of format and responsiveness, special procedures rely heavily on the quality of information provided regarding the alleged violation, which the rapporteur draws upon to engage directly with the concerned state. The rapporteur then requests clarifications on the reported incident and reminds the state of its international obligations, either by naming the concerned person – if their consent is granted – or by presenting the facts of the violation anonymously. The concerned state is then given a timeframe to respond, typically either 48 hours or 60 days. These communications and the corresponding state responses are made public.

In Focus

Kamel Matmati: A Hidden Body and Denied Justice

Kamel Matmati vanished following his arrest on October 7, 1991, in Gabès. To this day, his body is still missing.

Since May 29, 2018, seven strenuous years have passed since the start of the judicial proceedings before the specialized chamber in Gabès to address the case of Kamel Mamati. Kamel's case was the first to be referred to the judiciary by the TDC. The indictment includes charges of premeditated murder preceded by torture and followed by concealing of evidence and the victim's body, torture resulting in death, and enforced disappearance.

Arrest and Death under Torture



Kamel worked as an assistant engineer at the Tunisian Company of Electricity and Gas (STEG) branch in Gabès. As an active unionist and political activist affiliated with the Islamist Movement and serving as secretary-general of the company's employees union, he became a target. On October 7, 1991, Kamel was arrested at his workplace by two state security agents. He was taken to the police station at 2 p.m., where he was subjected to relentless, brutal torture until he died, near midnight. He suffered severe fractures to both arms, resulting in heavy bleeding and loss of consciousness. One of the detainees – a physician – examined him and warned that his condition was critical and that the beating must stop. The officers ignored the warning and continued the abuse. Later, they asked the same detainee to check on him again, and he confirmed that Kamel had died. The officers additionally tortured and threatened the physician to silence him.

Deceit and silence: Decades of denial

The following day, Kamel's family went to the police station in search of answers. Officers flatly denied his arrest altogether. Yet, during the first public hearing held by the Truth and Dignity Commission on November 17, 2016, his wife testified that she had seen his name in the station's detainee registry.

When she returned to the station, the officers admitted that Kamel was being held and asked her to bring him clothes, which she did the next day. The clothes were accepted – only to be returned, clean, over and over again for three years.

Kamel's mother recalled how, one day, officers asked her to prepare dinner for her son. Her heart lifted – maybe he was alive. But when she brought the meal to the station, she was insulted and turned away. Still, she didn't give up. She went to the capital (Tunis), looking for her son. Her search lasted four years.

Deprivation, fear, and grief: A Family's ordeal

In their search for the truth, the family knocked on every possible door – prisons, detention centers, hospitals, even military barracks – across the country, to no avail. They contacted officials at the Ministry of Interior, the judiciary, even the Presidency of the Republic – only to be met with silence. Meanwhile, the entire family was subjected to harassment : repeated arrests, interrogations, nighttime raids, all to push the narrative that Kamel had fled. His wife was denied freedom of movement and forced to report regularly to the police station. The family was driven into financial hardship, selling off what they owned just to survive.

For 25 years, Kamel's fate remained officially unknown. Though the family learned of his death in 2009, they were only issued an official death certificate in 2016. Later, during the second hearing held by the Gabès SCC in Kamel's case on October 9, 2018, then Deputy Speaker of Parliament and senior Ennahda member Abdelfattah Mourou confirmed the testimony of a police officer involved in the case, who alleged that Kamel had been buried beneath one of the columns of a bridge that was under construction in Tunis at the time.

*Three decades on, Kamel Matmati has yet to be laid to rest.
The wound remains open for his family.
There was no farewell, no grave, no justice.*



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 We kindly invite you to:

- ◆ **Explore** the insights and analysis featured in this issue ;
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*Your participation strengthens our collective commitment to
justice and accountability.*