

JUSTICE AND ACCOUNTABILITY



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NEWSLETTER

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This month brought moments of normative progress and stark reminders of how uneven the path to enforcement remains. While legal frameworks remain robust, and commitments continue to evolve, their interpretation and enforcement are increasingly shaped by political priorities, power dynamics, and shifting alliances.

States, invoking security, sovereignty, and stability, expand their room for maneuver, limit scrutiny, and redefine rights in practice. As a result, the space for accountability is not disappearing, but it is being renegotiated, often in ways that make access more complex, selective, and uneven.

In such an environment, the challenge is not only to defend existing standards, but to navigate a landscape in which their meaning is contested.

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Multilateral Developments and Accountability Debates

UN Human Rights Council 61st Session Concludes

Following its sixty-first session held from 23 February to 31 March 2026, the Council ***adopted 38 resolutions***, extending 19 mandates including those on human rights defenders, freedom of religion or belief, counter-terrorism and human rights, and economic rights (food and housing).

Country situations addressed included Afghanistan, Syria (renewal of Commission of Inquiry), Ukraine, and the Occupied Palestinian Territory. Universal Periodic Review outcomes were adopted for several states.

Observers noted persistent selective enforcement of international law amid active conflicts.

International Commission of Inquiry on Ukraine Briefing

On 12 March 2026, the Independent International Commission of Inquiry on Ukraine ***briefed*** the Human Rights Council on its latest findings, highlighting the ***systematic deportation and forcible transfer of Ukrainian children*** to Russia and Russian-occupied territories. The Commission verified at least ***1,205*** such cases and concluded that these acts may constitute crimes against humanity. The briefing contributed to renewed discussions on extending the Commission's mandate amid ongoing violations.

Safeguarding the ICC from Coercive Measures

A ***side event*** on 24 March brought together states, UN experts, and NGOs to call for "blocking statutes" and other protections against US sanctions targeting the International Criminal Court (ICC).

In early 2025, the United States escalated long-standing tensions with the Court by imposing targeted ***sanctions*** on its officials as well as individuals and entities engaging in efforts to investigate, arrest, detain, or prosecute nationals of the United States or Israel, without the consent of either nation.

Executive Order 14203, "Imposing Sanctions on the ICC" (signed February 2025) declared the ICC's actions an "unusual and extraordinary threat" to U.S. national security and foreign policy, and authorized asset freezes and entry bans against ICC personnel and those assisting them.

It has led to sanctions on multiple judges, prosecutors, supporting entities and individuals, and the UN Special Rapporteur on Palestinian territories, framed by the US as defense of sovereignty. UN experts and the ICC itself condemned the measures as undermining the rule of law and global accountability.

Advances in Gender Justice and Historical Accountability

CSW70 (9–19 March) Votes on Agreed Conclusions Amid Pushback

In a historic first, the 70th session of the Commission on the Status of Women (CSW70) adopted its agreed conclusions through a recorded vote, breaking a 70-year tradition of consensus. The text advances gender equality and justice for women and girls, emphasizing accountability for perpetrators of violence, the repeal of discriminatory laws, and improved access to justice.

Despite intense U.S.-led opposition, the conclusions were overwhelmingly adopted with 37 votes in favor, one against from the United States, and six abstentions. This breakthrough strengthens the global normative framework for women's rights and offers important leverage for advocates worldwide to push for legislative and policy reforms at the national level.

UN Declares Transatlantic Slave Trade the “Gravest Crime Against Humanity”

On 25 March 2026, the United Nations General Assembly adopted a landmark resolution declaring “the trafficking of enslaved Africans and racialized chattel enslavement of Africans as the gravest crime against humanity.”

The resolution, which received strong support from African and Caribbean states, calls for greater recognition of the scale and lasting impact of historical atrocities and emphasizes the importance of reparatory justice. It called :

“ ... upon Member States, individually and collectively, to engage in inclusive, good-faith dialogue on reparatory justice, including a full and formal apology, measures of restitution, compensation, rehabilitation, satisfaction, guarantees of non-repetition and changes to laws ... ”



Conflict, Repression, and Civilian Harm

Iran: Civilians at the Crossroads of War and Repression

Iranian civilians continue to suffer gravely as sustained strikes and counterstrikes between the United States, Israel and Iran have heightened risks across the region, while inside Iran, authorities have expanded crackdowns amid the growing instability.

The UN Independent International Fact-Finding Mission has warned that the cumulative impact of external military escalation and internal repression, including mass arrests, executions, and targeting of women, girls, and minorities, may amount to crimes against humanity.

Meanwhile, Human Rights Watch and Amnesty International have documented civilian casualties from strikes across the Gulf region and continue to call on all parties to uphold international humanitarian law and ensure the protection of civilians.

United States: Escalating Immigration Enforcement and Growing Barriers to Protection

Throughout March, Immigration and Customs Enforcement (ICE) continued its intensified nationwide operations. According to TRAC, 32,531 people were booked into detention during the month, of which 29,606 were arrested directly by ICE. Monitoring indicates that, in early 2026, the average daily arrest rate exceeded 1,100 individuals. Operations included widespread raids, workplace enforcement, and courthouse arrests; some based on erroneous information, as acknowledged by the Department of Justice in court filings. Critics argue that such aggressive tactics not only spread fear in communities but also target individuals with no criminal records.

At the same time, legal developments may further restrict access to protection. In a unanimous ruling on 04 March in *Urias-Orellana v. Bondi*, the Supreme Court held that federal appeals courts must apply a highly deferential “*substantial evidence*” standard when reviewing Board of Immigration Appeals decisions on whether facts constitute “*persecution*” for asylum claims. This pro-government ruling is expected to make it significantly more difficult for asylum seekers to succeed on appeal, further reinforcing the restrictive landscape.

Israel: Discriminatory Death Penalty Legislation Raises Concerns

On March 30, 2026, Israel’s Knesset passed the Death Penalty for Terrorists Law (unofficial translation), amending existing legislation to make death by hanging the default sentence for Palestinians convicted before military courts of deadly attacks on Israelis.

The law, explicitly excluding Israeli citizens/residents, only applies to residents of the West Bank (“the Area”) and mandates execution within 90 days of a final ruling, with limited exceptions for life imprisonment in “*special circumstances*”. No pardon, commutation or mitigation is allowed. It further imposes extreme isolation: prisoners are held in separate confinement, with access strictly limited to prison staff, a religious officer, an attorney, or a physician.

This raises concerns under the ICCPR (Art. 6), which Israel ratified in 1991, requiring death penalty only for “*the most serious crimes*”, with rights to amnesty, pardon or commutation of the sentence, and a fair process. Critics highlight its “*de facto discriminatory character*” against Palestinians, who face 96% conviction rates in military courts, often based on coerced confessions. Multiple petitions were filed with the Supreme Court to repeal it, including one submitted minutes after its passing, and another urgent petition the following day.

Tunisia Focus



Accountability and Access to Justice

- **Withdrawal from African Court on Human and Peoples' Rights:** Tunisia's decision to withdraw its Article 34(6) declaration (allowing direct individual and NGO petitions) took effect in March 2026. This marks a serious setback for accountability, as Tunisians lose direct access to the Court. Cases filed before the effective date remain valid, but future petitions must go through other regional or domestic channels.
- **Stalled Proceedings in Human Rights Violations Cases:** After nearly three months of delay, the Specialized Criminal Chamber for Transitional Justice held a brief hearing on 23 March, reviewing ten cases involving grave violations, including torture-related deaths and fatal shootings. Lasting only about 20 minutes, the session was adjourned to 8 June 2026 pending responses from state institutions.

A week later, on 30 March, the Chamber reviewed eleven additional cases, including serious human rights violations and corruption. With minimal attendance from both accused and victims, all cases were again postponed, this time to 15 June 2026.

Notably, neither hearing addressed the unresolved issue of the required legal quorum. These repeated delays continue to deny victims their long-awaited justice.

Shrinking Civic Space and Repression

- **On 06 March:** Authorities detained seven activists linked to the Global Sumud flotilla, a mission to deliver humanitarian aid to Gaza and challenge the Israeli blockade. The activists were placed in pre-trial detention on charges of financial offenses under money laundering and anti-terrorism laws.
- **On 13 March:** Opposition figure Abir Moussi was sentenced to 10 years in prison by the Tunis Court of Appeal on charges of attempting to change the form of the state and "inciting violence/disorder". The trial was widely criticized as unfair; she remains imprisoned for political activity.
- **On 19 March:** Anti-racism activist Saadia Mosbah (president of Mnemty) and five associates were convicted on financial charges linked to their human rights work. Mosbah received an 8-year sentence after nearly two years in pretrial detention.
- **On 26 March:** Trial of Judge Anas Hmedi (president of the Tunisian Judges Association) proceeded on charges of "obstructing freedom of work," stemming from judicial strikes protesting attacks on judicial independence. UN experts raised concerns over fair trial violations.

Governance, Economy, and Social Impact

- The Independent High Electoral Commission (ISIE) issued Decision No. 2, outlining procedural rules for the elections to the National Council of Regions and Districts (the indirectly elected upper chamber of Parliament). This decision comes amid ongoing criticism of the limited independence of the electoral body and restricted participation under the current institutional framework.
- The Tunisian Chemical Group (GCT) announced the relaunch of phosphate production and exports as part of the government's new five-year development plan (2026–2030). While this move is expected to boost state revenues and ease fiscal pressures, it has raised renewed concerns among environmental groups and communities in the Gafsa and Gabès regions, who highlight long-standing pollution, health impacts, and insufficient development benefits from intensified phosphate extraction and processing.

What Global Developments Mean for Tunisia

The global picture offers both warnings and entry points for Tunisian human rights defenders.

Erosion of International Accountability

US sanctions on the ICC and selective HRC enforcement illustrate how powerful states can limit scrutiny of themselves and allies.

For Tunisia, this reduces external leverage when pushing for justice in regional or international forums.

Focus: Evidence-building for future mechanisms and strengthening global alliances.

Post-African Court Strategy

With direct access to the African Court on Human and Peoples' Rights closed due to a state's withdrawal from the declaration, individuals and NGOs can no longer file cases before the Court. A strategic pivot becomes essential because the closure of this route forces human rights defenders to adapt their approach by turning to remaining channels and dedicating effort to the thorough collection, organisation, and secure archiving of a strong factual record.

Focus: Turning to the African Commission, which can still refer cases to the Court or issue resolutions, domestic litigation (where possible), and meticulous documentation and archiving.

Shrinking Civic Space, Judicial Independence, and Normative Opportunities

Evolving international standards provide useful entry points for advocacy. By situating domestic developments within global frameworks, through monitoring and advocacy tools, advocates can contribute to a broader understanding of these issues, highlighting their relevance to international commitments.

Leveraging standards:

- The CSW70 Agreed Conclusions emphasize repealing discriminatory laws, eliminating structural barriers to justice, addressing reprisals against women activists, and equitable remedies. Advocates can highlight how prosecutions disproportionately affect women defenders and call for gender-responsive reforms.
- The UNGA Resolution on the Transatlantic Slave Trade and Slavery stresses the enduring legacies of systemic racial discrimination and strengthens arguments for recognition of historical wrongs. It also provides a useful reference point for examining contemporary challenges in light of evolving global understandings of equality and justice.

