

URGENT ACTION

OPPOSITION FIGURE RISKS THE DEATH PENALTY

Opposition figure Abir Moussi, who has spent two years unjustly imprisoned solely for peacefully exercising her human rights, will be on trial on 24 October 2025 under charges that mandate the death penalty. Abir Moussi is serving a three-year and four-month in prison after courts sentenced her in two separate cases for her criticism of the electoral process, following complaints filed by the Independent High Authority for Elections (ISIE) under Decree-Law 54. She was first arbitrarily arrested in 3 October 2023 when she attempted to submit an appeal against presidential decrees ahead of local elections. She is facing several other charges in separate investigations related to the exercise of her rights to freedom of expression and peaceful assembly. The Tunisian authorities must immediately release Abir Moussi, quash her sentence and drop the charges against her as she is imprisoned solely on the peaceful exercise of her human rights.

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

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Your Excellency,

I write to you to express my grave concern over the prolonged unjust imprisonment of opposition figure Abir Moussi who has spent two years behind bars solely for peacefully exercising her human rights.

On 5 August 2024, The Tunis Court of First Instance sentenced Abir Moussi to two years in prison based on public statements she had made in November 2022 and January 2023 criticizing the legislative electoral process under Decree-Law 54 following a complaint filed by the High Independent Authority for Elections (ISIE). On 22 November 2024, The Tunis Court of Appeals reduced her sentence from two years to 16 months in prison and she completed her unjust sentence on 26 May 2025, meaning she should have been released from prison. However, on 12 June 2025, the same court sentenced her in a separate case to an additional two years in prison following a second ISIE complaint also under Decree-Law 54.

On 24 October 2025, Abir Moussi will appear before the Tunis Court of First Instance in the case for which authorities initially arrested her. On 3 October 2023, police officers arrested Abir Moussi in front of a public administration office annexed to the Presidential Palace after she attempted to submit an appeal against presidential decrees to the relevant administration but was prevented from doing so.

Abir Moussi protested the arbitrary denial by insisting on staying in front of the administration building until it closes to document the refusal of the authorities on a [Facebook livestream](#). She is facing trial based on bogus charges of "attempting to change the form of government", "inciting violence on the Tunisian territory" and "attack with the aim of provoking disorder" under Article 72 of the Penal Code which mandates the death penalty. The allegations of violence and assault are entirely unfounded.

I urge you to immediately release Abir Moussi, quash her sentence and drop all charges against her as she is imprisoned solely for her peaceful political activism and the exercise of her right to freedom of expression. Pending her release, she must be granted regular access to her family, lawyers and adequate healthcare.

Yours sincerely,

ADDITIONAL INFORMATION

Abir Moussi, 48, is a lawyer and president of the Free Destourian Party (PDL), known for her vocal opposition to President Kais Saied. She served in Parliament from 2019 to 2021. On 5 August 2024, the Tunis Court of First Instance sentenced her to two years in prison under Decree-Law 54 for her criticism of the legislative elections, following a complaint by the ISIE. On 3 October 2023, shortly after expressing interest in the presidential race, Abir Moussi was arrested by security forces while trying to submit an appeal against presidential decrees at an office near the Presidential Palace in Carthage. Prevented from filing the appeal, she protested by holding an impromptu sit-in outside the building and live streaming it on Facebook. According to eyewitnesses and her lawyers, security forces arbitrarily arrested Abir Moussi and held her in an undisclosed location for two hours before her legal team found her at a police station in La Goulette, Tunis. After 48 hours in police custody, an investigative judge issued a pre-trial detention order. Additionally, police ignored her requests for her prescribed medication.

On 5 October, an investigative judge interrogated Abir Moussi at the Tunis Court of First Instance and ordered her pre-trial detention under charges of seeking to “attempting to change the form of government”, “inciting violence on the Tunisian territory” and “attack with the aim of provoking disorder” under Article 72 of the Penal Code, and “processing of personal data without the consent of the data subject” and “interference with the freedom to work” under Articles 27 and 87 of the Data Protection Law and Article 136 of the Penal Code. However, the allegations of violence are unfounded. Evidence from a Facebook live stream and witness testimonies indicate that Abir Moussi was peacefully protesting the police’s arbitrary decision to prevent her from submitting an appeal against the presidential decrees. On 18 November 2024, the investigative judge reintroduced the charges under Article 72 (carrying the death penalty) after an appeal before the Court of Cassation by the public prosecution, a decision subsequently confirmed by the indictment chamber. Article 72 of the Penal Code states that : “Anyone who commits an assault with the intent of changing the form of the State, or inciting the population to attack one another with weapons, or causing chaos, murder, and looting on Tunisian soil, shall be punished by death”.

Between December 2022 and March 2023, the Independent High Authority for Elections (ISIE) filed four complaints against Abir Moussi with the Tunis general prosecutor under Decree law 54. The complaints are based on Abir Moussi’s critical statements about ISIE’s handling of elections. She accused the election commission of rigging the legislative elections. On 5 July 2024, an investigative judge questioned Abir Moussi about the ISIE complaint regarding her statements from November 2022 and January 2023, where she alleged that legislative elections were “rigged” and the number of elected deputies was incomplete. The judge ordered her pre-trial detention and then referred her to trial under Article 24 of Decree Law 54 for “deliberately using information and communication networks and systems to produce, promote, publish, transmit or prepare false news, statements, rumours or documents that are artificial, falsely attributed to others with the aim of attacking the rights of others, harming public security or national defence, or spreading terror among the population.” On 5 August 2024, Abir Moussi appeared for trial, where her defence team's requests for postponement and provisional release were denied. The court convicted her to two years in prison, violating her rights to a fair trial and freedom of expression.

Abir Moussi faces additional criminal charges under Articles 15, 245, 220 and 306 of the Penal Code, in a separate case following a complaint by the International Union of Muslim Scholars on 10 May 2022, after two protests outside their Tunis office. The complaint includes charges of property damage, theft, defamation, spreading false news and public intimidation. Abir Moussi was questioned by an investigative judge on 12 June 2024. According to international human rights law, defamation should be handled as a civil matter, not criminal, and should never result in imprisonment. Public officials seeking redress for defamation should do so in civil, not criminal, courts. Abir Moussi who suffers from arthritis and back pain was transferred on two occasions to separate prisons, each time further away from her family and lawyers. Initially imprisoned in the Manouba prison in Tunis, Abir Moussi was first transferred to the Belli prison in February 2025, in the governorate of Nabeul, 44 kilometres from Tunis. In June 2025, she was transferred a second time to the Bulla Regia prison in the governorate of Jendouba, 157 kilometres from Tunis. Her lawyers have raised concerns about these transfers which isolate Abir Moussi from her family and legal counsel, harming her right to adequate defence.

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: [DD MM YYYY]

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

NAME AND PRONOUN: Abir Moussi (She/Her)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde30/8455/2024/en/>