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ONG oeuvrant pour les droits de l'homme

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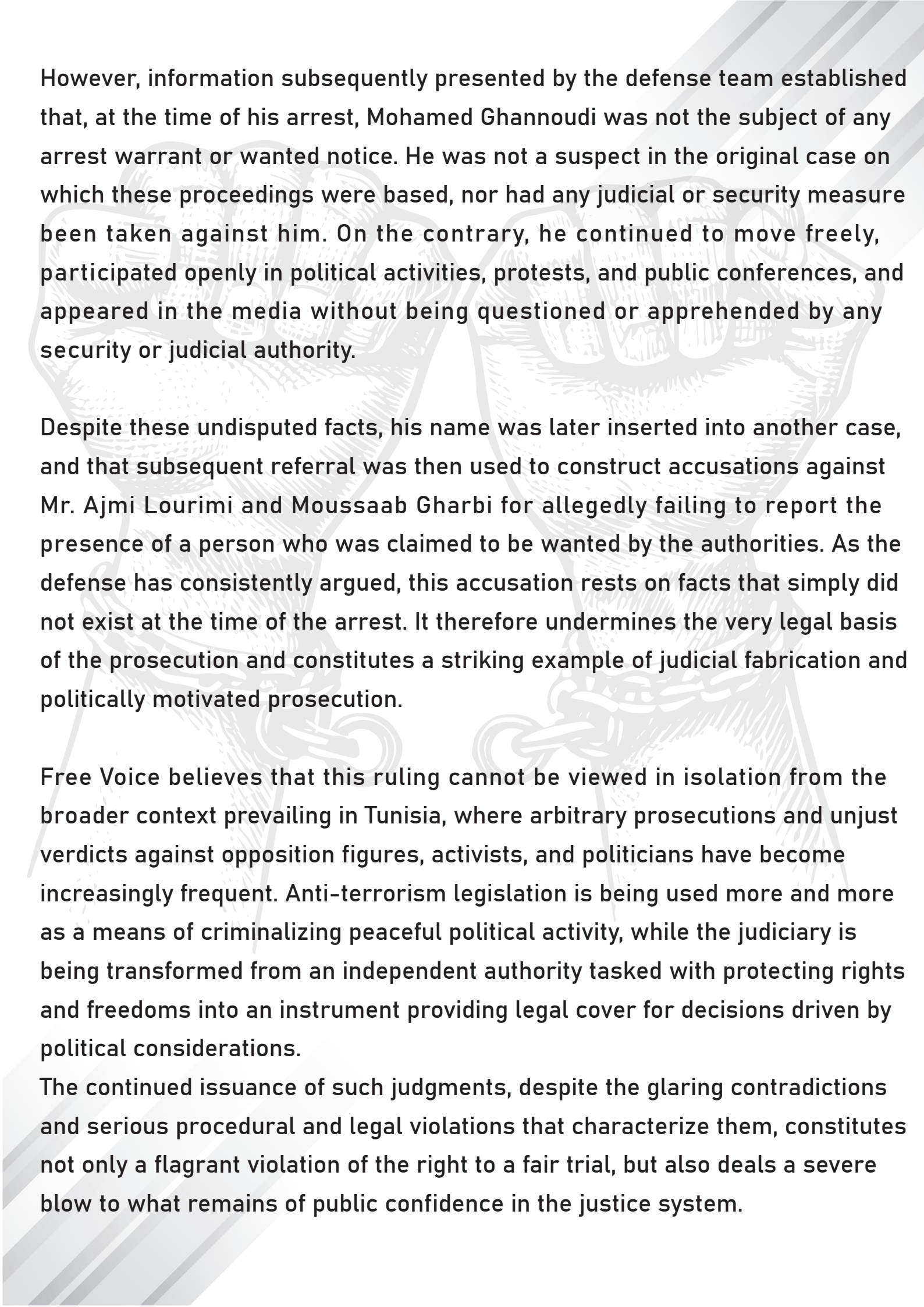
TUNISIA

Ajmi Lourimi and Moussaab Gharbi: **When Cases Are Fabricated and Innocence** **Is Convicted – Another Verdict Exposes the Political** **Instrumentalization of the Judiciary**

The Free Voice Organization strongly condemns and denounces the verdict issued by the Criminal Chamber specializing in terrorism-related cases at the Tunis Court of First Instance, sentencing Mr. Ajmi Lourimi, Secretary-General of the Ennahda Movement, and the young activist Moussaab Gharbi to three years' imprisonment. The circumstances and proceedings surrounding this case reveal the extent to which justice has been distorted when it is transformed into a tool for eliminating political opponents.

The case began with the arrest of Mr. Ajmi Lourimi and the two young men, Mohamed Ghannoudi and Moussaab Gharbi, in July 2024 after they participated in a peaceful protest in front of the Municipal Theatre in downtown Tunis, only a few meters from the Ministry of the Interior, in an area that was under full security surveillance and where various security units were present to monitor and secure the demonstration.





However, information subsequently presented by the defense team established that, at the time of his arrest, Mohamed Ghannoudi was not the subject of any arrest warrant or wanted notice. He was not a suspect in the original case on which these proceedings were based, nor had any judicial or security measure been taken against him. On the contrary, he continued to move freely, participated openly in political activities, protests, and public conferences, and appeared in the media without being questioned or apprehended by any security or judicial authority.

Despite these undisputed facts, his name was later inserted into another case, and that subsequent referral was then used to construct accusations against Mr. Ajmi Lourimi and Moussaab Gharbi for allegedly failing to report the presence of a person who was claimed to be wanted by the authorities. As the defense has consistently argued, this accusation rests on facts that simply did not exist at the time of the arrest. It therefore undermines the very legal basis of the prosecution and constitutes a striking example of judicial fabrication and politically motivated prosecution.

Free Voice believes that this ruling cannot be viewed in isolation from the broader context prevailing in Tunisia, where arbitrary prosecutions and unjust verdicts against opposition figures, activists, and politicians have become increasingly frequent. Anti-terrorism legislation is being used more and more as a means of criminalizing peaceful political activity, while the judiciary is being transformed from an independent authority tasked with protecting rights and freedoms into an instrument providing legal cover for decisions driven by political considerations.

The continued issuance of such judgments, despite the glaring contradictions and serious procedural and legal violations that characterize them, constitutes not only a flagrant violation of the right to a fair trial, but also deals a severe blow to what remains of public confidence in the justice system.

It further entrenches a climate of impunity for violations affecting fundamental rights and freedoms.

Accordingly, our organization:

- 1-** Strongly condemns the verdict handed down against Mr. Ajmi Lourimi and Mr. Moussaab Gharbi and considers it a continuation of the systematic judicial targeting of political opponents.
- 2-** Calls for these unjust convictions to be overturned and for a retrial before an independent and impartial judiciary that fully guarantees all the requirements of a fair trial.
- 3-** Urges the Tunisian authorities to cease using anti-terrorism legislation to prosecute political opponents and to end the fabrication of cases and charges targeting dissenting voices.
- 4-** Calls upon national and international human rights organizations, as well as the relevant United Nations mechanisms concerned with judicial independence and the protection of human rights defenders, to intensify their monitoring of the serious deterioration of the rule of law and fair trial guarantees in Tunisia.

Justice built upon fabricated files and manufactured accusations is not justice. A judiciary that is used to silence political opponents loses its noble mission and becomes merely an instrument of repression rather than a safeguard for rights and freedoms. Defending judicial independence and rejecting politically motivated prosecutions remains a duty that cannot be abandoned, until justice in Tunisia regains its integrity, credibility, and independence from all forms of political interference and external influence.