

October 27, 2025

Tunisia

! Open Prisons , Closed Rights

Since early July 2025, following Damj's announcement about the alarming increase in arbitrary arrests concentrated in specific regions, the Tunisian state has launched a retaliatory campaign against members of the LGBTQIA+ community, blatantly violating all legal and constitutional principles and targeting individuals based on their gender identities and expressions.

To date, **71 LGBTQIA+ citizens most of whom are transgender women** have been arrested. 32 of them have already been sentenced **to prison terms ranging from 8 months to 3 years** in Greater Tunis, Medenine, Sousse, and Sfax. These convictions were issued under Articles 230, 226, 226 bis, and 231 of the Penal Code for actions directly linked to their gender identity or sexual orientation, often based on trivial personal belongings such as lubricant, condoms, women's clothing, or private conversations on queer dating apps.

These violations, reminiscent of medieval inquisitions, bring Tunisia back to some of the darkest periods of repression in its history. They reveal a deliberate police-judicial strategy aimed at dismantling the remaining gains in freedoms and human rights, terrorizing queer communities, and silencing anyone who dares to express their identity freely.

It has now become evident that these campaigns are not random acts of revenge but rather part of a systematic state policy designed to criminalize gender identities and sexual orientations and to punish individuals who deviate from the state's rigid conception of so-called "morality and public decency."

On this basis, Damj:

- **Declares**, for the second time in less than a year, a **Queer State of Emergency**, and reactivates its central emergency hotline for members of the LGBTQIA+ community to ensure immediate legal intervention. Damj reminds all individuals of their right to legal counsel, the right to remain silent, and the right to refuse to make any statements under coercion or threat.
- **Calls for** the immediate cessation of all arbitrary arrests and unjust trials based on unconstitutional morality articles and all laws that criminalize gender identity and expression. Damj reiterates that such arrests are arbitrary detentions under international law and are incompatible with Tunisia's legal and human rights obligations.
- **Strongly condemns** the continued practice of forced anal examinations, through which the state still subjects defendants' bodies to coercive and degrading treatment. Damj reminds that such examinations constitute acts of torture, and survivors have the right to seek justice by all legal means, as torture crimes are not subject to any statute of limitations.
- **Holds** the Public Prosecutor's Office, the Ministry of Justice, and the Ministry of Interior directly responsible for ensuring the safety and protection of all detainees from any campaigns of defamation, blackmail, retaliation, or violence during arrest, detention, or imprisonment.

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