

President of the Republic, Kais Saied  
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Dear Your Excellency,

I write to you to express my grave concern at the prosecution of Yassine Ayari, a member of parliament, by the Tunis military court, in a breach of the right to freedom of expression and international standards.

While in the Mornaguia prison, Yassine Ayari was summoned for interrogation by military prosecutors in a new case against him. According to his lawyer, the military prosecutor opened an investigation into four Facebook posts he published on 25, 26, 27 and 28 July. In his online statements, which Amnesty International reviewed, Yassine Ayari fiercely criticized what he considered an abuse of power by the President, calling the 25 July decision to suspend the parliament "a military coup with foreign planning and coordination," and using words such as "Pharaoh" and "silly" to characterize the President.

Yassine Ayar is being punished for exercising his protected right to free expression. Criticism of the President's seizure of exceptional powers on 25 July 2021, or of the army's move to close the parliament and prevent parliamentarians from entering its premises, or calling this "a coup", are all legitimate political criticism protected by Article 19 of the International Covenant on Civil and Political Rights, which Tunisia is bound by. Prosecuting Yassine Ayari under article 91 of the Code of Military Justice, which criminalizes defaming the army, violates Tunisia's obligations under international law and is a cynical attempt to silence critics of the President and intimidate those who do not agree with the President's suspension of parliament.

Yassine Ayari is also facing seven other prosecutions in cases before civilian courts, all stemming from his Facebook posts commenting on corrupt practices, including accusing political parties or their leaders of conflicts of interest and embezzlement - all of which is protected speech and should not warrant criminal prosecution. On 7 September, Yassine Ayari started a hunger strike to protest his unjust imprisonment and his prison conditions. He has denounced the fact that prison authorities have not allowed him to receive letters from his supporters or family.

I call on Your Excellency to release Yassine Ayari immediately and to drop the military prosecution against him, which stem from his exercise of his freedom of expression. I also call on the authorities to stop the prosecution of civilians before military courts and to halt the use of defamation laws as a repressive tool against critical voices.

Yours sincerely,