

## TRIAL OBSERVATION REPORT

### Case of Sonia Dahmani, Hearing 6 February 2026

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#### I. CONTEXT OF THE HEARING

##### 1. Reminder of the facts

*[Reminder of relevant and disputed facts]*

Sonia Dahmani is a Tunisian lawyer, columnist and human rights advocate.

She has faced and is currently facing at least five criminal proceedings related to her profession and the exercise of her right to criticism and expression.

More precisely, she has already been permanently sentenced for two proceedings:

- to one year of imprisonment in the first instance (July 6, 2024), then reduced to eight months of imprisonment on appeal (September 10, 2024);
- to two years' imprisonment in the first instance on October 24, 2024, reduced to eighteen months' imprisonment on appeal (January 24, 2025).

After making statements during a television broadcast criticizing the humiliating treatment of sub-Saharan migrants and Tunisia's migration policies, on 7 May 2024, Sonia Dahmani was the subject of an arrest warrant issued on 10 May 2025.

On 11 May 2025, she was arrested at the premises of the Tunis Bar Association, where she had sought refuge and protection.

After a long detention in Manouba women's prison in very harsh conditions, under high security and under strict surveillance, she was finally released on 27 November 2025.

The release, in the form of conditional release ordered by the Tunisian Minister of Justice, came unexpectedly and essentially coincided with some relevant events:

- the awarding, by the CCBE, of the "Human Rights Award" to Sonia;
- the appeal hearing (28.11.2025) relating to another two-year prison sentence (see the related report: <https://protect-lawyers.org/it/missione-di-osservazione-giudiziaria-processo-di-sonia-dahmani/> );
- the resolution voted by the European Parliament denouncing the deterioration of the rule of law in Tunisia and human rights violations, and demanding Sonia Dahmani's immediate release:

[https://www.europarl.europa.eu/news/fr/press-room/20251120IPR31502/violations-des-droits-humains-en-tanzanie-en-iran-et-en-tunisie;](https://www.europarl.europa.eu/news/fr/press-room/20251120IPR31502/violations-des-droits-humains-en-tanzanie-en-iran-et-en-tunisie)

- the change of President of the Bar in Tunis in September 2025, that may also have had an impact.

She still has three pending proceedings:

- the first, relating to the observation mission referred to in this report, postponed to 24 March 2026;
- the second, concerning the case “racism 2”, with a hearing set for 3 April 2026, when a final decision is expected. Within this case, Sonia Dahmani was condemned to two years' imprisonment in the first instance (June 30, 2025); this is the appeal phase, after some postponements from November 2025. The accusation is based on the Decree-Law No. 2022-54 and she is prosecuted for denouncing the persistence of certain racist practices and behaviours in Tunisian society.
- a third proceeding, currently at a standstill in the investigation phase, based on statements made on the radio on 15 March 2024 regarding the jurisdiction of certain ministers in their field of activity. In this case, an investigating judge has been appointed, but Sonia Dahmani has still not been heard.

## **2. Reminder of the inquiry**

### **3. Reminder of the legal procedure**

*[Duration of the inquiry / reminder of relevant information / hearings / analysis of the inquiry]. [Type of hearing: Appeal/referral hearing Reminder of previous hearings Indictment]*

The indictment of the observed case trial concerns one of two proceedings related to statements made by Sonia Dahmani about prison conditions in Tunisia, and specifically on the basis of comments she made during the radio programme "Emission impossible" on 9 May 2024.

The investigation was initiated pursuant to Legislative Decree No. 54 of 13 September 2022. The charge is dissemination of false information, under article 24 of the Decree-Law, a highly problematic and particularly contested provision that has been used repeatedly against Sonia Dhamani and other individuals prosecuted for crimes of opinion.

The case is pending in front of the Criminal Chamber of the Court of First Instance of Tunis. At the hearing prior to the one covered by this report, held on the 26 December 2025, the Court postponed the hearing because the decision of the Court of Cassation on the case was missing from the case file. Indeed, the Court of Cassation was asked for a preliminary ruling on the correctness of the charge and the legitimacy of applying Legislative Decree 54 of 2022

against Sonia Dahmani, on the basis of her professional qualifications, being a lawyer and also a journalist.

This is the second decision of the Court of Cassation on the same issue; the first one, which was later overturned, had ruled that no action could be taken against her on that legal basis.

Also the previous hearing, on 11 November 2025, had already been adjourned for the same reason.

## II. PROCEEDINGS OF THE HEARING OF FEBRUARY 6<sup>TH</sup> 2026

*[Report on: Testimony / Submissions / Pleas in law raised by the defence / Deliberations]*

The hearing (scheduled for 9 a.m.) started at around one hour and a half late, in the morning of February 6<sup>th</sup> 2026, as mentioned in front of the Criminal Chamber of the Court of First Instance of Tunis.

The delegation of international observers (composed of the undersigned observer, delegated by OIAD, Richard Sedillot of the Rouen Bar, Patrick Mouchet, former President of the Rouen Bar, and Ketty-Anne Tamburini of the Lyon Bar, all representing Defence sans Frontieres) met with Sonia Dahmani and his brother Mehdi Dahmani in front of the courthouse.

The entrance to the courthouse was quick and without issues. The courtroom was large enough, with plenty of people and many defendants in custody escorted by the police, but not too crowded. Two representatives of the French Embassy and one representative of the German Embassy were there too.

In the court room there were the judges (for women, one man in the role of President) and the Public Prosecutor (a man), all sitting side by side and in a higher position than the defence.

Sonia's trial was called first and she took part in it, among the defendants. One of her lawyers took the floor and requested a postponement; longer than the last ones, given that the decision of the Court of Cassation was still missing.

The court ruled to postpone the hearing, according to the defence's request, and reserved to announce the new trial date at the end of day.

Some days later, the postponement of the trial to **24 March 2026**, was announced. In any case, it is already known that this hearing will also be a mere postponement.



### III. CRITICAL ANALYSIS OF THE TRIAL AND HEARING

*Make a critical analysis*

*Report on the critical analyses made by the people you meet (colleagues, parties in the trial, journalists, etc.)*

The hearing, although formally a postponement, is a clear demonstration of the pressure Sonia Dahmani is under in her daily life. The proceedings against her have either resulted in a conviction or are still pending. The uncertainty surrounding her legal situation and her freedom, which obviously has a chilling effect on her ability to act as a lawyer and activist, was also evident at her release. She was released without any formal restrictions.

She is therefore uncertain about what she can and cannot do.

However, she is aware that if she were to attempt to travel abroad, where her sister and daughter reside, she would risk being re-arrested on the grounds that she might flee.

### IV. MEETINGS DURING THE MISSION

During the mission, the undersigned observer held three particularly significant meetings:

- on February 5, 2026, with the Italian ambassador Alessandro Prunas-Tola
- on February 6, 2026, with the French ambassador Anne Gueguen and the french “magistrat de liaison”
- on February 6, 2026, with Sonia Dahmani, her lawyers, some friends, and family members.

We spent, together with the *Defence sans frontières* delegation, the evening of the 6th at Sonia's house and had the opportunity to discuss: the general situation in Tunisia; the various trials against our colleague; the trials of other lawyers, magistrates, journalists, and opponents; her conditions of detention; and the situation in Tunisian prisons in general.

Sonia, although positive and energetic, told us a lot about her imprisonment and the harsh conditions she shared with her cellmates during the nearly two years she spent in prison.

She did not expect to be arrested. Nor could she have imagined it, given her life path.

At the same time as her arrest, two other journalists were also arrested and are still in prison.

As for her detention, Sonia spent most of her time in cells with 6 or 7 people, not even too crowded compared to the average. It was very difficult to move between the beds and there was only one bathroom to use also as a shower, a laundry area, and a place to change.

There was no possibility of doing so elsewhere.

Sonia was detained under the terrorist regime inside, placed in the category of “the most detained among the detainees”. She could not talk to most of the other detainees.

Her mail was often confiscated and not delivered. And she could only go outside in a small fort. Where no sunlight reached, except for a small glimmer.

Typically, inmates have signs of dermatitis due to vitamin D deficiency.

The food served inside was inedible. Her brother brought her food two or three times a week, and she shared what she received with the whole cell. Many of the books she asked for were not authorized due to censorship.

In general, the control and detention regime for women is much harsher than that for men.

For example, men can have their laundry washed outside, while women have to wash everything themselves.

With water, freezing water even in the middle of winter, in the shared bathroom.

In fact, one of the big problems she encountered with detention was the temperature. In winter, the cold. It was unbearable, with high humidity and only freezing water to wash with.

In summer, the heat was suffocating. Moreover, the section where she was held was maximum security, with a wall even in front of the air intakes, and with no possibility of uncovering herself. In fact, all women were required to remain covered from head to toe.

In summer, the lights were turned off early to escape the heat from the bulbs. But this meant there was no chance to read.

One of the most difficult moments of Sonia's detention was in August 2025 when, in order to attend a hearing, the prison director required her to appear in handcuffs and with a veil over her head (even if she doesn't wear it).

Apart from those with her lawyers, all of Sonia's meetings took place with a glass partition between them.

Sonia has repeatedly emphasized the importance of the presence of international observers and how much she was helped, especially when she was in prison, by knowing that many colleagues in Europe were close to her and her case. She also stressed the importance of continuing to support her case, partly because she does not know what to expect from her future.

At the end of the evening, our colleague Patrick Mouchet presented Sonia with the title of honorary member of the Rouen Bar Association.



Beyond Sonia's specific situation, some important aspects emerged during the aforementioned meetings:

- Some days before the mission a member of the Parliament was arrested for criticizing the president on the basis of a different law from Decree-Law 54 (article 72), It may be a sign of a reducing application of the much-criticized decree-law, but nevertheless of the continuation of this type of accusation;
- At the time of the mission, eight lawyers were in prison for political reasons or for exercising their profession;
- In the days leading up to the mission, seven magistrates who had been stripped of their titles were accepted as members of the bar association;
- Just recently, a doctor accused of ordering a murder, Mohammed Brahami, was sentenced to death. Although there is a law that determines that capital punishment shall not be carried out but converted to life imprisonment and that the last execution sentence took place in 1991, it had been a long time since a death sentence had been handed down and it is difficult to know what to expect.

## **V. CONCLUSION / RECOMMENDATIONS**

### *Next steps / Hearings*

Our colleagues in Tunis have repeatedly emphasised the importance of our presence as international observers. The presence of the OIAD in the courtroom is not only a fundamental tool for accountability and international pressure, which, among other things, is believed to have contributed to Sonia Dahmani's release, but it is also a great source of human comfort. The presence of international observers was important and should continue, in particular at the next hearing on April 3rd, 2026.

It seems very important to match this activity with a commitment to raise awareness among lawyers and the European public, on the conditions in Tunisia regarding the freedom of speech and the safeguard of human rights defenders, and on the impact that internal and international migration policies have on them.