

# URGENT ACTION

## ARTIST JAILED FOR CRITICIZING PRESIDENT

In January 2024, the Monastir court of appeals in Tunisia sentenced artist Rached Tamboura to two years in prison simply for painting a series of graffiti denouncing President Kais Saied's racist comments against sub-Saharan migrants, in violation of his right to freedom of expression. Police forces arrested Rached Tamboura late during the night between 17 and 18 July 2023, a few hours after he painted the third graffiti. On 4 December 2023, the Monastir Court of First Instance convicted and sentenced him to two years in prison on bogus charges of "committing an offensive act against the president" and "producing and promoting false news with the aim of infringing on the rights of others, harming public security or national defence, or spreading terror among the population" under Article 67 of the penal code and Article 24 of Decree Law 54 respectively. He is currently imprisoned in the Zaghuan prison. Tunisian authorities must immediately release Rached Tamboura and quash his conviction and sentence as it is based solely on the peaceful exercise of his right to freedom of expression.

**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*

*Email: [contact@carthage.tn](mailto:contact@carthage.tn)*

*Twitter: [@TnPresidency](https://twitter.com/TnPresidency)*

*Your Excellency,*

*I write to you to express my grave concern over the ongoing arbitrary detention of artist Rached Tamboura solely for peacefully voicing his critical opinion through art. His conviction is in contravention of international human rights treaties including Article 19 of the [International Covenant on Civil and Political Rights](#) and Article 9 of the [African Charter on Human and Peoples' Rights](#) to which Tunisia is a state party.*

*On 18 July 2023 security forces arrested Rached Tamboura after he painted a series of graffiti drawings of yourself, President Kais Saied, on the wall of the local authorities building. The series of graffiti were critical of [comments](#) you made about sub-Saharan migrants on 21 February during a National Security Council meeting, along with the [Memorandum of Understanding signed with the European Union](#) on migration, which triggered an upsurge in anti-Black racist violence in the country. However, such graffiti is a form of artistic exercise of freedom of expression. People have the right to express their dissent and should not be arbitrarily detained for exercising their rights.*

*On 31 January 2024, the Monastir Court of Appeals confirmed Rached Tamboura's two-year sentence after a court first sentenced him in December 2023 for "committing an offensive act against the president" and "producing and promoting false news with the aim of infringing on the rights of others, harming public security or national defence, or spreading terror among the population" under Article 67 of the penal code and Article 24 of Decree law 54 respectively.*

**I therefore urge you to immediately release Rached Tamboura and to quash his conviction and sentence as it is based solely on the peaceful exercise of his right to freedom of expression. Pending his release, we ask that you ensure that he has access to adequate healthcare, in compliance with international standards and medical ethics, including the principles of confidentiality, autonomy, and informed consent. Moreover, I call on you to cease your arbitrary arrests of critics for the peaceful exercise of their right to freedom of expression.**

*Yours sincerely,*

## ADDITIONAL INFORMATION

Rached Tamboura (28) is an artist and student in Tunisia's Arabic Calligraphy University in Tunis. The police arrested him on the night between 17 and 18 July 2023 after being alerted by the local authority representative in Monastir. They detained him for 2 days pending investigation for a series of graffiti drawings that he painted criticizing President Kais Saied for racist remarks about sub-Saharan migrants he made in February 2023 which [sparked a wave of hatred and racism](#) leading to mass expulsions and attacks against black migrants and Tunisians.

According to Rached Tamboura's lawyer, upon arresting him, the police interrogated him without legal representation. Around 4 am on 18 July, the Monastir prosecutor office ordered that Rached Tamboura stays in police custody for 48 hours. On 20 July 2023, an investigative judge in the Monastir Court of First Instance interrogated Rached Tamboura in relation to charges stemming from Article 67 of the penal code and Decree Law 54 and ordered his pre-trial detention. On 26 July 2023, the investigative judge concluded the investigation and referred Rached Tamboura to trial for "committing an offensive act against the president" and "producing and promoting false news with the aim of infringing on the rights of others, harming public security or national defence, or spreading terror among the population" under Article 67 of the penal code and Article 24 of Decree Law 54 respectively. On 4 December 2023, the Monastir Court of First Instance convicted Rached Tamboura on both counts sentencing him to two years in prison. On 31 January 2024, the Court of Appeals confirmed the initial sentence.

Since his power grab on 25 July 2021, President Saied has claimed emergency powers, claiming these were granted to him by Tunisia's 2014 Constitution. Since February 2023, [the human rights situation in Tunisia has been rapidly deteriorating](#) as several opposition figures, dissidents, perceived enemies of the president and critics of the government have been targeted and harassed. The crackdown on opposition and critics threatens human rights including the rights to freedom of expression, association and peaceful assembly in Tunisia, rights protected under Articles 19, 21 and 22 of the International Covenant on Civil and Political Rights and Articles 9, 10 and 11 of the African Charter on Human and Peoples' Rights to which Tunisia is a state party.

Following President Saied's discriminatory remarks in February 2023, hundreds of migrants and refugees were assaulted, evicted, or arbitrarily arrested in total impunity. Since July, security forces rounded up and conducted mass arbitrary expulsions of several thousands of migrants, asylum seekers and refugees, including children, to Libya and Algeria. At least 28 people died in the desert region along the Libyan border between July and August.

**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:** 23 May 2024.  
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PRONOUN:** Rached Tamboura (He/him).