

Tunis, February 27, 2019

**News Release: Government's relentlessness Against Shams Association,  
A serious and unacceptable threat to the freedom of association**

The signatory associations, members and allies of the Civil Collective for Individual Liberties, denounce the relentlessness of the Tunisian Government against Shams Association that it sues in the purpose of dissolution, and this, against its action of legitimate defense of the under-privileged persons and discriminated against for homosexuality.

Shams Association will appear on March 1, 2019 for the 6th time before the Tunisian courts to respond to false accusations that pose the threat of dissolution. That after the Tunisian Government represented by the public Head of the Litigation appealed against the suspension of the order of dissolution that gave reason to the association Shams and recognized its legitimacy and the legality of its action of defending the rights of "sexual minorities".

Following this appeal and the serious threats to Shams association, we, signatory Associations, recall that:

- Freedom of organization and association is constitutionally protected by article 35 of the Tunisian Constitution which guarantees its exercise, in compliance with the constitutional and legislative provisions, financial transparency and rejection of violence.
- It should also be recalled that Decree-Law No. 2011-88 of 24 September 2011 on non-profit associations, which sets their framework, explicitly guarantees the freedom to form associations, to join them, to carry out activities and proclaims the imperative of strengthening the role of civil society organizations and their development and to respect their independence.
- Finally, it should be recalled that Shams association, which is subject to the non-profit association regime, has complied with the legal requirements of the declaration provided for in the text.

**The signatory associations:**

- **Express their full solidarity with Shams association** and assure it of their mobilization for the defense of its right to exist and to work for the defense of sexual minorities.
- **Call upon the Government to halt all harassment against Shams Association** in order to enable it, in accordance with its mission and with the constitutional provisions and principles, to pursue its defense of human dignity, the equality of all in rights and duties and to provide assistance and protection to sexual minorities against violence, discrimination of all kinds and stigmatization.
- **Interpellate the independent authorities**, including the Committee on Human Rights and Fundamental Freedoms, the Protection of Personal Data's Authority, the Prevention of Torture Commission, etc., and call on them to take a decision regarding Shams Association's inalienable right to continue its activities to defend sexual minorities and to strongly condemn the unfair, inhuman and degrading practices of persons with non-normative sexuality.
- **Urge the media** to fully play their role of vigilance against practices aimed at destroying the freedoms constitutionally guaranteed in Chapter 2 of the Tunisian Constitution.
- **Call on civil society** and all free spirits, who still believe that a civil and democratic Tunisia is possible, to stand up against any acts that are prejudicial to public liberties.

Our fight for freedom is a daily task, Eight years after the Revolution of Freedom, Dignity and Social Justice, and in the face of growing threats, it is more than ever necessary.

### **The signatory associations:**

- Tunisian Association of Democratic Women (ATFD)
- Tunisian Association for the Defense of Individual Liberties, (ADLI)
- Lawyers Without Borders (ASF)
- Tunisian Association for Justice and Equality (DAMJ)
- Beity Association for Homeless Women (BEITY)
- Tahaddi Association
- Fanni Raghman Anni Association
- EuroMed Rights
- Al Bawsala associatiuon
- Legal Agenda Tunis
- CALAM Association
- Tawhida Ben Cheikh Group
- Tunisian Association of Reproductive Health (ATSR)
- World Organization against Torture (OMCT)
- Tunisian Association for Positive Prevention (ATP +)
- Chouf Association
- Free Sight Association
- Jamaity association
- Mawjoudin We Exist