


AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي		UNIÃO AFRICANA
UNIÓN AFRICANA		UMOJA WA AFRIKA
AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES		

APPLICATION NO. 013/2024

ABDENNABI MABROUK.....APPLICANT

V.

REPUBLIC OF TUNISIA.....RESPONDENT

CASE SUMMARY

I. THE PARTIES

1. Mr. Mabrouk Abdennabi (hereinafter the Applicant) is a national of the Republic of Tunisia, retired and residing in France. He represents himself. The Applicant filed the Application on account of the alleged deprivation of his rights in connection with the management of his administrative career at the Ministry of Foreign Affairs (hereinafter Ministry) which was based on alleged unfounded political suspicions.
2. The Respondent State is the Republic of Tunisia (hereinafter referred to as the Respondent State), which became a party to the African Charter on Human and Peoples Rights (hereinafter referred to as the Charter) on 21 October 1986 and to the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (hereinafter "the Protocol") on 5 October 2007. Furthermore, on 2 June 2017, the Respondent State deposited the Declaration provided for under Article 34(6) of the Protocol (hereafter referred to as "the Declaration") by virtue of which it accepts the jurisdiction of the Court to receive applications from individuals and Non-Governmental Organisations having observer status with the African Commission on Human and Peoples' Rights. On 7 March 2025, the Respondent State deposited with the African Union Commission the instrument of withdrawal of the said Declaration. The Court has ruled that the withdrawal of the Declaration has no effect either on pending cases or new cases filed before it until the withdrawal comes into effect one year after the deposit of the instrument thereof, in this case, on 8 March 2026.¹

II. SUBJECT OF THE APPLICATION

¹ *Mouaz Kharji Ghannouchi and others v. Republic of Tunisia*, AfCHPR, Application No. 004/2023, decision on the application to set aside the provisional measures order of 28 August 2023, 17 March 2025, §§ 12 and 13.

A. Facts of the matter

3. It appears from the Application that on 1 March 1991, the Applicant was recruited to the Ministry of Foreign Affairs under the rank of Foreign Affairs Advisor. In July 1994, the Applicant received a letter of thanks, terminating his employment at the Ministry following a police investigation into his membership of the Ennahda Party. In 1997, the Applicant was granted tenure. However, since this, his career and administrative development have been blocked.
4. The Applicant further alleges that all the Ministries in Tunisia had upgraded the administrative careers of their oppressed staff before the 2011 revolution, with the exception of the Ministry of Foreign Affairs.

B. Alleged Violations

5. The Applicant alleges a violation of the following rights:
 - Violation of his right to non-discrimination based on political affiliation and opinion, as provided for in Article 2 of the Charter
 - Violation of his right to equal protection before the law, as provided for in Article 3 of the Charter
 - Violation of his right to moral integrity, as provided for in Article 4 of the Charter
 - Violation of his right to dignity, as provided for in Article 5 of the Charter
 - Violation of his right to hold public office in his country, as provided for in Article 13 of the Charter.

C. APPLICANT'S PRAYERS

7. The Applicant prays the Court to order the Respondent State to:

- i. - Rehabilitate his career and grant him all the ranks guaranteed by Tunisian legislation related to the Tunisian Foreign Service, from the date of his joining the diplomatic service on March 1, 1991, until March 1, 2013, the date of his retirement, and inform him of all his financial rights resulting from this.
- ii. - Oblige the Tunisian Republic to pay him financial compensation in the amount of 1,500,000.00 Tunisian dinars, as redress for all material and moral damages.