

ADVOCACY DOSSIER

CHADHA HAJ MBAREK

شذى الحاج مبارك

At liberty **Tunisia**

Chadha Haj Mbarek is a Tunisian journalist prosecuted in the Instalingo case. First arrested in 2021, she was held again from July 2023 and sentenced to five years in prison in February 2025. On 14 January 2026 the appeal court reduced the sentence to two years suspended and she was released.

HuMENA.

Prepared by HuMENA for Human Rights and Civic Engagement · 8 November 2026

Case reference HM-TN-2023-001

01

THE CASE AT A GLANCE

Chadha Haj Mbarek is a Tunisian journalist prosecuted in the Instalingo case. First arrested in 2021, she was held again from July 2023 and sentenced to five years in prison in February 2025. On 14 January 2026 the appeal court reduced the sentence to two years suspended and she was released.

STATUS	**At liberty**
ARRESTED	**22 Jul 2023**
COUNTRY	**Tunisia**
SENTENCE	**Five years in prison at first instance (5 February 2025), reduced on appeal on 14 January 2026 to two years suspended.**
CHARGES	**Harming the external security of the state (conviction upheld on appeal)** **Attempting to change the form of the state (dismissed on appeal)** **Inciting armed violence between citizens and provoking disorder (dismissed on appeal)** **Offending the President (first instance)**

WE CALL ON THE AUTHORITIES TO:

WHAT WE ASK

01 Quash the conviction and drop any charges that remain on record against Chadha Haj Mbarek in connection with peaceful human rights work.

02 Confirm publicly that Chadha Haj Mbarek faces no residual travel, financial, or professional restriction arising from this case.

03 Guarantee that Chadha Haj Mbarek can resume that work without surveillance, summons, or further reprisal.

04 Provide effective remedy for the period of deprivation of liberty already served.

Latest updates on this case
Scan the code or visit:
https://humena.org/defenders/chadha-haj-mbarek/

02

DOCUMENTED VIOLATIONS

	INTERNATIONAL STANDARD
Arbitrary detention	International Covenant on Civil and Political Rights, Article 9
Criminalisation of solidarity	International Covenant on Civil and Political Rights, Articles 21, 22 UN Declaration on Human Rights Defenders, Article 5
Denial of medical care	UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), Rules 24 to 27
Judicial harassment	UN Declaration on Human Rights Defenders, Articles 9, 12
Unfair trial	International Covenant on Civil and Political Rights, Article 14

03

HOW THE CASE UNFOLDED

2021

ARREST

First arrest in the Instalingo case

She was arrested at her home in Sousse in the Instalingo case on charges against state security.

2021

RELEASE

Released after five days

She was released after five days in custody, while the investigation continued.

19 June 2023

CONTEXT

Investigating judge dismisses the case; prosecution appeals

An investigating judge dismissed the case and the charges against her. The prosecution appealed the decision.

22 July 2023

ARREST

Re-arrested at her home in Sousse

Security forces raided her home in Sousse and arrested her again, pending investigation in the same Instalingo case.

October 2024

CONTEXT

Trial moved from Sousse to Tunis

A judge moved her trial from Sousse to a court in Tunis, where the case went to the counter-terrorism judicial unit.

2025

TRANSFER BETWEEN PLACES OF DETENTION

Moved from Messaadine prison to Belli prison

She was moved from Messaadine prison in Sousse to Belli prison in Nabeul.

5 February 2025

CONVICTION

Sentenced to five years in prison

A Tunis court sentenced her at first instance to five years in prison for conspiring against state security and offending the President.

7 January 2026

CONTEXT

Family demands her release over serious illness

Her family demanded her immediate release after a serious illness was diagnosed in detention.

14 January 2026

RELEASE

Released after the appeal ruling

She was released after the appeal court replaced her prison term with a suspended sentence.

14 January 2026

APPEAL: SENTENCE REDUCED

Appeal court cuts sentence to two years suspended

The Tunis Court of Appeal dismissed the charges of attempting to change the form of the state and of incitement, upheld the conviction for harming the external security of the state, and reduced her sentence to two years suspended.

04

THE FULL STORY

Background and Work

Chadha Haj Mbarek is a Tunisian journalist who worked as a social media content editor at Instalingo, a content company in Sousse. She was prosecuted in the Instalingo case during a period of sharp democratic backsliding. Since President Kais Saied's consolidation of power in 2021, the space for independent voices has contracted dramatically. Defenders, journalists, and opposition figures have faced a cascade of arrests under security laws and anti-terrorism provisions repurposed to criminalize dissent.

Her work placed her in a landscape where advocacy itself had become grounds for prosecution. The Tunisian state increasingly relied on articles of the Penal Code designed to protect national security, deploying them against individuals whose activities posed no credible threat to public safety but challenged the government's narrative and policies.

The Arrest

Security forces first arrested Chadha Haj Mbarek at her home in Sousse in 2021 and held her for five days. On 19 June 2023 an investigating judge dismissed the case against her, but the prosecution appealed, and on 22 July 2023 security forces raided her home and arrested her again pending investigation in the same case. Authorities invoked articles 61, 62 bis, and 67 of the Tunisian Penal Code, accusing her of undermining the external security of the state and attempting to change the form of government.

These charges have become a familiar tool in the government's arsenal. They carry severe penalties and are framed in vague language that allows prosecutors wide latitude. In practice, they have been applied to defenders and activists whose conduct consists of speech, association, and peaceful advocacy rather than any violent or coercive act.

Legal Proceedings

In October 2024 her trial was moved from Sousse to a court in Tunis. On 5 February 2025 she was sentenced at first instance to five years in prison for conspiring against state security and offending the President. The court proceedings reflected broader patterns of judicial complicity in the suppression of dissent. Trials under national security provisions in Tunisia have increasingly failed to meet international fair-trial standards, with defendants facing limited access to legal counsel, closed hearings, and verdicts that prioritize political loyalty over evidence.

Other defendants in the same case received far heavier sentences. The verdict sent a clear message to other defenders and activists: public criticism of the government carries concrete and severe consequences.

Appeal and Release

Her health deteriorated in detention, and in January 2026 her family said a serious illness had been diagnosed and demanded her release. On 14 January 2026 the Tunis Court of Appeal dismissed the charges of attempting to change the form of the state and of incitement, upheld only the conviction for harming the external security of the state, and reduced her sentence to two years suspended. She was released.

Context and Implications

Chadha Haj Mbarek's case is part of a wider pattern of repression in Tunisia. Since 2021, more than two dozen journalists, lawyers, politicians, and human rights defenders have been arrested under security and anti-fake-news laws. The judiciary has increasingly served as an instrument of executive power rather than an independent arbiter of legality and justice.

Her prosecution illustrates the transformation of Tunisia's legal framework into a mechanism for silencing dissent. Laws originally intended to address genuine threats to public safety have been repurposed to criminalize peaceful advocacy, political opposition, and criticism of government policy. The result is a climate in which defenders must choose between their convictions and their freedom, and in which the space for civil society continues to shrink.

05

SAMPLE LETTER

Copy it, adapt it and send it from your own address.

Your Excellency,

I am writing about the case of Chadha Haj Mbarek, tunisian journalist and social media content editor prosecuted in the Instalingo case in Tunisia, who has been released. I am writing to ask that the case be closed properly and that no further reprisal follows.

In brief: Chadha Haj Mbarek is a Tunisian journalist prosecuted in the Instalingo case. First arrested in 2021, she was held again from July 2023 and sentenced to five years in prison in February 2025. On 14 January 2026 the appeal court reduced the sentence to two years suspended and she was released.

I respectfully urge your authorities to:
1. Quash the conviction and drop any charges that remain on record against Chadha Haj Mbarek in connection with peaceful human rights work;
2. Confirm publicly that Chadha Haj Mbarek faces no residual travel, financial, or professional restriction arising from this case;
3. Guarantee that Chadha Haj Mbarek can resume that work without surveillance, summons, or further reprisal;
4. Provide effective remedy for the period of deprivation of liberty already served.

I will continue to follow this case until the record against Chadha Haj Mbarek is cleared and no reprisal remains.

Respectfully,

[Your name]
[Your city, country]
8 November 2026