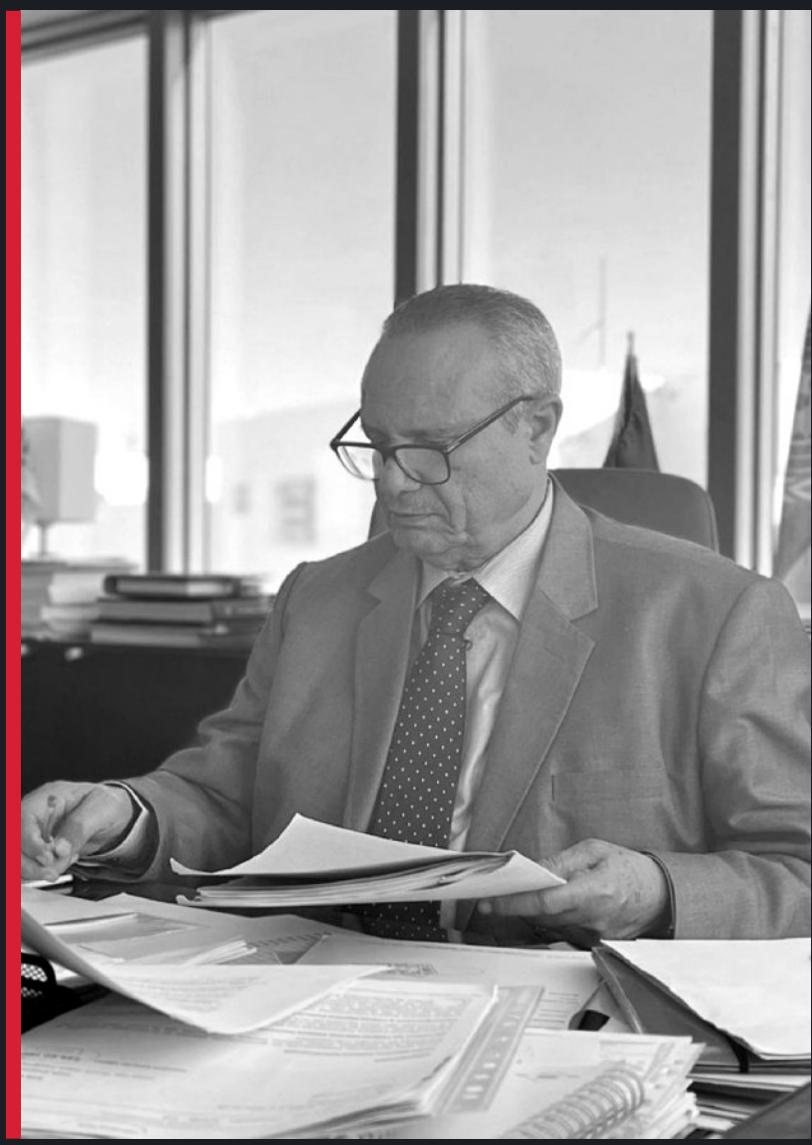

Advocacy dossier

Mustapha Djemali

مصطفى الجمالي

At liberty **Tunisia**

Mustapha Djemali is the founder and director of the Tunisian Council for Refugees, arrested in May 2024 over the organisation's work with refugees and asylum seekers. He was released in November 2025 after a two-year sentence with six months suspended, which the Appeals Court confirmed on 13 May 2026; he is free but his bank accounts remain frozen.

01

The case at a glance

Mustapha Djemali is the founder and director of the Tunisian Council for Refugees, arrested in May 2024 over the organisation's work with refugees and asylum seekers. He was released in November 2025 after a two-year sentence with six months suspended, which the Appeals Court confirmed on 13 May 2026; he is free but his bank accounts remain frozen.

Status **At liberty**	Arrested **3 May 2024**	Country **Tunisia**
Sentence Two years in prison with six months suspended, imposed on 24 November 2025 and confirmed on appeal on 13 May 2026.		
Charges Offences under Law No. 40 of 1975 on passports and travel documents, articles 38, 39 and 41 Article 42 of the same law, added by the Indictment Chamber		

What we ask

We call on the authorities to:

01 Immediately unfreeze the personal and organisational accounts of Mustapha Djemali.

02 Withdraw the underlying terrorism-finance or money-laundering proceedings used as pretext.

03 Restore access to property, salary, and professional licences.

02

How the case unfolded

2024

Asset freeze imposed

Bank accounts frozen

Between May and June 2024 the authorities froze his bank accounts, which remain frozen. His family says he has been unable to access his retirement pension.

3 May 2024

Arrest

Arrested as police raid and close the council's office

Police raided the Tunis headquarters of the Tunisian Council for Refugees, shut down the organisation and arrested him, a day after the council published a public tender for hotel accommodation.

7 May 2024

Pretrial detention ordered

Investigative judge orders pretrial detention

An investigative judge ordered him and Abderrazek Krimi detained pending investigation under articles 38, 39 and 41 of Law No. 40 of 1975 on passports and travel documents.

September 2024

Medical care denied

Family reports inadequate medication in prison

His family said that from September 2024 the prison authorities did not provide adequate medication for Horton's disease, an inflammation of the arteries, despite several requests. The investigative judge rejected six requests for his provisional release.

1 October 2024

Other act

UN Special Rapporteur raises his detention

The UN Special Rapporteur on human rights defenders, Mary Lawlor, criticised arrests and smear campaigns against people defending migrants' rights in Tunisia, and said that he and Abderrazek Krimi were being held without trial in overcrowded and unsanitary conditions.

30 April 2025

Charge filed

Formally charged with five other employees

He was formally charged under the 1975 law on passports and travel documents, together with five other employees of the council.

3 June 2025

Referral to trial

Indictment Chamber adds a heavier charge

The Indictment Chamber added article 42 of the 1975 law, which carries a penalty of up to 10 years in prison.

24 November 2025

Conviction

Sentenced to two years with six months suspended

The Tunis Court of First Instance sentenced him to two years in prison, with six months suspended. He and the prosecution both appealed.

24 November 2025

Release

Released for time served

He was released on the day of the verdict, having already served the custodial part of the sentence in pretrial detention.

13 May 2026

Appeal: judgment upheld

Appeals Court confirms the first-instance verdict

The Appeals Court confirmed the first-instance verdict of two years in prison with six months suspended. He remains at liberty, having already served the custodial part in pretrial detention, and his bank accounts remain frozen.

03

The full story

Update, 12 November 2026: Mustapha Djemali has been at liberty since 24 November 2025, when he was released for time served. On 13 May 2026 the Tunis Court of Appeal confirmed his conviction and sentence of two years in prison with six months suspended. His bank accounts remain frozen and no further ruling has been reported.

Background and Work

Mustapha Djemali is a Swiss-Tunisian lawyer and humanitarian worker, aged 81 at the time of his trial. He moved to Geneva in 1980 and worked for the United Nations until 2004, including with the UN Refugee Agency (UNHCR). He later founded the Tunisian Council for Refugees and became its director. The council was an implementing partner of UNHCR, which funded it almost entirely; it carried out initial screening of asylum applications for UNHCR and provided emergency accommodation and medical assistance to refugees and asylum seekers.

The Arrest

On 2 May 2024 the council published a public tender for hotel accommodation for asylum seekers, which drew hostile reactions on social media. On 3 May 2024 police raided the council's headquarters in Tunis, closed the organisation and arrested Mustapha Djemali. Its project manager, Abderrazek Krimi, was arrested the next day. On 7 May 2024 an investigative judge ordered both men detained pending investigation under articles 38, 39 and 41 of Law No. 40 of 1975 on passports and travel documents, which punish helping people to enter or leave Tunisia irregularly. Between May and June 2024 the authorities froze the bank accounts of the council and of both men.

The arrests took place during a wider wave of prosecutions of organisations working with migrants and against racism in May 2024. Human Rights Watch noted that the anti-racism defender Saadia Mosbah, president of Mnemty, Abdallah Saïd, president of Les Enfants de la Lune, and Salwa Ghrissa, president of the Association for the Promotion of the Right to Difference, were also arrested in 2024, together with current and former staff of Terre d'Asile Tunisie.

Detention Conditions and Health

He spent about 18 months in pretrial detention. His family told Human Rights Watch that he has Horton's disease, an inflammation of the arteries, and that from September 2024 the prison authorities did not provide adequate medication despite several requests. His relatives told swissinfo that his cell was overcrowded, very hot in summer and cold in winter, and that he lost 40 kilograms in prison. In October 2024 the UN Special Rapporteur on human rights defenders said he and Abderrazek Krimi were held in overcrowded and unsanitary conditions.

Legal Proceedings

The investigative judge heard him only once during his pretrial detention and rejected six requests for his provisional release. On 30 April 2025 he was formally charged under the 1975 law together with five other employees of the council. On 3 June 2025 the Indictment Chamber added article 42 of the same law, which alone carries a penalty of up to 10

years in prison. The trial opened before the Tunis Court of First Instance on 24 November 2025. That day the court sentenced him and Abderrazek Krimi to two years in prison, with six months suspended, and released them because they had already served the custodial part in pretrial detention. Three other defendants were acquitted and the fourth was dealt with in a separate proceeding. A defence lawyer said the conviction was under article 39.

Both men and the prosecution appealed. On 13 May 2026 the Tunis Court of Appeal confirmed the first-instance verdict. His bank accounts remain frozen and, according to his family, he has been unable to draw his retirement pension since 2024.

International Response

On 1 October 2024 the UN Special Rapporteur on human rights defenders, Mary Lawlor, criticised arrests and smear campaigns against defenders of migrants' rights in Tunisia and named his case. Amnesty International described his detention as arbitrary, issued urgent actions in 2025 before his trial, and called the conviction outrageous, saying that his work was humanitarian. Human Rights Watch called the prosecution abusive and urged the authorities to drop it before the appeal hearing. In its 2025 review of Tunisia, the UN Committee on the Elimination of Racial Discrimination recommended that the country review its legislation to keep space open for civil society. Protect Humanitarians condemned the appeal verdict and noted that Saadia Mosbah remained in detention.

Latest updates on this case Scan the code or visit: https://humena.org/defenders/mustapha-djemali/

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