

Advocacy dossier

# Saadia Mosbah

سعدية مصباح

**Imprisoned (serving sentence)** **Tunisia**

Saadia Mosbah founded Mnemty, a Tunisian organization that helped secure the country's 2018 anti-racial-discrimination law. Held since May 2024 on financial charges widely viewed as retaliation for her public advocacy, she was sentenced to eight years in prison on 19 March 2026, and the sentence was upheld on appeal on 23 June 2026.

01

# The case at a glance

Saadia Mosbah founded Mnemty, a Tunisian organization that helped secure the country's 2018 anti-racial-discrimination law. Held since May 2024 on financial charges widely viewed as retaliation for her public advocacy, she was sentenced to eight years in prison on 19 March 2026, and the sentence was upheld on appeal on 23 June 2026.

| Status | Arrested | Country |
|---|---|---|
| **Imprisoned (serving sentence)** | **6 May 2024** | **Tunisia** |

Sentence: Eight years in prison and a fine of over TND 120,000 (about €36,000), imposed on 19 March 2026; upheld on appeal on 23 June 2026; cassation appeal pending.

Charges: Money laundering under Law No. 26 of 2015
Illicit enrichment and financial offenses
Forming a criminal association
Failure to maintain proper accounting records

## What we ask

We call on the authorities to:

01 Release Saadia Mosbah immediately and unconditionally.

02 Drop all charges related to the peaceful exercise of fundamental rights.

03 Ensure unrestricted access to legal counsel, family, and adequate medical care while in detention.

04 Provide Saadia Mosbah with immediate, independent medical evaluation and the full treatment that condition requires, including transfer to an independent civilian hospital if necessary.

05 Immediately unfreeze the personal and organisational accounts of Saadia Mosbah.

## 02

# Documented violations

Each violation and the international standard it breaks.

**Arbitrary detention** International Covenant on Civil and Political Rights, Article 9

**Asset freeze** UN Declaration on Human Rights Defenders, Article 13

**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

**Prolonged pretrial detention** International Covenant on Civil and Political Rights, Article 9(3)

**Threats and intimidation** UN Declaration on Human Rights Defenders, Article 12

**Unfair trial** International Covenant on Civil and Political Rights, Article 14

## 03

# How the case unfolded

**6 May 2024**

Arrest

### Home raided, placed in custody

Security forces raided Saadia Mosbah's home and placed her in police custody for five days, including an extension, on unfounded money-laundering and illicit-enrichment charges targeting her anti-racism organisation Mnemty.

**16 May 2024**

Pretrial detention ordered

### Pretrial detention ordered

The investigating judge at the Tunis Court of First Instance ordered her pretrial detention without holding a hearing. Mosbah was charged alongside eight Mnemty staff members with money laundering, financial offences and forming a criminal association.

**12 March 2025**

Pretrial detention renewed

### Four-month detention extension, release denied

The investigating judge extended Mosbah's pretrial detention by four months and denied her request for provisional release despite submissions regarding her chronic health conditions. Requests to unfreeze her personal bank account were also rejected.

**22 December 2025**

Hearing postponed

### Trial postponed, release denied again

The Criminal Chamber postponed the trial to 26 February 2026 and once again denied Mosbah's release. By this date, she had spent nearly twenty months in pretrial detention.

**10 March 2026**

Context

### Court of Cassation rejects pending appeals

The Court of Cassation rejected the appeals still pending in the case, after the trial had already opened.

**19 March 2026**

Conviction

### Sentenced to 8 years and €36,000 fine

A Tunis court sentenced Mosbah to eight years in prison and imposed a fine of over €36,000 after nearly two years of arbitrary pretrial detention. Co-defendants received sentences ranging from one to three years; combined Mnemty sentences total nearly twenty years.

**20 March 2026**

Ill-treatment

### Reports racist abuse in detention

Reported racist abuse in Belli prison, including a physical assault.

**11 May 2026**

Other act

### State files case to dissolve Mnemty

A case brought by the State seeking the dissolution of Mnemty, the anti-racism association Saadia Mosbah heads, was opened before the Tunis Court of First Instance, alongside a similar case against the association Al-Khatt. Mnemty had already lost its challenge to a 30-day suspension of its activities.

**23 June 2026**

Appeal: judgment upheld

### Eight-year sentence upheld on appeal

The Tunis Court of Appeal upheld Saadia Mosbah's eight-year prison sentence. The sentences of four co-defendants were suspended, and a three-year sentence in absentia was confirmed for a fifth.

**29 June 2026**

Appeal lodged

Final appeal lodged before the Court of Cassation

**2 November 2026**

Hearing postponed

### Mnemty dissolution case adjourned to 16 November 2026

After appointing three experts on 19 October 2026, the Tunis Court of First Instance examined the case to dissolve Mnemty on 2 November 2026 and adjourned it to 16 November 2026 pending the experts' report.

04

# The full story

**Update, 12 November 2026:** This record was checked against current sources. Saadia Mosbah remains in prison serving the eight-year sentence the Tunis Court of Appeal upheld on 23 June 2026; no ruling on her cassation appeal, lodged on 29 June 2026, has been reported. A separate case brought by the State to dissolve Mnemty was adjourned on 2 November 2026 to 16 November 2026.

## Background and Work

Saadia Mosbah is one of Tunisia's most established human rights defenders. Her work against racial discrimination began during the presidency of Zine El Abidine Ben Ali, when challenging state narratives carried significant personal risk. She continued that work into the post-2011 transition, founding the association Mnemty in 2013 to formalize and expand advocacy for marginalized communities.

Mnemty played a central role in securing the adoption of Tunisia's Anti-Racial Discrimination Law on 9 October 2018. The law represented a significant shift in public policy, codifying protections that had been absent from Tunisian law. Mosbah's efforts also contributed to the official recognition of 23 January as the National Day for the Abolition of Slavery, a symbolic and political milestone that brought historical injustice into contemporary public discourse.

In recent years, Mosbah became a prominent critic of official language around irregular migration. She publicly contested statements by state officials that civil society organizations described as containing xenophobic and discriminatory elements. Her advocacy extended to defending the rights of migrants, refugees, and asylum seekers at a time when such positions attracted increasing scrutiny from the authorities.

## Arrest and Charges

On 6 May 2024, security forces raided and searched Mosbah's home. She was placed in police custody for five days, a period that included an extension of detention. On 16 May 2024, the investigating judge at the Tunis Court of First Instance ordered her pretrial detention without holding a hearing.

Mosbah was charged, alongside eight members of Mnemty, including her son Fares Kablawi and the owner of the organization's premises, with money laundering under Law No. 26 of 2015, additional financial offenses, and forming a criminal association. The remaining staff members were released pending investigation. The investigating judge initially dismissed the charge of forming a criminal association and other charges against Mosbah and the staff. The Indictment Chamber subsequently overturned that decision, allowing the prosecution to proceed on all counts.

The charges coincided with the freezing of Mnemty's bank accounts and the suspension of its activities. The organization has been unable to operate since May 2024, affecting the communities it serves and restricting the space for independent civil society action in Tunisia. In May 2026 the State filed a case to dissolve Mnemty; on 2 November 2026 the Tunis Court of First Instance adjourned it to 16 November 2026 pending an experts' report.

## Prolonged Pretrial Detention

On 12 March 2025, during the first hearing before the investigating judge, Mosbah's pretrial detention was extended by an additional four months. The defense presented evidence of her fragile health and chronic illnesses requiring specialized care. The judge denied her request for provisional release. Requests to lift the freeze on her personal bank account, so that she could access her salary, were also rejected on procedural grounds, as the case was pending before the Court of Cassation.

On 22 December 2025, the Criminal Chamber postponed the trial to 26 February 2026 and again denied her release. As of that date, Mosbah had spent nearly twenty months in pretrial detention without trial or conviction.

Article 85 of the Tunisian Code of Criminal Procedure establishes that pretrial detention is an exceptional measure, subject to strict conditions of necessity, proportionality, limited duration, and judicial justification. The prolonged detention of Saadia Mosbah in the absence of detailed and compelling judicial reasoning raises serious concerns regarding the presumption of innocence and fair trial guarantees. The measure appears inconsistent with Article 35 of the 2022 Tunisian Constitution, which guarantees protection against arbitrary detention and requires that deprivation of liberty be strictly regulated by law and subject to full respect for the rights of the defense.

## Health and Conditions

Mosbah suffers from chronic health conditions that require specialized medical care. She was first held in Manouba prison and was transferred in February 2025 to Belli prison. According to her family, cited by Human Rights Watch, she was at one point denied her daily blood-pressure medication for three weeks and was assaulted at least twice, once by a fellow prisoner and once by a prison guard. Her defense has repeatedly raised concerns about her health in court filings, arguing that her continued detention poses serious risks. Those concerns have not resulted in her release or in any publicly documented adjustment to her conditions of detention.

## Legal Proceedings and Fair Trial Concerns

The procedural history of the case raises concerns about judicial independence and respect for fair trial standards. The Indictment Chamber's decision to reinstate charges initially dismissed by the investigating judge, combined with repeated extensions of pretrial detention and denial of release despite documented health concerns, suggests a departure from the exceptional and time-limited character that pretrial detention is supposed to maintain under Tunisian law.

Tunisia is a State Party to the International Covenant on Civil and Political Rights. Article 9 of the ICCPR guarantees the right to liberty and security of person, protection against arbitrary detention, and the right to trial within a reasonable time or release. Article 14 protects the right to a fair and public hearing before a competent, independent, and impartial tribunal. The circumstances of Mosbah's prolonged pretrial detention and the restrictive measures imposed on her personal finances raise questions about compliance with these standards.

## Context and Pattern

The case against Saadia Mosbah and Mnemty forms part of a broader pattern of judicial pressure against civil society actors in Tunisia. Financial and criminal charges have been used with increasing frequency to target organizations and individuals engaged in advocacy on migration, racial justice, and government accountability. The effect has been a demonstrable chilling of civil society activity and a contraction of space for independent human rights

work.

The arrest occurred shortly after Mosbah's public criticism of official discourse on irregular migration. Multiple organizations documented the use of discriminatory and xenophobic language in official statements during this period. The timing and nature of the charges reinforce concerns that the prosecution is linked to her peaceful human rights advocacy and public defense of migrants, refugees, and asylum seekers.

## International Standards

The UN Declaration on Human Rights Defenders affirms the right of every individual, individually or in association with others, to promote and protect human rights. States are obligated to ensure that human rights defenders can carry out their legitimate activities free from retaliation, intimidation, or harassment. The continued detention of Saadia Mosbah, the repeated extensions of her pretrial detention, and the restrictive measures imposed on Mnemty raise serious concerns regarding Tunisia's compliance with these obligations.

---

**Latest updates on this case** Scan the code or visit: https://humena.org/defenders/saadia-mosbah/

HuMENA for Human Rights and Civic Engagement is a non-governmental organisation documenting the situation of human rights defenders in the Middle East and North Africa. This file is based on the public record of the case in the defenders archive.Status as recorded on 2025-03-12. To report an error: archive@humena.org