Tunisia | HuMENA Condemns Appeal Court Decision Upholding Ghassen Boughdiri's Seven-Month Sentence in Maersk Case

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The misdemeanor chamber of the Tunis Court of Appeal upheld on 14 August 2026 the seven-month prison sentence imposed on 6 May 2026 against Ghassen Boughdiri, a Global Sumud Flotilla organizer, long-standing activist and peaceful critic of the Tunisian authorities. HuMENA condemns the decision and calls on the Tunisian authorities to quash the sentence and ensure that Boughdiri is not prosecuted or punished for peacefully exercising his rights to freedom of expression and peaceful assembly, which are protected under both the Tunisian Constitution and international human rights law.

Boughdiri is a member of the Global Sumud Flotilla's steering committee and of the Coordination of Joint Action for Palestine in Tunisia. According to a member of his defence committee, who spoke to HuMENA, Boughdiri was prosecuted in a misdemeanor case following a complaint filed by staff of the Danish maritime shipping company Maersk over a protest held by a group of pro-Palestine Tunisian activists outside the company's premises in March 2025, to protest its alleged role in supplying Israel with weaponry and equipment used in the war in Gaza.

The same member of Boughdiri's defence team indicated that the authorities charged him with "intentional violence" under Article 218 and intentionally causing damage to another person's property under Article 304 of the Penal Code. The charges are punishable by one year in prison each and a fine of a total of 2,000 Tunisian dinars for both charges. Boughdiri had also filed a complaint against Maersk security guards, alleging that he was attacked during the protest and sustained a serious arm injury that required several stitches.

Although Boughdiri was being prosecuted while at liberty in the Maersk case, authorities summoned him to court in May 2026 while he was already detained in the separate Global Sumud Flotilla case, following his arrest earlier that March. According to his defence committee, Boughdiri was not aware that he was being prosecuted in the Maersk case. He did not receive any formal notice and went to court believing that he would be questioned in relation to the Flotilla investigation. Instead, the judge questioned him about the March 2025 protest and the complaint filed by Maersk staff.

Boughdiri did not have a lawyer during the first-instance proceedings. While legal representation is not generally mandatory in misdemeanor proceedings, Article 141 of Tunisia's Code of Criminal Procedure requires defendants prosecuted for a misdemeanor punishable by imprisonment to appear personally before the court, whereas mandatory assistance by a lawyer applies to criminal proceedings. The same member of Boughdiri's defence committee stressed to HuMENA that

Boughdiri was not told he could have legal counsel and was not given adequate time to prepare. Rather, Boughdiri simply answered the judge's questions, and the court issued its verdict on the same day, sentencing him to seven months in prison. He was notified of the judgment the following day.

His defence committee also told HuMENA that the case file in the Maersk case was incomplete, as it did not contain the medical certificate issued by the hospital documenting Boughdiri's arm injury. The certificate could support his allegation that he had been attacked by some Maersk staff members.

Boughdiri had previously obtained a copy of the certificate but subsequently lost it, and it had not been attached to his complaint when he reported the incident to the police. The defence sought to recover a copy of the certificate through the first-instance court, but it remained unavailable ahead of the appeal hearing.

A member of Boughdiri's defence committee told HuMENA that the first hearing in the Maersk case was scheduled for 28 July, but was subsequently postponed to 11 August and then to 14 August, when the Court of Appeal upheld his seven-month sentence.

According to the defence committee, the head of the misdemeanor chamber refused a further postponement to allow the defence to obtain the missing medical certificate, despite the committee's explanation that securing the necessary authorization and retrieving the document could take time. His lawyers requested a postponement to allow them to obtain the document, but the request was refused and the court issued its verdict of seven months in prison.

The protest which formed the basis of the prosecution took place on 18 March 2025, when a group of Gaza solidarity activists gathered outside Maersk's offices to object to what they alleged was the company's role in transporting equipment or arms to Israel in the context of the war in Gaza. Boughdiri's supporters have described the protest as peaceful, and Boughdiri has denied the allegations against him.

In addition, Boughdiri remains detained in a separate investigation concerning the Global Sumud Flotilla financial investigation. Authorities arrested him on 10 March 2026 in that case, and the prosecution in the Maersk case only surfaced after he had already been detained.

The Global Sumud Flotilla case remains under investigation. According to a member of the detained activists' defence committee, the four; Ghassen Boughdiri, Wael Naouar, Nabil Channoufi and Ghassen Henchiri have so far all been interrogated by the investigating judge. The next step in the Global Sumud Flotilla case is a decision by the investigating judge, who may either close the case or refer it to the Indictment Chamber.

Boughdiri's detention conditions also remain a concern. During a recent visit, he reportedly told a member of his defence committee that he had experienced intermittent access to running water, a lack of bottled drinking water, overcrowding and extreme heat.

Since May 2026, Boughdiri's support committee has also reported that he has suffered from kidney

pain and a severe skin rash. The support committee has stated that Boughdiri entered a hunger strike at least once during his detention to protest his second case related to the Global Sumud Flotilla financial investigation. Wael Naouar, who is detained in the same case, also began a hunger strike on 16 August to protest his continued detention.

Earlier in August, HuMENA expressed concern over the continued pre-trial detention, nearly five months into the case, of four Global Sumud Flotilla activists, including Ghassen Boughdiri. HuMENA has also documented deteriorating health and inadequate detention conditions affecting Boughdiri and Ghassen Henchiri, which fall significantly short of Tunisia's domestic obligations and international human rights standards.

HuMENA denounced the decision to place the activists in pre-trial detention as a dangerous escalation in the criminalization of humanitarian solidarity and the use by Tunisian authorities of pre-trial detention against civil society actors for their engagement in public life, further restricting space for peaceful civic and solidarity work.

HuMENA calls on the Tunisian authorities to:

- **Quash the seven-month conviction against Ghassen Boughdiri in the Maersk case and ensure that he is not prosecuted or punished for peacefully exercising his constitutional and universal rights to freedom of expression and peaceful assembly.**
- **Release Ghassen Boughdiri and the other Global Sumud Flotilla activists pending trial unless the authorities can demonstrate, on the basis of individualized and lawful grounds, that their continued detention remains strictly necessary and proportionate.**
- **Ensure that the ongoing investigation against the activists and any future judicial proceedings fully respect the right to a fair trial, including effective access to legal representation, adequate time and facilities to prepare a defence, consideration of relevant exculpatory evidence, and regular judicial review of the necessity of continued pre-trial detention.**

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