

COI Factsheets

Safe Country of Origin concept - Tunisia

February 2025

The below factsheet on Tunisia was produced in early 2025 by the European Union Agency for Asylum (EUAA) in accordance with article 12(2) of its founding Regulation (EU) 2021/2023, and in response to a request from the European Commission (Directorate-General for Migration and Home Affairs - DG HOME) to support its work on the designation of safe countries of origin at Union level.

This factsheet was peer-reviewed by a range of partners, including the DG HOME (international unit) and the European External Action Service. The United Nations High Commissioner for Refugees (UNHCR) also provided valuable input into this process. This factsheet was drafted in accordance with the EUAA COI Methodology, which emphasises the use of diverse sources to ensure factual, balanced and reliable information.

While this factsheet was structured around the defining criteria of a safe country of origin as stipulated in the Asylum Procedure Regulation (EU) 2024/1348, the EUAA (and its partners) played no part in assessing whether such criteria were met for Tunisia to be designated as a safe country of origin at Union level. That assessment was performed entirely by the European Commission and was based on a range of relevant and available sources of information.

Table of Contents

Tunisia	5
Legal and political situation – overview	6
Security situation.....	12
Human rights situation.....	13
Specific profiles	14
Legal remedies against human rights violations.....	19
Bibliography	22

COI Factsheet - Safe Countries of Origin (SCO)

Tunisia

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Sources were accessed between 7 January and 6 February 2025. Some additional information was added during the finalisation of this factsheet in response to feedback received during the quality control process, until 21 February 2025. Any event taking place after this date is not included in this document.

Legal and political situation – overview

System of government and political situation

After the ouster of former President Zine El Abidine Ben Ali in 2011 in a popular uprising, Tunisia established a constitutional democracy. A new Constitution was adopted by law in 2014 by an elected assembly, establishing separation of powers and basic rights guarantees.¹ A phase of constitutional democracy with several free multiparty elections occurred² resulting in peaceful transfers of power.³ However, President Kaïs Saïed, elected in 2019 as an ‘anti-system’ populist, has increasingly put pressure on Tunisia’s nascent democracy.⁴

In 2021, President Kaïs Saïed granted himself extraordinary powers,⁵ claiming emergency authority,⁶ suspended the parliament⁷ and seized complete executive and legislative authority.⁸ In 2022, a new ‘tailor-made constitution’⁹ was adopted without any national dialogue via a¹⁰ referendum boycotted by the opposition (30,5 % turnout),¹¹ drawing criticism over the undermining of rule of law, separation of powers, independence of the judiciary and protection of human rights.¹² Such a ‘radical turn’¹³ toward autocratic rule¹⁴ raised concerns among human rights organisations,¹⁵ the UN,¹⁶ civil society¹⁷ and the EU.¹⁸

¹ US, CRS, Tunisia: In brief, 2 October 2024, [url](#), p. 2

² Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

³ US, CRS, Tunisia: In brief, 2 October 2024, [url](#), p. 2

⁴ US, CRS, Tunisia: In brief, 2 October 2024, [url](#), p. 2

⁵ HRW, Tunisia: President’s Seizure of Powers Threatens Rights, 27 July 2021, [url](#)

⁶ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

⁷ European Parliament, Tunisia: Political situation constitutional ahead of the referendum, 29 March 2022, [url](#); Carnegie Endowment, One Year Later, Tunisia’s President Has Reversed Nearly a Decade of Democratic Gains, 22 July 2022, [url](#)

⁸ US, CRS, Tunisia: In brief, 2 October 2024, [url](#), pp. 2-3

⁹ HRW, Q&A: Tunisia’s Constitutional Referendum, 14 July 2022, [url](#)

¹⁰ BTI, 2024, Country Report – Tunisia, [url](#), p. 3

¹¹ ICG, Tunisia: High Risks around the Presidential Election, 1 October 2024, [url](#); US, CRS, Tunisia: In brief, 2 October 2024, [url](#), p. 3; BTI, 2024, Country Report – Tunisia, [url](#), pp. 11, 17

¹² ICJ, Codifying Autocracy: The Proposed Tunisian Constitution in Light of International Law and Standard, July 2022, [url](#), p. 1

¹³ ICG, Tunisia: High Risks around the Presidential Election, 1 October 2024, [url](#)

¹⁴ TWI, How autocracy prevailed in Tunisia, 4 November 2024, [url](#)

¹⁵ AI, Tunisia: Human Rights Council should address rapidly growing rights crisis, 27 June 2023, [url](#); EuroMed Rights, Human rights and the rule of law in Tunisia: the slide continues, 26 May 2023, [url](#)

¹⁶ UN Human Rights Council, Türk calls on Tunisia to uphold rule of law and democratic freedoms, 15 October 2024, [url](#)

¹⁷ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62; IARF, Tunisia: More than 100 civil society organisations have endorsed a statement calling for an end to restrictions in Tunisia, 21 March 2022, [url](#)

¹⁸ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 61

The political system outlined by the new constitution establishes a presidential system,¹⁹ concentrating powers in the hands of the president, with an absence of oversight mechanisms.²⁰ The separation of powers emerged weakened and blurred in the new constitution.²¹

The president is the head of the state²² and is popularly elected for a mandate of 5 years.²³ The prime minister and cabinet are appointed and dismissed by the president.²⁴ The president has the prerogative of the legislative initiative, which takes priority over the legislative proposals submitted by the Members of the Assembly of the Representatives of the People. He can also call for a referendum on Constitution and draft laws on the functioning of the state. The 2022 Constitution provides for a new additional legislative chamber, the National Council of Regions and Districts which was established in April 2024.²⁵ The president cannot be impeached as articles 88 and 101 of the 2014 Constitution have been removed.²⁶ The president holds power over the judicial branch while the constitutional safeguards for the independence of the judiciary have been weakened.²⁷ The president retains the power to appoint judges.²⁸

On 17 December 2022 and 29 January 2023, parliamentary elections were held, marked by a very low turnout (around 12 %) and were largely boycotted by the political opposition,²⁹ resulting in the election of a new Assembly,³⁰ with reduced powers compared to the parliament that it had replaced.³¹ The second legislative chamber, the National Council of Regions and Districts was established in April 2024 following local council elections on 24 December 2023 and 4 February 2024.

In 2023, President Saïed dissolved 350 democratically elected municipal councils.³² In October 2024, he was re-elected in a highly controversial presidential campaign,³³ marked by the imprisonment of some presidential candidates and the exclusion of others.³⁴ A majority of the

¹⁹ EP, Tunisia's 2024 presidential elections, 2024, [url](#)

²⁰ Arab Association of Constitutional Law, Constitutional Safeguards and Democratic Transitions: The Tunisian Case, 2024, [url](#), p. 3

²¹ BTI, 2024, Country Report – Tunisia, [url](#), p. 11

²² Tunisia, La Constitution de la République tunisienne du 25 juillet 2022, [url](#), art. 88

²³ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

²⁴ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

²⁵ CEDAW, Concluding observations on the seventh periodic report Tunisia*, 2 March 2023, [url](#), para. 9

²⁶ USIP, Tunisia's new constitution expands presidential power. What's next for its democracy?, 28 July 2022, [url](#);

Brookings, Tunisia's new constitution will only worsen its political crisis, 6 July 2022, [url](#)

²⁷ USIP, Tunisia's new constitution expands presidential power. What's next for its democracy?, 28 July 2022, [url](#)

²⁸ Tunisia, La Constitution de la République tunisienne du 25 juillet 2022, [url](#), art. 120; UN Human Rights Council, Tunisia: Presidential decrees undermine judicial independence and access to justice, says UN expert, 15 July 2022, [url](#);

Article 19, Tunisia: Decree undermining independent judiciary must be repealed, 17 February 2022, [url](#); AI, Tunisia:

Authorities must end erosion of judicial independence, 32 May 2024, [url](#)

²⁹ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62

³⁰ CoE, Neighbourhood partnership with Tunisia 2022-2025, 10 November 2021, [url](#), p. 2

³¹ HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#)

³² Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

³³ EEAS, Tunisia: Speech by High Representative/Vice-President Josep Borrell at the EP plenary on the situation in the country, 22 October 2024, [url](#)

³⁴ EEAS, Tunisia: Speech by High Representative/Vice-President Josep Borrell at the EP plenary on the situation in the country, 22 October 2024, [url](#); UN Human Rights Council, Türk calls on Tunisia to uphold rule of law and democratic

parliament members are not linked to traditional political parties³⁵ as under the 2022 revision of the Electoral law, applications of candidates must be submitted individually, while party lists were abolished. As of 25 May 2023, the Assembly of the Representatives of the People comprised 154 members. The parliamentary bloc which obtained the highest number of seats was the Voice of the Republic (25).³⁶ The other parliamentary blocs were: National Independent Bloc, Honesty and Labour, Free Bloc, National Sovereign Line and People's Triumph. The parliament elected Brahim Bouderbala, a close ally of Saïed, as its new speaker.³⁷

Demographics and migration profile

As of 2022, the population of Tunisia stands at 11 826 900 inhabitants.³⁸ Its composition is mostly homogeneous in terms of religion,³⁹ with 99 % of the population being Sunni Muslim,⁴⁰ and approximately 1- 2 % of the population belonging to other Islamic sects, Christianity, Judaism or the Bahá'í faith.⁴¹ The great majority of the population is of Arab (98 %)⁴² and Berber descendent.⁴³

With its geographical position, at crossroads of Africa and Europe, Tunisia is a country of departure,⁴⁴ as well as of destination⁴⁵ and transit⁴⁶ for asylum-seekers and migrants along the Central Mediterranean route.⁴⁷

As of 31 December 2024, 15 514 refugees and asylum-seekers were registered with UNHCR, most of them originating from Sudan, Syria, Somalia, Cote d'Ivoire, South Sudan. Among them are victims of torture, survivors of gender-based violence and unaccompanied children.⁴⁸ Despite

freedoms, 15 October 2024, [url](#); AI, Tunisia: At least 97 arrested as authorities escalate pre-election crackdown, 17 September 2024, [url](#); HRW, Tunisia: Authorities Undermine Election Integrity , 3 October 2024, [url](#); France 24, Tunisia's electoral body dismisses court ruling that reinstated presidential candidates, 2 September 2024, [url](#)

³⁵ Reuters, New Tunisian parliament to meet on Monday, 9 March 2023, [url](#)

³⁶ Parline, Tunisia - Assembly of People's Representatives, n.d., [url](#)

³⁷ EP, Tunisia's 2024 presidential elections, September 2024, [url](#)

³⁸ Institut National de la Statistique (INS), Bulletin mensuelle de statistique, August 2024, [url](#), p. 7

³⁹ BTI, 2024, Country Report – Tunisia, [url](#), p. 9

⁴⁰ USDOS, Annual report on religious freedom (covering 2023), 3 July 2024, [url](#), p. 4; Tahrir Institute for Middle East Policy (The), Anti-Blackness and Identity in Tunisia: Q&A with Houda Mzioudet 21 March 2023, [url](#)

⁴¹ USDOS, 2023 Report on International Religious Freedom: Tunisia, 26 June 2024, [url](#), p. 4

⁴² US, CIA, The World Factbook, 16 January 2025, [url](#); Britannica, Tunisia, 5 February 2025, [url](#)

⁴³ Tahrir Institute for Middle East Policy (The), Anti-Blackness and Identity in Tunisia: Q&A with Houda Mzioudet 21 March 2023, [url](#); Britannica, Tunisia, 5 February 2025, [url](#)

⁴⁴ UN Human Rights Council, Mandats de la Rapporteuse spéciale sur la traite des êtres humains, et al., 1 October 2024, , 1 October 2024, [url](#), p. 7; GI-TOC, Tunisia: Irregular migration reaches unprecedented levels, August 2024, [url](#), p. 3

⁴⁵ UNHCR, UNHCR Tunisia Monthly Operational Update (December 2024), 31 December 2024, [url](#); GI-TOC, Tunisia: Irregular migration reaches unprecedented levels, August 2024, [url](#), p. 22; UNHCR, UNHCR Submission for the Universal Periodic Review – Tunisia – UPR 41st Session (2022), 2022, [url](#)

⁴⁶ UNHCR, UNHCR Submission for the Universal Periodic Review – Tunisia – UPR 41st Session (2022), 2022, [url](#); Carnegie Endowment, Tunisia's Transformation Into a Transit Hub: Illegal Migration and Policy Dilemmas, 27 March 2024, [url](#)

⁴⁷ UNHCR, UNHCR Tunisia Monthly Operational Update (December 2024), 31 December 2024, [url](#)

⁴⁸ UNHCR, UNHCR Tunisia Monthly Operational Update (December 2024), 31 December 2024, [url](#)

being party to the 1951 UN Refugee Convention,⁴⁹ Tunisia does not have a national asylum law.⁵⁰ UNHCR continues to be responsible for the Refugee Status Determination procedure under its mandate. However, this procedure, along with the registration of asylum seekers' applications, has been suspended at the request of the Tunisian authorities in June 2024.⁵¹ Meanwhile, the Tunisian authorities do not appear to be effectively taking over the process.⁵² As a result, unregistered individuals, including vulnerable women, children and potential asylum seekers are unable to seek asylum, access urgent assistance and basic services, leaving many in a prolonged situation of irregularity and social uncertainty.⁵³

In 2023, Tunisia experienced an 'exceptional growth' in irregular migration,⁵⁴ becoming the main departure country for sea border crossing to Italy⁵⁵ and a transit hub for African asylum-seekers and migrants, with Sfax being at the center of the route.⁵⁶ The rate of sea departures accelerated in February 2023 following the negative statements by the President Saïed against sub-Saharan migrants which, in turn, led to a rise in attacks against migrants.⁵⁷ In July 2023, as part of the measures undertaken by Tunisian authorities to contrast irregular migration, thousands of non-nationals were forcibly removed to remote areas, near the border with Algeria and Libya,⁵⁸ causing the death of 27 migrants⁵⁹ due to the lack of food, water and medical care.⁶⁰ Transfer to border areas of refugees, asylum seekers and migrants by Tunisian authorities resulted in alleged human rights violations,⁶¹ including reported violation of the principle of *non-refoulement* due to the collective expulsions to Libya and Algeria, as established by the international refugee

⁴⁹ UNHCR, UNHCR Submission for the Universal Periodic Review – Tunisia – UPR 41st Session (2022), 2022, [url](#)

⁵⁰ UN Human Rights Council, Mandats de la Rapporteuse spéciale sur la traite des êtres humains, et al., 1 October 2024, 1 October 2024, [url](#), p. 8; UNHCR, UNHCR Submission for the Universal Periodic Review – Tunisia – UPR 41st Session (2022), 2022, [url](#)

⁵¹ OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, Vol. 3, May – October 2024, [url](#), pp. 11, 26, 63; ICJ, The Price of Complicity: Tunisia-EU Partnership Agreement fuels egregious human rights abuses against refugees, asylum-seekers and migrants, December 2024, [url](#), p. 7; Avvenire, Migranti. Diritto di asilo sospeso in Tunisia: nessuna protezione per i nuovi arrivati, 28 January 2025, [url](#)

⁵² InfoMigrants, Stuck in limbo: Tunisia's suspension of asylum procedures leaves migrants stranded, 31 October 2024, [url](#); OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, May – October 2024, [url](#), pp. 11, 26, 63;

⁵³ OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, May – October 2024, [url](#), pp. 11, 26, 63; ICJ, The Price of Complicity: Tunisia-EU Partnership Agreement fuels egregious human rights abuses against refugees, asylum-seekers and migrants, December 2024, [url](#), p. 7; Avvenire, Migranti. Diritto di asilo sospeso in Tunisia: nessuna protezione per i nuovi arrivati, 28 January 2025, [url](#)

⁵⁴ GI-TOC, Tunisia: Irregular migration reaches unprecedented level, August 2024, [url](#), p. 5

⁵⁵ UN Human Rights Council, Mandats de la Rapporteuse spéciale sur la traite des êtres humains, et al., 1 October 2024, , 1 October 2024, [url](#), p. 7; GI-TOC, Tunisia: Irregular migration reaches unprecedented levels, August 2024, [url](#) , p. 3

⁵⁶ Carnegie Endowment, Tunisia's Transformation Into a Transit Hub: Illegal Migration and Policy Dilemmas, 27 March 2024, [url](#)

⁵⁷ GI-TOC, Tunisia: Irregular migration reaches unprecedented level, August 2024, [url](#), p. 3

⁵⁸ GI-TOC, Tunisia: Irregular migration reaches unprecedented level, August 2024, [url](#), p. 20

⁵⁹ France24, Tunisia expels hundreds of sub-Saharan African migrants from Sfax amid crackdown, 17 September 2023, [url](#)

⁶⁰ GI-TOC, Tunisia: Irregular migration reaches unprecedented level, August 2024, [url](#), p. 35

⁶¹ UN Human Rights Council, Tunisia: UN experts concerned over safety of migrants, refugees and victims of trafficking, 14 October 2024, [url](#); OMCT, Torture Roads, Mapping of violations suffered by people on the move in Tunisia, July – October 2023, [url](#), pp. 33-37

law and human rights law.⁶² Other violations reported are arbitrary detentions,⁶³ sexual harassment during search operations,⁶⁴ sale and trafficking of migrants by Tunisian authorities to Libya.⁶⁵

The high demand in departures is said to have triggered a flourishing illicit migration industry in Tunisia,⁶⁶ along with an increase in the number of criminal groups specialised in trafficking in human beings, including for the purpose of sexual exploitation.⁶⁷ In 2024, Frontex reported a significant decrease in irregular border crossings (IBCs) on the Central Mediterranean route, (- 59 %) in 2024. It further noted that 'EU and bilateral cooperation with some key countries of transit and origin – foremost among them Tunisia – resulted in these countries making significantly enhanced efforts to counter migrant smuggling'.⁶⁸ IBCs from Tunisia reduced by 80 % in 2024 , and account for about 30 % in the Central Mediterranean route.⁶⁹ Between January and October 2024, arrivals in Italy from Tunisia dropped by 81 % compared to the same period in 2023.⁷⁰ However, despite the decrease in departures, a proportion of those attempting to cross the sea were intercepted by Tunisian authorities and removed to the borders.⁷¹

In 2024, 14 452 applications of international protection were lodged by Tunisian nationals across EU+ Member States. The number of applications increased by 11 % compared to 2023 (12 977), while marking a downward trend of minus 33 % compared to 2022 (21 445). The recognition rates for Tunisia nationals remained low, varying from 2 % (2022), 5 % (2023) and 4 % (2024).⁷²

International legal instruments

The country has ratified the main international human rights instruments,⁷³ such as the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment

⁶² ICJ, The Price of Complicity: Tunisia-EU Partnership Agreement fuels egregious human rights abuses against refugees, asylum-seekers and migrants, December 2024, [url](#), p. 12; OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, May – October 2024, [url](#), pp. 51, 91 ; UN Human Rights Council, Mandats de la Rapporteuse spéciale sur la traite des êtres humains, et al., 1 October 2024, 1 October 2024, [url](#), p. 10; AI, Joint Statement: Tunisia is Not a Place of Safety for People Rescued at Sea, 4 October 2024, [url](#)

⁶³ OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, May – October 2024, [url](#), pp. 36-38

⁶⁴ Researchers X, State Trafficking: Expulsion and sale of migrants from Tunisia to Libya, June 2023 – November 2024, January 2025, [url](#), p. 19

⁶⁵ Researchers X, State Trafficking: Expulsion and sale of migrants from Tunisia to Libya, June 2023 – November 2024, January 2025, [url](#)

⁶⁶ Carnegie Endowment, Tunisia's Transformation Into a Transit Hub: Illegal Migration and Policy Dilemmas, 27 March 2024, [url](#)

⁶⁷ UN Human Rights Council, Mandats de la Rapporteuse spéciale sur la traite des êtres humains, et al., 1 October 2024, 1 October 2024, [url](#), p. 7

⁶⁸ Frontex, Tunisia- Annual Brief 2024, January 2025, [url](#) , pp. 1-2

⁶⁹ EC, email communication with EUAA, 20 February 2025

⁷⁰ OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, May – October 2024, [url](#), p. 10

⁷¹ UNHCR/IOM, Migrant and refugee movements through the Central Mediterranean sea- Joint Annual Overview 2023, [url](#); OMCT, Torture Roads, Mapping of violations suffered by People On The Move In Tunisia, Vol. 2, 11/2023 – 04/2024, [url](#), p. 61

⁷² EUAA, EPS data as of 3 February 2025

⁷³ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62

(CAT); the International Covenant on Civil and Political Rights (CCPR); the International Convention on the Elimination of all Forms of Racial Discrimination (CERD); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Convention on the Rights of the Child (CRC).⁷⁴ During the last Universal Periodic Review, Tunisia was invited to accede the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),⁷⁵ the Convention on Action against Trafficking Human Beings, the Group of States against Corruption (GRECO) and the International Co-operation Group on drugs and addictions (Pompidou Group).⁷⁶ Additionally, the country is yet to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁷⁷

Although ratifying the CEDAW, Tunisia made a general declaration to the Convention on compatibility with *sharia*,⁷⁸ thus endangering the hierarchy of norms and sources of law as established by the Convention.⁷⁹

In 2018, Tunisia passed a landmark Anti-racial discrimination Law which prohibits racial discrimination, providing for a positive obligation of the state to promote ‘the culture of human rights, equality, tolerance and the acceptance of ‘the other’ among the various components of the society’.⁸⁰ Despite this provision, Tunisia is lacking a comprehensive legislation prohibiting all forms of discrimination, in line with international standards.⁸¹ In 2019, Tunisia established a National Commission to harmonise human rights legislation with the constitution and ratified international instruments.⁸² In 2023, the CEDAW committee noted that the mandate of the Commission remains unclear, questioning in particular whether the Commission would review discriminatory legislation and on what timeframe.⁸³

The EU has a longstanding cooperation with Tunisia on a variety of topics including support to governance and socio-economic reforms, promoting human rights, strengthening civil society actors, enhancing economic and trade integration, support to migration management and security.⁸⁴ Cooperation has recently deepened with the signing of an EU – Tunisia Memorandum of Understanding (MoU) on a renewed partnership package on 16 July 2023, including for

⁷⁴ CoE, Treaty List, Tunisia, Status as of 25 January 2025, [url](#); UN Treaty Body Database, Tunisia, Status as of 25 January 2025, [url](#)

⁷⁵ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62

⁷⁶ CoE, Neighbourhood partnership with Tunisia 2022-2025, 10 November 2021, [url](#), p. 2

⁷⁷ UN Human Rights Council, Status of ratification, interactive dashboard, [url](#); UN Treaty Body Database, Tunisia, Status as of 25 January 2025, [url](#)

⁷⁸ Euromed, Situation report on discriminations against women in Tunisia, March 2023, [url](#), p. 3; CEDAW,

⁷⁹ CEDAW, Concluding observations on the seventh periodic report Tunisia*, 2 March 2023, [url](#), para. 11

⁸⁰ UNHCR, UNHCR Submission for the Universal Periodic Review – Tunisia – UPR 41st Session (2022), 2022, [url](#), p.2

⁸¹ Minority Rights Group, October – November 2022, UPR of Tunisia– 41st session – November 2022, Fact sheet on discrimination against minorities and other marginalised groups in Tunisia, [url](#)

⁸² UN Human Rights Council, Human Rights Committee asks Tunisia about state of emergency and torture, urges human rights protection in counter-terrorism, 4 March 2020, [url](#)

⁸³ CEDAW, Concluding observations on the seventh periodic report Tunisia*, 2 March 2023, [url](#), para. 17; CNRDH, Composition, n.d., [url](#)

⁸⁴ EC, EU enlargement - Tunisia, n.d., [url](#)

‘combating irregular migration flows’.⁸⁵ Criticism was raised over the MoU in light of reported human rights violations against migrants committed by Tunisian security forces,⁸⁶ particularly from the Council of Europe,⁸⁷ human rights organisations⁸⁸ and UN experts.⁸⁹ In April 2024, the EU Ombudsman opened an inquiry about the respect for fundamental rights in the MoU. This inquiry was closed in October 2024 with recommendations to the Commission.⁹⁰

Security situation

Tunisian authorities control most of the territory, while a few enclaves with armed terrorist cells affiliated to ISIL/Da’esh and Al Qaida remain present in the center-west of the country close to Algerian border (mountains Chambi, Selloum, Mghila, Orbata and Semema). In addition, southern governorates like Tataouine or Medenine, Kasserine and Sidi Bouzid are considered as unstable areas due to their ‘socioeconomic marginalisation and protests’.⁹¹ The country has been in a state of emergency since a string of terrorist attacks in 2015.⁹²

Between 2022 and 2024, internal security has reportedly improved due to the increased capacity of the Tunisian security forces to dismantle terrorist cells and to enhance border surveillance, along with a reduced capacity of transnational terrorist groups in Libya.⁹³

⁸⁵ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62; EC, Memorandum of understanding on a strategic and global partnership between the European Union and Tunisia, 16 July 2023, [url](#)

⁸⁶ UN Human Rights Council, Tunisia: UN experts concerned over safety of migrants, refugees and victims of trafficking, 14 October 2024, [url](#); HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); The Tahrir Institute for Middle East Policy, The EU-Tunisia Memorandum of Understanding: A Blueprint for Cooperation on Migration?, 19 October 2023, [url](#); OMCT, Torture Roads, Mapping of violations suffered by people on the move in Tunisia, [url](#), pp. 47-53

⁸⁷ CoE, Statement by the Commissioner for Human Rights, European states’ migration co-operation with Tunisia should be subject to clear human rights safeguards, 17 July 2023, [url](#)

⁸⁸ AI, HRW, EuroMed, EU heads of states and governments should centre human rights in discussions on EU Tunisia cooperation and the external dimension of migration at European Council, 27 October 2023, [url](#); HRW, , Rome’s Anti-Migration Summit Exposes Europe’s Growing Disregard for Rights, 20 July 2023, [url](#)

⁸⁹ UN Human Rights Council, Tunisia: UN experts concerned over safety of migrants, refugees and victims of trafficking, 14 October 2024, [url](#)

⁹⁰ European Ombudsman, Ombudsman asks Commission about respect for fundamental rights in EU agreement with Tunisia, 15 September 2023, [url](#); European Ombudsman, Decision on how the European Commission intends to guarantee respect for human rights in the context of the EU-Tunisia Memorandum of Understanding (OI/2/2024/MHZ), 21 October 2024, [url](#)

⁹¹ BTI, 2024, Country Report – Tunisia, [url](#), p. 6

⁹² USDOS, 2023 Country Reports on Human Rights Practices: Tunisia, 23 April 2024, [url](#), p. 7

⁹³ BTI, 2024, Country Report – Tunisia, [url](#), p. 6; US, CRS, , Tunisia: In brief, 2 October 2024, [url](#), p. 8; USDOS, Annual report on terrorism (covering 2023), 12 December 2024, [url](#)

Human rights situation

The 2022 Constitution enshrines fundamental rights in chapter two, and guarantees, *inter alia*, freedom of opinion, thought, expression, information, and publication.⁹⁴ Article 23 of the Constitution outlines equality of citizens before the law, without any discrimination.⁹⁵

Since President Saïed's election in 2021, however, reports highlight an escalation of the authorities' crackdown on **civil society**⁹⁶ and **critical voices**,⁹⁷ amid a 'progressive deterioration' of the human rights situation.⁹⁸ This crackdown, which has narrowed down the political and civic space, has taken the form of arrests,⁹⁹ detentions, travel bans of opponents and perceived critics,¹⁰⁰ intimidations,¹⁰¹ and criminal prosecutions of critical voices.¹⁰² As of November 2024, over 80 people were detained on political grounds or for exercising their rights, including political opponents, activists, lawyers, journalists, human rights defenders, and social media users, according to Human Rights Watch.¹⁰³ In some cases, civilians, including political activists, have been tried in military courts.¹⁰⁴

In 2024, authorities continued to use repressive laws to curb the **freedom of expression**, including Decree-Law No. 54 of 2022 on Cybercrime,¹⁰⁵ which provided for harsh sentences for vaguely defined speech offenses and led to widespread self-censorship.¹⁰⁶ In addition, the

⁹⁴ AFA, Tunisia : Legislative frameworks and practices hindering freedom of expression, 14 January 2025, [url](#); Tunisia, La Constitution de la République tunisienne du 25 juillet 2022, [url](#)

⁹⁵ Tunisia, La Constitution de la République tunisienne du 25 juillet 2022, [url](#), art. 23

⁹⁶ UN Human Rights Council, Arrest of perceived political opponents and civil society in Tunisia, 14 February 2023, [url](#); AI, Tunisia: Authorities escalate clampdown on media, freedom of expression - Amnesty International, 30 May 2024, [url](#); HRW, Tunisia: Authorities Escalate Clampdown on Media, Freedom of Expression, 30 May 2024, [url](#); OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, May – October 2024, [url](#), pp. 59-63

⁹⁷ UN Human Rights Council, UN experts call for justice for Tunisian human rights defender, 8 August 2024, [url](#); HRW, Tunisia: Drastic Closure of Civic Space, 16 January 2025, [url](#); AI, Report on the human rights situation (covering 2023), [url](#); UN Human Rights Council, Tunisia: End all forms of persecution of opponents and activists, 18 February 2025, [url](#)

⁹⁸ ISPI, The European Union and Saïed's Tunisia: Shifting from "Shared Values" to Strategic Interests, 4 October 2024, [url](#)

⁹⁹ AI, Tunisia: The authorities must release opposition figures and end politically motivated prosecutions, 23 May 2024, [url](#)

¹⁰⁰ HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); Le Monde, Tunisie : l'opposante Sihem Bensedrine interdite de quitter le pays, 7 March 2023, [url](#)

¹⁰¹ OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, May – October 2024, [url](#), p.63

¹⁰² Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#); EEAS, Tunisie : Déclaration de la porte parole sur les récents développements dans le pays, 14 May 2024, [url](#); HRW, Tunisie : La répression de la société civile s'intensifie, 17 May 2024, [url](#)

¹⁰³ HRW, Tunisia: Drastic Closure of Civic Space, 16 January 2025, [url](#)

¹⁰⁴ Euromed, Human rights and the rule of law in Tunisia: the slide continues, 26 May 2023, [url](#); GI-TOC, Global Organised Crime Index – Tunisia, 2023, [url](#), p. 5

¹⁰⁵ Tunisia, Décret-loi n° 2022-54 du 13 septembre 2022, relatif à la lutte contre les infractions se rapportant aux systèmes d'information et de communication, [url](#)

¹⁰⁶ ICG, Tunisia: High Risks around the Presidential Election, 1 October 2024, [url](#); BTI, 2024, Country Report – Tunisia, [url](#), p. 11; AI, Tunisia: Immediately release journalist facing two years in prison for 'insulting' government minister, 9 January 2024, [url](#); CPJ, Tunisia uses new cybercrime law to jail record number of journalists, 16 January 2025, [url](#)

government has taken measures that undermine the independence of the judiciary.¹⁰⁷ In March 2023, the European Parliament adopted a resolution calling on the authorities to stop attacks against freedom of expression and association.¹⁰⁸ Against this backdrop, the EU has publicly expressed concerns over the human rights situation in the country.¹⁰⁹

Police reportedly makes use of **excessive violence** against detainees during arrests and interrogations, both in security and in detention centres.¹¹⁰ The use of torture by state agents continued to be alleged in detention centres, in **prisons**¹¹¹ and towards asylum-seekers, refugees and migrants.¹¹² The Criminal Code is deemed not to be in line with international standards when addressing cases of torture. According to USDOS, prison and detention conditions are also considered not compliant with international standards due to 'gross overcrowding, poor infrastructure, and inadequate sanitary condition'.¹¹³

Although Tunisia has been observing a moratorium on the application of the **death penalty** since 1991,¹¹⁴ reportedly Tunisian courts continue to sentence individuals to death.¹¹⁵ President Saïed stated his position in favor of the death penalty in 2020.¹¹⁶

Specific profiles

The overview below is not an exhaustive list of profiles that may face specific human rights concerns.

Political opponents - Since President Saïed's concentration of powers in 2021, political opponents have faced repression in many forms.¹¹⁷ Political activists have been arbitrarily

¹⁰⁷ UN Human Rights Council, Arrest of perceived political opponents and civil society in Tunisia, 14 February 2023, [url](#)

¹⁰⁸ EP, European Parliament resolution of 16 March 2023 on recent attacks in Tunisia against freedom of expression and association, 16 March 2023, [url](#)

¹⁰⁹ EEAS, EU Annual report on human rights and democracy in the world 2023 country updates, [url](#), p. 61; EEAS, Tunisia: Speech by High Representative/Vice-President Josep Borrell at the EP plenary on the situation in the country, 22 October 2024, [url](#); EEAS, Tunisie : Déclaration de la porte parole sur les récents développements dans le pays, 14 May 2024, [url](#)

¹¹⁰ GI-TOC, Global Organized Crime Index, Tunisia, 2023, [url](#), p. 5

¹¹¹ USDOS, 2023 Country Reports on Human Rights Practices: Tunisia, 23 April 2024, [url](#), p. 4; OMCT, Torture Roads, Mapping of violations suffered by people on the move in Tunisia, [url](#), p. 14

¹¹² OMCT, Les routes de la torture, July – August 2023, [url](#), p. 25; OMCT, Torture Roads, Mapping of violations suffered by people on the move in Tunisia, [url](#), pp. 47-53; ICJ, Tunisia: the authorities must halt all forcible removals of foreign nationals in violation of international law and stop intimidating associations working on asylum and migration, 13 May 2024, [url](#), p. 4; OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, [url](#), pp. 38-39

¹¹³ USDOS, 2023 Country Reports on Human Rights Practices: Tunisia, 23 April 2024 [url](#), pp. 3-5

¹¹⁴ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62

¹¹⁵ AFHR, Tunisia's Compliance with the Convention on the Elimination of All Forms of Discrimination Against Women: The Death Penalty, 9 January 2023, [url](#), p. 3

¹¹⁶ AI, Tunisia: Presidential statement in favour of death penalty is shocking, 29 September 2020, [url](#)

¹¹⁷ BTI, 2024, Country Report – Tunisia, [url](#), p. 10; Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

arrested,¹¹⁸ detained¹¹⁹ and prosecuted,¹²⁰ including in military courts, and banned from traveling.¹²¹ In February 2023, eight politicians and opposition activists were detained over ‘conspiracy against state security’.¹²² As of February 2025, seven of them remain in detention awaiting trial, while a total of 40 persons have been formally indicted in the case.¹²³ In April 2023, the arrest of Rached Ghannouchi, the historical leader of the party Ennahda, drew concerns by the EU¹²⁴ and human rights organisations.¹²⁵ In February 2025, Ghannouchi was sentenced to 22 years in prison for conspiring against the state, in addition to two other previous sentences of 15 months and 3 years in other judicial cases.¹²⁶ In September 2024, approximately 100 supporters and members of Ennahda party were arrested ahead of presidential elections, most of them released shortly after.¹²⁷ In October 2024, Nouredine Bhiri, a former minister of Justice and leader of Ennahda, was sentenced to ten years of prison under the charge of ‘trying to change the form of the government and inciting people against each other’.¹²⁸

Journalists and social media users -Journalists face prosecution¹²⁹ and arbitrary detentions on for expressing critical views,¹³⁰ based on charges such as ‘insulting’ the authorities or ‘spreading fake news’ based on Decree Law No 54 on cybercrime¹³¹ and on Counterterrorism law.¹³² Criticism against the President, the security forces and the government can be prosecuted under the Criminal and the Military justice codes, particularly targeting journalists, lawyers and civil society. Public speeches perceived as offensive to ‘public morals’ or ‘public decency’ or perceived to ‘harm to the public order or public morals,’ are considered as criminal acts.¹³³ As of January 2025, five journalists were imprisoned, four of whom were prosecuted under the Decree

¹¹⁸ EUROMED, Human rights and the rule of law in Tunisia: the slide continues, 26 May 2023, [url](#); UN Human Rights Council, Arrest of perceived political opponents and civil society in Tunisia, 14 February 2023, [url](#); BTI, 2024, Country Report – Tunisia, [url](#), p. 10; Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹¹⁹ BTI, 2024, Country Report – Tunisia, [url](#), p. 10

¹²⁰ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹²¹ BTI, 2024, Country Report – Tunisia, [url](#), p. 10; HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); Le Monde, Tunisie : l’opposante Sihem Bensedrine interdite de quitter le pays, 7 March 2023, [url](#)

¹²² EUROMED, Human rights and the rule of law in Tunisia: the slide continues, 26 May 2023, [url](#)

¹²³ UN Human Rights Council, Tunisia: End all forms of persecution of opponents and activists, 18 February 2025, [url](#)

¹²⁴ EEAS, Les principaux députés européens travaillant sur la Tunisie appellent à la libération immédiate des prisonniers politiques, 20 April 2023, [url](#)

¹²⁵ EUROMED, Human rights and the rule of law in Tunisia: the slide continues, 26 May 2023, [url](#)

¹²⁶ AP, Tunisia’s Islamist party leader is sentenced to 15 months in prison for supporting terrorism, 31 October 2023, [url](#); Reuters, Tunisian court hands lengthy prison terms to top politicians, 5 February 2025, [url](#); Reuters, Tunisian opposition leader Ghannouchi sentenced to three years in prison, 1 February 2024, [url](#)

¹²⁷ HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#)

¹²⁸ AI, Tunisia: Further Information: Ex-Minister Sentenced to Ten Years in Prison: Nouredine Bhiri, 1 November 2024, [url](#)

¹²⁹ HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); CPJ, Tunisia uses new cybercrime law to jail record number of journalists, 16 January 2025, [url](#)

¹³⁰ HRW, Tunisia: Drastic Closure of Civic Space, 16 January 2025, [url](#); Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹³¹ AI, Tunisia: Immediately release journalist facing two years in prison for ‘insulting’ government minister, 9 January 2024, [url](#)

¹³² HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#)

¹³³ USDOS, 2023 Country Reports on Human Rights Practices: Tunisia, 23 April 2024, [url](#), p. 16

Law No 54.¹³⁴ Social media users were also reportedly detained for political grounds¹³⁵ and in some cases tried in military courts.¹³⁶

Lawyers and judges - Prosecutions, repression and threats against the judiciary severely hinders the activity of lawyers and judges,¹³⁷ thus largely undermining the independence of the judiciary.¹³⁸ Arrests and criminal prosecution on judges and lawyers are based on vague grounds,¹³⁹ including on charges relating to ‘terrorism’ and ‘state security’.¹⁴⁰ Judges and prosecutors covering political cases are under pressure, including to rule against Saied’s opponents.¹⁴¹ Lawyers representing LGBTIQ individuals,¹⁴² members of political opposition groups, activists and victims of human rights violations are subjected to judicial harassment, intimidation,¹⁴³ arbitrary arrests,¹⁴⁴ politically motivated prosecutions,¹⁴⁵ for exercising their professional duties.¹⁴⁶ As of March 2024, authorities have reportedly prosecuted at least 20 lawyers¹⁴⁷ based on vague charges such as ‘conspiracy against the internal and external security of the State’ and ‘fake news’.¹⁴⁸ In 2022, following the issuance of the Decree-Law No. 35 of 2022,¹⁴⁹ 57 judges were dismissed based on the issuance of the presidential decrees n. 35/2022 and 516/2022,¹⁵⁰ including seven women, two of whom faced gender-based harassment and

¹³⁴ CPJ, Tunisia uses new cybercrime law to jail record number of journalists, 16 January 2025, [url](#)

¹³⁵ HRW, Tunisia: Drastic Closure of Civic Space, 16 January 2025, [url](#)

¹³⁶ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹³⁷ UN Human Rights Council, UN Special Rapporteur on the promotion and protection of freedom of opinion and expression, Tunisia: Communication concerning the pattern of attacks on lawyers and judges, 6 March 2024, [url](#) p. 5; EUROMED, Human rights and the rule of law in Tunisia: the slide continues, 26 May 2023, [url](#)

¹³⁸ HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); AI, Tunisia: Authorities must end erosion of judicial independence, [url](#); UN Human Rights Council, Tunisia: Interference with the judiciary and harassment of lawyers must end, say UN experts, 31 May 2024, [url](#)

¹³⁹ AI, Tunisia: Authorities must end erosion of judicial independence, [url](#)

¹⁴⁰ UN Human Rights Council, UN Special Rapporteur on the promotion and protection of freedom of opinion and expression, Tunisia: Communication concerning the pattern of attacks on lawyers and judges, 6 March 2024, [url](#), p. 1

¹⁴¹ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹⁴² AI, Tunisia: Authorities step up crackdown on LGBTI individuals with wave of arrests, 6 February 2025, [url](#)

¹⁴³ UN Human Rights Council, UN Special Rapporteur on the promotion and protection of freedom of opinion and expression, Tunisia: Communication concerning the pattern of attacks on lawyers and judges, 6 March 2024, [url](#), p. 2; AI, Tunisia: Authorities’ targeting of lawyers undermines access to justice, 28 March 2024, [url](#)

¹⁴⁴ ICJ, Egypt/Tunisia: Cease Attacks Against Lawyers, 24 January 2025, [url](#)

¹⁴⁵ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹⁴⁶ AI, Tunisia: Authorities’ targeting of lawyers undermines access to justice, 28 March 2024, [url](#); ICJ, Egypt/Tunisia: Cease Attacks Against Lawyers, 24 January 2025, [url](#)

¹⁴⁷ AI, Tunisia: Authorities’ targeting of lawyers undermines access to justice, 28 March 2024, [url](#)

¹⁴⁸ ICJ, Egypt/Tunisia: Cease Attacks Against Lawyers, 24 January 2025, [url](#); UN Human Rights Council, UN Special Rapporteur on the promotion and protection of freedom of opinion and expression, Tunisia: Communication concerning the pattern of attacks on lawyers and judges, 6 March 2024, [url](#)

¹⁴⁹ AI, Tunisia: Authorities must end erosion of judicial independence, 31 May 2024, [url](#)

¹⁵⁰ AFA, Tunisia : Legislative frameworks and practices hindering freedom of expression, 14 January 2025, [url](#); CEDAW, Concluding observations on the seventh periodic report Tunisia*, 2 March 2023, [url](#), para. 19

online smear campaigns.¹⁵¹ At the time of writing the report, the judges had not been reinstated,¹⁵² despite judgments suspending their dismissals.¹⁵³

Activists, human rights defenders and organisations providing support to migrants -Activists¹⁵⁴ and human rights defenders face prosecutions, repression¹⁵⁵ and detention on political grounds.¹⁵⁶ As part of a state-led crackdown on asylum-seekers and migrants,¹⁵⁷ members of organisations supporting migrants and refugees are subjected to¹⁵⁸ police harassment, investigations and ongoing pre-trial detention over their work, based on charges such as money-laundering, receiving foreign funding and illegally sheltering persons in Tunisia¹⁵⁹ A general climate of hate speech and smear campaigns towards migrant rights defenders is also reported.¹⁶⁰

Women and girls - In recent years, progress in women's rights experience a setback.¹⁶¹ With the change in the electoral system, parity provisions for women's representation in parliament no longer apply. As a result, women's representation dropped from 31% in 2014 to 16% in the last election.¹⁶² Women experience discrimination in employment¹⁶³ due to wage inequalities, lack of social security and respect for general labour rules for domestic workers as well as inadequate safety rules for female agricultural workers.¹⁶⁴ Sources report on discrimination in inheritance rights,¹⁶⁵ based on Islamic inheritance law.¹⁶⁶ Sexual harassment in public spaces is increasing,¹⁶⁷ as well as the rate of feminicides.¹⁶⁸

¹⁵¹ CEDAW, Concluding observations on the seventh periodic report Tunisia*, 2 March 2023, [url](#), para. 19

¹⁵² AI, Tunisia: Authorities must end erosion of judicial independence, 31 May 2024, [url](#)

¹⁵³ Arab Reform (The), The Judicial System in Tunisia: The Diagnosis of a Crisis, 9 February 2024, [url](#)

¹⁵⁴ HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#)

¹⁵⁵ UN Human Rights Council, UN Special Rapporteur on the promotion and protection of freedom of opinion and expression, Tunisia: Communication concerning the pattern of attacks on lawyers and judges, 6 March 2024, [url](#) p. 5; EUROMED, Human rights and the rule of law in Tunisia: the slide continues, 26 May 2023, [url](#)

¹⁵⁶ UN Human Rights Council, UN experts call for justice for Tunisian human rights defender, 8 August 2024, [url](#)

¹⁵⁷ HRW, Tunisia: Deepening Civil Society Crackdown, 17 May 2024, [url](#)

¹⁵⁸ UN Human Rights Council, Tunisia: UN expert alarmed by arrests and smear campaigns against migrant rights defenders, 1 October 2024, [url](#)

¹⁵⁹ EEAS, Tunisia: Speech by High Representative/Vice-President Josep Borrell at the EP plenary on the situation in the country, [url](#); HRW, Tunisia: Drastic Closure of Civic Space, 16 January 2025, [url](#); OMCT, The shrinking of civic space and its impact on people on the move in Tunisia, Vol. 3, May – Oct 2024, [url](#), p. 5; AI, Tunisia: Repressive crackdown on civil society organizations following months of escalating violence against migrants and refugees, 16 March 2024, [url](#); ICJ, Tunisia: the authorities must halt all forcible removals of foreign nationals in violation of international law and stop intimidating associations working on asylum and migration, 13 May 2024, [url](#), p. 3

¹⁶⁰ UN Human Rights Council, Tunisia: UN expert alarmed by arrests and smear campaigns against migrant rights defenders, 1 October 2024, [url](#)

¹⁶¹ Carnegie Endowment, Confronting an Assault on Democracy in Tunisia, 14 March 2023, [url](#); HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); Wilson Center, Three Waves of Gender Reform in Tunisia: Reflections on the Eve of National Women's Day, 17 July 2023, [url](#)

¹⁶² Carnegie Endowment, Confronting an Assault on Democracy in Tunisia, 14 March 2023, [url](#)

¹⁶³ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹⁶⁴ Euromed, Situation report on discriminations against women in Tunisia, March 2023, [url](#), p. 8

¹⁶⁵ HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#)

¹⁶⁶ EUI, Tackling gender discrimination: Lessons from Tunisian inheritance law, 25 January 2024, [url](#)

¹⁶⁷ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹⁶⁸ Intersection Association, The Situation of Women in Tunisia: Marginalization and Femicide, 2 July 2024, [url](#); Jinha, Women must be protected before being killed, 25 July 2024, [url](#)

Challenges in the effective implementation of Law No. 58 of 2017 on the Elimination of Violence against Women have been reported, particularly due to administrative constraints in processing reports of violence and providing adequate support to victims. Additionally, concerns have been raised about insufficient training for law enforcement officials¹⁶⁹ and limited state funding, which may hinder the law's full application.¹⁷⁰ Limited access to free legal aid for women victims of gender-based violence hinders women's access to justice.¹⁷¹

Black and sub-Saharan migrants and refugees - A variety of sources report of a climate of increased violence against black and Sub-Saharan migrants and refugees,¹⁷² fueled by xenophobic rhetoric from President Saïed,¹⁷³ which also affected black Tunisians.¹⁷⁴ Security forces are described as responsible for committing widespread violations against asylum-seekers, refugees and migrants with impunity.¹⁷⁵ Arbitrary arrests,¹⁷⁶ forced and arbitrary expulsion of thousands of sub-Saharan migrants to the Algerian and Libyan border¹⁷⁷ have been

¹⁶⁹ CEDAW, Review of the 7th Periodic Report of TUNISIA, February 2023, [url](#), p. 4

¹⁷⁰ Carnegie Endowment, Confronting an Assault on Democracy in Tunisia, 14 March 2023, [url](#); Euromed Rights, Situation report on discriminations against women in Tunisia, March 2023, [url](#)

¹⁷¹ CEDAW, Concluding observations on the seventh periodic report Tunisia*, 2 March 2023, [url](#), para. 19

¹⁷² Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#); HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); EEAS, Tunisia: Speech by High Representative/Vice-President Josep Borrell at the EP plenary on the situation in the country, 22 October 2024, [url](#); UN Human Rights Council, Tunisia: UN experts concerned over safety of migrants, refugees and victims of trafficking, 14 October 2024, [url](#); EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62; ISPI, Saïed's Migration Policy: The Manipulation of a Tunisian Tragedy, 4 October 2024, [url](#); ICJ, The Price of Complicity: Tunisia-EU Partnership Agreement fuels egregious human rights abuses against refugees, asylum-seekers and migrants, December 2024, [url](#), pp. 13-18

¹⁷³ UN Human Rights Council, Tunisia must immediately stop hate speech and violence against migrants from south of Sahara, UN Committee issues early warning, 4 April 2023, [url](#); Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#); GI-TOC, Tunisia irregular migration reaches unprecedented levels, August 2024, [url](#), p. 18; HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#)

¹⁷⁴ BBC, Tunisian black women: 'My skin colour says I don't belong, 7 June 2023, [url](#)

¹⁷⁵ UN Human Rights Council, Tunisia: UN experts concerned over safety of migrants, refugees and victims of trafficking, 14 October 2024, [url](#); HRW, Tunisia: No Safe Haven for Black African Migrants, Refugees, 19 July 2023, [url](#); OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, [url](#), pp.38-39

¹⁷⁶ GI-TOC, Tunisia irregular migration reaches unprecedented levels, August 2024, [url](#), pp. 18-20; ICJ, Tunisia: the authorities must halt all forcible removals of foreign nationals in violation of international law and stop intimidating associations working on asylum and migration, 13 May 2024, [url](#)

¹⁷⁷ ICJ, Tunisia: the authorities must halt all forcible removals of foreign nationals in violation of international law and stop intimidating associations working on asylum and migration, 13 May 2024, [url](#), p. 3; OMCT, Torture Roads, The Shrinking of Civic Space and its impact on people in the move in Tunisia, [url](#), pp. 23; ICJ, The Price of Complicity: Tunisia-EU Partnership Agreement fuels egregious human rights abuses against refugees, asylum-seekers and migrants, December 2024, [url](#), pp. 11-12; HRW, Tunisia: No Safe Haven for Black African Migrants, Refugees, 19 July 2023, [url](#)

reported, and several sub-Saharan migrants died as a result of their forced transfer to the Tunisian border¹⁷⁸ and lack of access to humanitarian assistance.¹⁷⁹

LGBTIQ persons - Consensual same-sex sexual relations remain forbidden under article 230 of the Penal Code, providing for prison sentences of up to three years for ‘sodomy’. This law has been enforced in practice in recent years.¹⁸⁰ Amnesty International recently denounced a wave of arrests and prosecutions over the past months, along with an increasing harassment by the authorities against LGBTIQ activists.¹⁸¹ As observed by a Tunisian NGO, Damj Association for Justice and Equality, between September 2024 and January 2025, at least 84 people were arrested, detained and prosecuted for their actual or perceived sexual orientation or gender identity. Sources report of cases of online hate speech,¹⁸² violence and abuses against LGBTIQ individuals.¹⁸³ In some cases authorities gather or create digital evidence to support prosecutions against LGBTIQ individuals.¹⁸⁴

Legal remedies against human rights violations

Article 55 of the 2022 Constitution mandates the judicial bodies to protect rights and freedoms,¹⁸⁵ acknowledging the judiciary’s role in the protection from violations by the executive and legislature.¹⁸⁶ Despite these provisions and the similarity between the 2014 and 2022 constitutions, the weakening of the legal and institutional guarantees for the judiciary has reportedly lead to violations and attacks on constitutional freedoms and rights.¹⁸⁷ Article 74 acknowledges the supremacy of international conventions over national laws, although establishing that the treaties have an inferior status than the constitution.¹⁸⁸

¹⁷⁸ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62; GI-TOC, Tunisia irregular migration reaches unprecedented levels, August 2024, [url](#), pp. 18-20; UN Human Rights Council, Mandats de la Rapporteuse spéciale sur la traite des êtres humains, et al., 1 October 2024, [url](#), p. 2

¹⁷⁹ EEAS, EU annual report on human rights and democracy in the world 2023 country updates, 29 May 2024, [url](#), p. 62; GI-TOC, Tunisia irregular migration reaches unprecedented levels, August 2024, [url](#), pp. 18-20; UN Human Rights Council, Mandats de la Rapporteuse spéciale sur la traite des êtres humains, et al., 1 October 2024, [url](#), p. 2

¹⁸⁰ Freedom House, Annual report on political rights and civil liberties in 2023, 2024, [url](#)

¹⁸¹ AI, Tunisia: Authorities step up crackdown on LGBTI individuals with wave of arrests, 6 February 2025, [url](#)

¹⁸² HRW, Annual report on the human rights situation in 2024, 16 January 2025, [url](#); AI, Report on the human rights situation (covering 2023), 24 April 2024, [url](#)

¹⁸³ AI, Tunisia: Authorities step up crackdown on LGBTI individuals with wave of arrests, 6 February 2025, [url](#)

¹⁸⁴ HRW, All This Terror Because of a Photo, 21 February 2023, [url](#)

¹⁸⁵ AFA, Tunisia : Legislative frameworks and practices hindering freedom of expression, 14 January 2025, [url](#)

¹⁸⁶ UNDP, Protecting Human Rights in Constitutions, 2023, [url](#), p. 21

¹⁸⁷ Global Organized Crime Index, Tunisia, 2023, [url](#), p. 5; Adala for all (AFA), Tunisia : Legislative frameworks and practices hindering freedom of expression, 14 January 2025, [url](#)

¹⁸⁸ AFA, Tunisia : Legislative frameworks and practices hindering freedom of expression, 14 January 2025, [url](#); Tunisia, La Constitution de la République tunisienne du 25 juillet 2022, [url](#)

Lack of judicial independence¹⁸⁹ reportedly had a direct impact on the role of the judges to defend constitutionally guaranteed rights and freedoms¹⁹⁰ due to unlawful interference by the executive in their work.¹⁹¹ The judicial system reportedly faces challenges, including politicisation, lack of staff and specific expertise.¹⁹² Judges, prosecutors and lawyers¹⁹³ lack training due to funding limitations, further challenging the performance of the judicial sector.¹⁹⁴ The right to a fair trial is not always enforced in light of issues such as: restricted communication between lawyers and defendants,¹⁹⁵ lengthy of pre-trial detention, trial of civilians before military courts.¹⁹⁶

The Tunisian High Judicial Council was suspended in February 2022,¹⁹⁷ and replaced with a temporary council,¹⁹⁸ raising concerns among members of the judicial function on their independence and their ability to uphold rights and freedoms.¹⁹⁹ Despite its fundamental role in ensuring the rule of law and the independence of the judiciary, the Constitutional Court is still not operational.²⁰⁰ Authorities failed to prosecute members of the security forces and political representatives accused of human rights violations.²⁰¹

Corruption is described as ‘endemic’²⁰² and ‘widespread’, reportedly facilitated by state actors such as politicians, state-officials, law enforcement officials and judges, who engage in criminal activities,²⁰³ largely undisturbed.²⁰⁴ Sources noted that Tunisia's accountability systems is deemed as inadequate. The National Commission for the Fight against Corruption was shut down by the authorities in 2021.²⁰⁵

¹⁸⁹ GI-TOC, Global Organised Crime Index – Tunisia, 2023, [url](#), p. 5; AI, Tunisia: Authorities must end erosion of judicial independence, 31 May 2024, [url](#); UN Human Rights Council, Tunisia: Interference with the judiciary and harassment of lawyers must end, say UN experts, 31 May 2024, [url](#)

¹⁹⁰ AFA, Tunisia : Legislative frameworks and practices hindering freedom of expression, 14 January 2025, [url](#); Arab Reform (The), The Judicial System in Tunisia: The Diagnosis of a Crisis, 9 February 2024, [url](#)

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