



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Concluding observations on the combined twentieth to twenty-second periodic reports of Tunisia*

1. The Committee considered the combined twentieth to twenty-second periodic reports of Tunisia,¹ submitted in one document, at its 3181st and 3182nd meetings,² held on 26 and 27 November 2025. At its 3190th meeting, held on 3 December 2025, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the combined twentieth to twenty-second periodic reports of the State Party. The Committee welcomes the constructive dialogue with the high-level delegation and wishes to thank the delegation for the information that it provided during the Committee's consideration of the reports.

B. Positive aspects

3. The Committee welcomes the State Party's ratification of and accession to the following international human rights instruments:

- (a) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in 2018;
- (b) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2011;
- (c) The International Convention for the Protection of All Persons from Enforced Disappearance, in 2011;
- (d) The Optional Protocol to the International Covenant on Civil and Political Rights, in 2011.

4. The Committee also welcomes the following legislative, institutional and policy measures taken by the State Party:

- (a) The adoption of the Governmental Decree No. 2021-203 of 7 April 2021 on establishing the National Commission to Combat Racial Discrimination;
- (b) The establishment of a National Committee to harmonize human rights legislation with the Constitution and ratified international instruments, pursuant to Governmental Decree No. 2019-1196 of 24 December 2019;

* Adopted by the Committee at its 116th session (17 November–5 December 2025).

¹ CERD/C/TUN/20-22.

² See CERD/C/SR.3181 and CERD/C/SR.3182.



- (c) The adoption of Organic Act No. 2018-50 of 23 October 2018 on the elimination of all forms of racial discrimination;
- (d) The adoption of Organic Act No. 2016-61 on preventing and combating trafficking in persons;
- (e) The establishment of the National Authority to Combat Trafficking in Persons, in 2016;
- (f) The establishment of the National Authority for the Prevention of Torture pursuant to Organic Act No. 2013-43 of 21 October 2013.

C. Concerns and recommendations

Statistics

5. The Committee notes the statistics provided by the State Party's delegation, during the dialogue, on the population, including on asylum-seekers, based on the results of the general population and housing census conducted in 2024. However, the Committee is concerned about the lack of comprehensive statistics on the demographic composition of the population, disaggregated by ethnicity, including on the Amazigh ethnic minority group, and Black Tunisians and non-citizens, and on the socioeconomic situation of the various population groups. It is also concerned that the 2024 population census did not allow for information to be gathered on the basis of the principle of self-identification. The lack of disaggregated data limits the Committee's ability to properly assess the situation of groups vulnerable to racial discrimination, including their socioeconomic status and any progress achieved as a result of targeted policies and programmes (arts. 1, 2 and 5).

6. **Recalling its general recommendation No. 8 (1990) concerning the interpretation and application of article 1 (1) and (4) of the Convention, and its guidelines for reporting under the Convention,³ the Committee recommends that the State Party collect reliable, up-to-date and comprehensive statistics on the demographic composition of the population, on the basis of the principle of self-identification, including on the Amazigh ethnic minority group, Black Tunisians and non-citizens, particularly asylum-seekers, refugees and migrants in an irregular situation, and provide those data to the Committee. It also recommends that the State Party produce disaggregated statistics on the socioeconomic situation of ethnic minority groups and non-citizens and on their access to education, employment, healthcare and housing, with a view to creating an empirical basis for assessing the equal enjoyment of the rights enshrined in the Convention.**

National human rights institution

7. The Committee notes the information provided on the adoption of Organic Act No. 2018-51 regarding the establishment of a human rights commission as the national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). However, the Committee regrets the information provided by the delegation during the dialogue that the human rights commission will not be established and that the High Committee on Human Rights and Fundamental Freedoms is acting as the national human rights institution. The Committee notes that the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions reviewed the High Committee and accredited it with B status in 2009, while expressing various concerns, including the absence of transparent and pluralistic member nomination procedures, the lack of immunity provisions for members and unclear terms of appointment. The Committee regrets the lack of information on measures to review and strengthen the High Committee (art. 2).

8. **Recalling its general recommendation No. 17 (1993) on the establishment of national institutions to facilitate the implementation of the Convention, the Committee recommends that the State Party adopt legislative and operational measures to**

³ CERD/C/2007/1.

strengthen the institutional independence of the High Committee on Human Rights and Fundamental Freedoms and ensure that it is able to carry out its mandate in full compliance with the Paris Principles and General Assembly resolution 74/156 of 18 December 2019.

Legislative and institutional frameworks

9. The Committee welcomes the adoption of Organic Act No. 2018-50 of 23 October 2018 on the elimination of all forms of racial discrimination, article 2 of which prohibits racial discrimination on the grounds of race, colour, descent and national or ethnic origin. It notes that article 9 of the Organic Act criminalizes the dissemination of ideas based on racial discrimination and incitement to hatred and prohibits organizations and propaganda that promote such acts, in accordance with article 4 of the Convention. The Committee also notes that hate speech and hate crimes are also criminalized under other legislation, including Decree No. 2011-87 of 24 September 2011 concerning the organization of political parties, Decree No. 2011-88 on the organization of associations and the Criminal Code, whose article 101 bis prohibits torture on the grounds of racial discrimination. It further notes that racist motives are considered an aggravating circumstance pursuant to article 8 of the Organic Act. The Committee notes the adoption of Governmental Decree No. 2021-203 of 7 April 2021, on establishing the National Commission to Combat Racial Discrimination in accordance with article 11 of the Organic Act. Nevertheless, the Committee is concerned about:

- (a) The lack of comprehensive anti-discrimination legislation expressly prohibiting structural, direct, indirect and intersecting forms of discrimination in the public and private spheres;
- (b) Undue delay and lack of progress in the establishment of the National Commission to Combat Racial Discrimination;
- (c) The absence of comprehensive policy measures to combat racial discrimination and hate crimes, particularly in relation to the situation of groups vulnerable to racial discrimination, such as the Amazigh ethnic minority group, Black Tunisians and non-citizens (arts. 1, 2 and 5).

10. **The Committee recommends that the State Party:**

- (a) **Adopt comprehensive anti-discrimination legislation that encompasses structural, direct, indirect and intersecting forms of discrimination in both the public and the private spheres;**
- (b) **Expedite the establishment, within a clear time frame, of the National Commission to Combat Racial Discrimination, ensuring the meaningful participation of civil society organizations working on the rights protected under the Convention and allocating adequate human, financial and technical resources to enable the Commission to carry out its mandate and activities effectively;**
- (c) **Develop and adopt, within a clear time frame, a policy framework to combat racial discrimination and hate crimes, ensuring the meaningful participation of civil society organizations working on the rights protected under the Convention.**

Complaints of racial discrimination and hate crimes

11. The Committee notes the information that, between 2018 and 2020, the courts handed down judgments in over 350 racial discrimination cases and that, in 2024, there were 14 such cases related to Organic Act No. 2018-50. Nevertheless, the Committee is concerned about:

- (a) The lack of up-to-date, detailed and disaggregated information on complaints of racial discrimination and hate crimes, investigations, prosecutions and convictions, and sanctions imposed by courts in such cases;
- (b) Significant underreporting of racial discrimination and hate crimes, attributed to victims' mistrust of law enforcement agencies, fear of reprisals and harassment, limited awareness of complaint mechanisms and rights and a prevailing perception that racial discrimination and hate crimes are normalized and widespread;

(c) The lack of progress in developing the judicial data-collection system on complaints of racial discrimination and hate crimes under article 6 of Organic Act No. 2018-50;

(d) Cases of hate speech and the dissemination of negative stereotypes targeting Black Tunisians and non-citizens, particularly on the Internet and social media;

(e) The use of racist hate speech by politicians and influential public figures and the lack of information on investigations, prosecutions and convictions of such politicians and public figures (arts. 2, 4 and 6).

12. The Committee draws the State Party's attention to its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system and recalls that an absence of complaints and legal action relating to racial discrimination may reveal a lack of suitable legislation, poor awareness of the legal remedies available, a lack of trust in the judicial system, a fear of reprisals or a lack of will on the part of the authorities to prosecute the perpetrators of such acts. Recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention, No. 15 (1993) on article 4 of the Convention and No. 35 (2013) on combating racist hate speech, the Committee recommends that the State Party:

(a) Ensure the effective implementation of Organic Act No. 2018-50 by law enforcement officials, prosecutors and judges, including by conducting training programmes on the identification and registration of incidents of racial discrimination, hate speech and hate crimes;

(b) Take effective measures to ensure the availability and accessibility of safe reporting channels to victims of racial discrimination and hate crimes, including by conducting an assessment of the systems for reporting and registering complaints of racial discrimination and hate crimes, and to identify and effectively address all barriers to justice faced by victims of racial discrimination and hate crimes, including discriminatory attitudes in the judicial system;

(c) Undertake public education campaigns on the rights enshrined in the Convention and on how to file complaints of racial discrimination, particularly among Black Tunisians and non-citizens;

(d) Expedite, with a clear time frame, the development of the judicial data-collection system for complaints of racial discrimination and hate crimes, so as to ensure the availability of statistical data on complaints filed, investigations conducted, prosecutions brought, convictions handed down and sanctions imposed, disaggregated by age, gender and ethnic or national origin of the victims and perpetrators, and include such data in its next report;

(e) Take effective measures to monitor and address the spread of racist hate speech in the media and on the Internet and social media, in close cooperation with media outlets, Internet service providers and social media platforms;

(f) Condemn all forms of hate speech, distance itself from racist hate speech expressed by politicians and public figures and ensure that such acts are investigated and appropriately punished.

Independence of the judiciary

13. The Committee notes the information provided by the delegation regarding the independence of the judiciary under the 2022 Constitution. However, the Committee is concerned about the alleged absence of judicial independence due to executive control and political interference, particularly following the suspension of the Supreme Judicial Council pursuant to Decree No. 11-2022 of 12 February 2022 and its subsequent replacement by the Provisional Judiciary Council, whose members the President of the State Party has the authority to appoint. It is also concerned about the dismissal of more than 55 judges in June 2022, following the issuance of Decree No. 35-2022 of 1 June 2022, which grants the President of the State Party the power to dismiss judges based on the vaguely defined

concepts of “interfering with public order” and “the supreme interest of the country”. The Committee is further concerned that such interference may jeopardize the fair administration of justice, including the principle of equality before the law, to the detriment of individuals belonging to ethnic minority groups, non-citizens and victims of racial discrimination (arts. 5 and 6).

14. Recalling its general recommendations No. 20 (1996) on article 5 of the Convention and No. 31 (2005), the Committee recommends that the State Party adopt effective measures to guarantee the independence and impartiality of the judiciary from political control and influence, including by reviewing the legislative framework to bring the procedures for the selection, appointment and removal of judges into full compliance with the Basic Principles on the Independence of the Judiciary, and ensure that the judiciary is in a position to protect victims of racial discrimination and provide them with effective remedies.

Racial profiling and racially motivated police violence

15. The Committee notes the information provided by the delegation, during the dialogue, on the adoption of a code of conduct and the provision of human rights training for law enforcement officials. It also notes that complaint mechanisms exist under the Ministry of the Interior and in each law enforcement agency. Nevertheless, the Committee is concerned about:

- (a) The legislative framework on law enforcement, which does not prohibit racial profiling and racially motivated violence by law enforcement officials;
- (b) The complaint mechanisms available regarding racial profiling and racially motivated violence by law enforcement officials, which lack independence and are inaccessible to the public;
- (c) The prevalence of racial profiling and racially motivated violence by the law enforcement agencies, particularly targeted at non-citizens;
- (d) The lack of information on investigations, prosecutions, convictions and sanctions for acts of racial profiling and racially motivated violence perpetrated by law enforcement officials against non-citizens (arts. 4 and 6).

16. Recalling its general recommendation No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, the Committee recommends that the State Party:

- (a) Adopt legislation that explicitly prohibits racial profiling by law enforcement officials during police stops, identity checks and other police operations, and racially motivated violence;
- (b) Establish an independent monitoring body with the competence to receive complaints of racial profiling and racially motivated violence perpetrated by law enforcement officials, with safe and accessible reporting channels for victims;
- (c) Conduct prompt, thorough and impartial investigations into all allegations of racial profiling and racially motivated violence perpetrated by law enforcement officials, particularly against sub-Saharan migrants, and ensure that alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions and that victims or their families are provided with adequate forms of reparation;
- (d) Collect and include in its next periodic report data on complaints of racial profiling and racially motivated violence perpetrated by law enforcement officials, on investigations, prosecutions, convictions and sanctions in such cases and on reparations provided to victims.

Civic space

17. The Committee notes the information provided by the delegation on guarantees for the exercise of the right to freedom of association in accordance with the Constitution and

Decree No. 2011-88 of 24 September 2011 on the organization of associations. However, the Committee is concerned about the significant increase, since July 2021, in restrictions imposed on the actual exercise and enjoyment of the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association. In particular, the Committee is concerned:

- (a) That the arbitrary interpretation of the overly broad and vague concepts and provisions in the legislative framework to combat trafficking in persons, particularly those that criminalize the provision of assistance and shelter to persons in an irregular situation under article 25 of Act No. 1968-7 of 8 March 1968 and articles 38–41 of Act No. 2004-6 of 3 February 2004, not only restrict the legitimate exercise of the rights to freedom of expression and of association and arbitrarily silence human rights defenders and civil society organizations, but also allow for targeted application against the operations and activities of civil society organizations, human rights defenders, lawyers and journalists working to promote the rights of non-citizens, particularly sub-Saharan migrants;
- (b) That decisions have been taken to suspend several local and international human rights organizations working to promote and protect the human rights of ethnic minority groups, particularly Black Tunisians, and non-citizens, and that human rights defenders, members of civil society organizations, activists, lawyers and journalists have increasingly become targets of intimidation, surveillance, harassment, threats and reprisals, arbitrary arrest and detention and violations of fair trial safeguards as a consequence of their work.

18. The Committee recommends that the State Party adopt effective measures, including reviewing its legislative framework, namely Act No. 1968-7 of 8 March 1968 and Act 2004-6 of 3 February 2004, to ensure an open space for the operations and activities of human rights defenders and civil society organizations, in particular those working on the promotion and protection of the human rights of ethnic minority groups, particularly Black Tunisians, and migrants, asylum-seekers and refugees. It also recommends that the State Party conduct effective, thorough and impartial investigations into all reported cases of intimidation and harassment of, and threats and reprisals against, human rights defenders, journalists, lawyers, activists and members of civil society organizations.

Black Tunisians

19. The Committee notes the information in the State Party's report indicating that, pursuant to Organic Act No. 2018-50, the courts have granted requests by Black Tunisians to change surnames that have racist or discriminatory connotations and are relics of the trans-Saharan slave trade. However, the Committee is concerned that:

- (a) Black Tunisians continue to experience structural discrimination and marginalization, which hinders their enjoyment of rights guaranteed under the Convention, particularly in relation to access to employment, education and public services;
- (b) The lingering effects of the trans-Saharan slave trade include the normalization of offensive words in daily life and the fact that Black Tunisians still bear surnames that have racist or discriminatory connotations;
- (c) Black Tunisians are subjected to discriminatory practices in employment on the basis of skin colour, including restricted access to senior positions commensurate with their qualifications, with disparities being especially pronounced among individuals with higher education, and persistent barriers to career progression (arts. 1, 2 and 5).

20. Recalling its general recommendation No. 32 (2009) on the meaning and scope of special measures in the Convention, the Committee recommends that the State Party:

- (a) **Take effective measures, including special measures, to combat structural racial discrimination and marginalization targeting Black Tunisians, to increase their access to education, employment and public services;**
- (b) **Take measures to address the historical legacies of the trans-Saharan slave trade, including by combating the use of offensive words in daily life and ensuring**

that Black Tunisians wishing to change surnames with racist or discriminatory connotations can do so through accessible, timely and cost-free procedures;

(c) Take measures to protect Black Tunisians against racial discrimination, including by ensuring their access to justice and effective remedies and by providing legal aid;

(d) Take measures to ensure the effective implementation in the workplace of Organic Act 2018-50 and to guarantee equal access for Black Tunisians to employment, including by ensuring transparent recruitment and promotion processes, particularly for senior positions, in both the public and the private sectors;

(e) Collect, and include in its next periodic report, statistics on Black Tunisians, in particular their economic, social and cultural situation.

Amazigh ethnic minority group

21. The Committee welcomes the issuance by the Ministry of Local Affairs, on 15 July 2020, of a circular, based on Organic Act No. 2018-50, revoking circular No. 1965-85 of 12 December 1965, which restricted the birth registration of newborns with Amazigh names. However, the Committee is concerned about:

(a) Reports that some municipalities still refuse to register newborns with Amazigh names, despite the circular of July 2020;

(b) The lack of information and official statistics on the situation of the Amazigh ethnic minority group, in particular their social and economic situation;

(c) The reported marginalization and structural discrimination faced by the Amazigh ethnic minority group;

(d) The lack of mother-tongue education in public schools in the Tamazight language, which is classified as an endangered language by the United Nations Educational, Scientific and Cultural Organization (arts. 1, 2 and 5).

22. The Committee recommends that the State Party:

(a) Ensure the effective implementation of the circular of the Minister of Local Affairs of 15 July 2020 to allow the birth registration of newborns with Amazigh names;

(b) Take effective measures, including special measures, to address the marginalization and structural discrimination faced by the Amazigh ethnic minority group and to ensure their access to education, employment, healthcare and housing;

(c) Take measures to ensure that members of the Amazigh ethnic minority group have access to education in their mother tongue in public schools and universities and to allocate sufficient human, technical and financial resources to ensure high-quality instruction in the Tamazight language;

(d) Collect, and include in its next periodic report, statistics on the Amazigh ethnic minority group, in particular their economic, social and cultural situation.

Ethnic minority groups in political and public affairs

23. While noting the information provided by the delegation on the lack of legal restrictions on the participation of members of Black Tunisians and members of the Amazigh ethnic minority group in political and public affairs, the Committee is concerned about the lack of information on the representation of Black Tunisians and members of the Amazigh ethnic minority group in the Assembly of People's Representatives, law enforcement agencies, the public administration and the judiciary, particularly in senior and decision-making positions (arts. 1, 2 and 5).

24. The Committee recommends that the State Party take measures to ensure fair and equitable representation of Black Tunisians and members of the Amazigh ethnic minority group, particularly women, in the public sector and in decision-making and high-ranking positions, including through special measures and by identifying and

removing the barriers that Black Tunisians and members of the Amazigh ethnic minority group face in this respect.

Legislative framework on migration

25. The Committee notes that, under article 32 of the Constitution, the right to political asylum is guaranteed under the conditions prescribed by the domestic legislative framework and that beneficiaries of political asylum are protected from extradition. However, the Committee is concerned that:

- (a) The legislative framework does not establish a national asylum procedure or recognize the rights of asylum-seekers;
- (b) The procedure for refugee status determination, which was being conducted by the Office of the United Nations High Commission for Refugees, was reportedly suspended in June 2024 at the request of the State Party, leading to a gap in protection for asylum-seekers, particularly against refoulement, and preventing their access to basic human rights and services;
- (c) Undocumented migrants and asylum-seekers have been subjected to de facto detention without judicial oversight and for an indefinite duration;
- (d) The legislative framework, particularly Act No. 1968-7 of 8 March 1968 and Act 2004-6 of 3 February 2004, criminalizes irregular migration, leading to discriminatory treatment, hate speech and hate crimes targeted at sub-Saharan migrants on the basis of their national origin and the denial of their access to basic human rights and services;
- (e) The legislative framework, namely article 18 of Act No. 1968-7 and article 50 of Act 2004-6, regulates the expulsion of non-citizens without the requirements to ensure due process safeguards, to conduct an individualized assessment or to respect the principle of non-refoulement.

26. **Recalling its general recommendation No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State Party:**

- (a) Develop and adopt, within a clear time frame, a legal framework in accordance with international standards, particularly the Convention and the Convention relating to the Status of Refugees and the Protocol thereto, that provides adequate protection for migrants, asylum-seekers and refugees and establishes an asylum procedure, in accordance with internationally recognized standards, including the principle of non-refoulement;
- (b) Review the legislative framework, particularly Acts No. 1968-7 and No. 2004-6, in order to decriminalize irregular migration, to prevent and eradicate discriminatory practices, including on the basis of race, colour, descent and national or ethnic origin, particularly affecting sub-Saharan migrants, to ensure respect for the principle of non-refoulement, and to amend expulsion procedures to ensure that no individual is expelled without an individualized assessment that the person will not be at risk of serious human rights violations upon return;
- (c) Ensure that immigration detention is applied only as a measure of last resort and for the shortest possible period, after an assessment of its legality, necessity and proportionality on a case-by-case basis.

Situation of sub-Saharan migrants since February 2023

27. The Committee notes of the information provided on the legal framework regarding migration and on measures taken to assist and protect migrants from the sub-Saharan region, such as the establishment of a hotline to provide them with legal assistance. However, the Committee is concerned that the already adverse situation of sub-Saharan migrants has drastically deteriorated following a statement delivered by the President of the State Party during a national security meeting on 21 February 2023, in which he reportedly claimed that a conspiracy was under way to transform the State Party into “a purely African country that has no affiliation with the Arab and Islamic nations”, while highlighting “the need to quickly put an end to this phenomenon, especially since hordes of irregular migrants from

sub-Saharan Africa are still continuing with violence, crimes and unacceptable practices”. The Committee is concerned that this statement signals a shift in the State Party’s policy and practice towards non-citizens, particularly migrants, refugees and asylum-seekers from the sub-Saharan region, by prioritizing the repression of irregular migration, which increases their vulnerability and leads to violations and abuses of their human rights. In particular, the Committee is gravely concerned about:

- (a) The widespread and systematic use of racist hate speech targeting sub-Saharan migrants by politicians and influential public figures, particularly the President of the State Party, members of the Assembly of People’s Representatives and ministers, which fosters intolerance and incites racial discrimination and hate crimes;
- (b) The spread of racist hate speech and the dissemination of negative stereotypes targeting sub-Saharan migrants, particularly on the Internet and social media;
- (c) The lack of measures to combat and address the rise in the use of racist hate speech and the dissemination of negative stereotypes targeting sub-Saharan migrants by politicians and influential public figures and on the Internet and social media;
- (d) Reports, since February 2023, of harassment and organized violent attacks perpetrated by civilians and organized vigilante groups against documented and undocumented sub-Saharan migrants, and reports of a lack of action by the law enforcement agencies to ensure their protection, leading to unlawful killings, injuries and destruction of their property, in violation of their right to security and the protection of the State against violence and bodily harm;
- (e) Reports, since February 2023, of documented and undocumented sub-Saharan migrants being evicted by landlords, dismissed from employment and denied access to essential services, including healthcare, education and transportation, leading to abuses and violations of their rights to equality and non-discrimination, to an adequate standard of living, to the highest attainable standard of health, to education and to freedom of movement;
- (f) Reports of an increase in law enforcement operations since February 2023, including police stops and identity checks, targeting sub-Saharan migrants and involving the systematic use of racial profiling, and reports that these operations have resulted in arbitrary arrest and detention without due process, confiscation of property, forced transfers, collective expulsion, torture, ill-treatment and rape and other forms of sexual violence in detention facilities and during transfer and expulsion processes;
- (g) Reports of a significant increase in racially motivated excessive use of force in law enforcement operations targeting sub-Saharan migrants;
- (h) Reports that, during maritime interception operations, law enforcement agencies such as the Maritime National Guard employ discriminatory, dangerous and violent methods, such as deliberate collisions and high-speed manoeuvres that risk capsizing migrant vessels, jeopardizing the lives of sub-Saharan migrants instead of ensuring their protection, and leading to deaths among them;
- (i) Reports of forced evictions, by law enforcement agencies, of migrants and asylum-seekers from shelters and informal settlements, without the provision of adequate alternative housing;
- (j) Reportedly substandard and inhuman conditions in detention facilities, particularly the Ouardia Reception and Orientation Centre in Tunis, for migrants and asylum-seekers, which have a disproportionate impact on women and children, and reports of human rights violations perpetrated by law enforcement officials against arbitrarily detained migrants, including excessive use of force, torture and ill-treatment;
- (k) Reports of the collective expulsion, between February 2023 and May 2025, of more than 11,000 sub-Saharan migrants and asylum-seekers in need of international protection to border areas in Algeria and Libya, where they faced dire conditions and had no access to food or water, which led to deaths and injuries among them;

(l) Reports that collective expulsion incidents are carried out in a systematic manner, without individualized assessments as required under the principle of non-refoulement, and without judicial oversight;

(m) The lack of investigations, prosecutions, convictions and sanctions in relation to alleged human rights violations and abuses perpetrated against sub-Saharan migrants and asylum-seekers by civilians, organized vigilante groups and law enforcement officials, including racial discrimination, hate speech, dissemination of negative stereotypes, systematic use of racial profiling and racially motivated excessive use of force during law enforcement operations, dangerous and violent methods in maritime interception operations, arbitrary detention, unlawful killings, torture and rape and other forms of sexual violence (arts. 2, 5 and 6).

28. Recalling its statement 1 (2023) of 31 March 2023, under its early warning and urgent action procedure, the Committee recommends that the State Party, as a matter of urgency, acknowledge the seriousness of the problem of racial discrimination, hate speech and hate crimes targeted at sub-Saharan migrants and take effective measures to address the root causes thereof and to protect the rights of sub-Saharan migrants in an irregular situation. It also recommends that the State Party:

(a) Take effective measures, in close cooperation with media outlets, Internet service providers and social media platforms, to monitor the spread of racist hate speech and the dissemination of negative stereotypes targeting sub-Saharan migrants on the Internet and social media;

(b) Ensure the public condemnation of racist hate speech targeting sub-Saharan migrants and distance itself from racist hate speech by politicians and influential public figures;

(c) Take effective measures to ensure an effective, objective and proportionate response by law enforcement to hate speech, hate crimes and attacks perpetrated by civilians and organized vigilante groups against sub-Saharan migrants, and to ensure the protection of sub-Saharan migrants, including by effectively implementing Organic Act No. 2018-50;

(d) Take effective measures against organized and racist vigilante groups responsible for intimidation of sub-Saharan migrants, hate speech, incitement to racial hatred, attacks and violence, including preventing their formation, disbanding them and bringing them to justice;

(e) Take measures to ensure accountability and end impunity, including by effectively implementing Organic Act No. 2018-50 and by conducting effective, thorough and impartial investigations into all reports of human rights abuses and violations of perpetrated against sub-Saharan migrants and asylum-seekers by civilians, organized vigilante groups and law enforcement officials, including racial discrimination, hate speech, dissemination of negative stereotypes, systematic use of racial profiling and racially motivated excessive use of force during law enforcement operations, dangerous and violent methods in maritime interception operations, arbitrary detention, unlawful killings, torture and rape and other forms of sexual violence;

(f) Take measures to improve the living conditions in detention facilities for migrants and asylum-seekers in accordance with international standards, and ensure that all persons detained in those facilities have access to medical care, interpreters, adequate food and social support;

(g) Refrain from collective expulsion, provide access to its territory for persons in need of international protection, respect the principle of non-refoulement and conduct investigations into cases of collective expulsion.

29. The Committee also notes the information provided by the delegation regarding the memorandum of understanding on a strategic and global partnership that the State Party signed with the European Union in July 2023, and on the capacity-building programmes for the Maritime National Guard under the migration and mobility pillar. The Committee is

concerned about the lack of consultation with civil society organizations and of transparency in the development, negotiation and implementation of the memorandum of understanding, and the absence of a monitoring mechanism and human rights safeguards, including human rights impact assessments. It is also concerned that the memorandum of understanding is resulting in the discriminatory treatment of sub-Saharan migrants, particularly those in an irregular situation, by prioritizing migration control and border security and focusing on the repression of irregular migration rather than the protection of human rights, exposing sub-Saharan migrants to arbitrary detention, racial profiling and racially motivated excessive use of force during law enforcement operations, dangerous and violent methods in maritime interception operations, and collective expulsion.

30. The Committee recommends that the State Party ensure that the memorandum of understanding with the European Union does not undermine the State Party's legal obligations under the Convention and other instruments of international human rights law and international refugee law, particularly the protection of sub-Saharan migrants, including those in an irregular situation. It also recommends that the State Party ensure transparency in the implementation of the memorandum of understanding and that it conduct regular human rights impact assessments in the implementation of activities thereunder.

Trafficking in persons

31. The Committee welcomes the adoption of Organic Act No. 2016-61 on preventing and combating trafficking in persons and the establishment in 2016 of National Authority to Combat Trafficking in Persons. It notes the information provided by the delegation on the capacity-building activities carried out by the National Authority. However, the Committee is concerned that the procedures for the identification of trafficking victims are not used in cases involving sub-Saharan migrants in need of international protection and that there is a lack of information on the assistance and rehabilitation services provided to them (arts. 2 and 5).

32. The Committee recommends that the State Party ensure the effective implementation of its legislative framework on combating trafficking in persons, enhance the procedure for the identification of trafficking victims in cases involving sub-Saharan migrants and ensure their referral to appropriate services for their assistance and rehabilitation.

Undocumented migrant workers

33. The Committee notes the information provided by the delegation on the adoption of Act No. 2025-9, which prohibits labour exploitation, and on labour inspections. Nevertheless, the Committee is concerned about reports that undocumented migrant workers face harsh working conditions, abuse and exploitation and are subjected to discrimination, including in respect of recruitment and remuneration. The Committee is also concerned about the barriers faced by undocumented migrants in gaining access to justice and other forms of remedies (arts. 2 and 5).

34. The Committee recommends that the State Party take effective measures to combat the abuse and exploitation of undocumented migrant workers, including by assessing and reviewing the framework for the employment of migrant workers with a view to reducing their vulnerability to exploitation and abuse, particularly by their employers. It also recommends that the State Party increase the monitoring of employers, investigate cases of abuse and exploitation of undocumented migrants and prosecute those responsible.

Training, education and other measures to combat prejudice and intolerance

35. The Committee notes the information provided on the promotion of human rights within the education system, including the review of school curricula to incorporate human rights, democracy, equality and the rejection of violence, extremism and hatred. However, the Committee is concerned about the reported marginalization of ethnic minorities, particularly the Amazigh ethnic minority and Black Tunisians, in history education. It is also

concerned about the lack of detailed information on awareness-raising campaigns targeting the general public, members of law enforcement and judicial authorities on the importance of cultural diversity, tolerance and inter-ethnic understanding (art. 7).

36. **The Committee recommends that the State Party take measures to enhance the process of reviewing school curricula in order to integrate the concepts of ethnic and cultural diversity and the fight against racial hatred and discrimination at all levels of education and to ensure that history education is conducted in such a way as to prevent a dominant historical narrative and ethnic hierarchization. It also recommends that the State Party conduct awareness-raising campaigns targeting the general public, civil servants, law enforcement officials and judicial authorities on the importance of ethnic and cultural diversity, tolerance and inter-ethnic understanding.**

D. Other recommendations

Ratification of other treaties

37. Bearing in mind the indivisibility of all human rights, the Committee encourages the State Party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.

Amendment to article 8 of the Convention

38. **The Committee recommends that the State Party accept the amendment to article 8 (6) of the Convention adopted on 15 January 1992 at the fourteenth meeting of States Parties to the Convention and endorsed by the General Assembly in its resolution 47/111.**

Declaration under article 14 of the Convention

39. **The Committee encourages the State Party to make the optional declaration provided for in article 14 of the Convention recognizing the competence of the Committee to receive and consider individual communications.**

Follow-up to the Durban Declaration and Programme of Action

40. **In the light of its general recommendation No. 33 (2009) on follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State Party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State Party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.**

International Decade for People of African Descent

41. **In its resolution 79/193, the General Assembly proclaimed 2025–2034 the Second International Decade for People of African Descent. Also in that resolution, the Assembly decided to extend the programme of activities for the implementation of the International Decade for People of African Descent adopted in resolution 69/16, with a view to ensuring continuing efforts in promoting the respect, protection and fulfilment of all human rights and fundamental freedoms of people of African descent. In the light of this development, the Committee recommends that the State Party implement the programme of activities in collaboration with people of African descent and include in**

its next periodic report information on the measures adopted in that framework, taking into account the Committee's general recommendation No. 34 (2011) on racial discrimination against people of African descent.

Consultations with civil society

42. The Committee recommends that the State Party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

Dissemination of information

43. The Committee recommends that the State Party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all government bodies entrusted with the implementation of the Convention, including at the municipal level, in the official and other commonly used languages, as appropriate.

Common core document

44. The Committee encourages the State Party to update its common core document, which dates to December 2016, in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted at the fifth inter-committee meeting of the human rights treaty bodies, held in June 2006.⁴ In the light of General Assembly resolution 68/268, the Committee urges the State Party to observe the limit of 42,400 words for such documents.

Paragraphs of particular importance

45. The Committee wishes to draw the attention of the State Party to the particular importance of the recommendations contained in paragraphs 12 (complaints of racial discrimination and hate crimes), 18 (civic space) and 20 (Black Tunisians) above and requests the State Party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

Follow-up to concluding observations

46. In accordance with article 9 (1) of the Convention and rule 74 of its rules of procedure, the Committee requests the State Party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 10 (b) (legislative and institutional frameworks) and 28 (g) and 30 (situation of sub-Saharan migrants since February 2023) above.

Preparation of the next periodic report

47. The Committee recommends that the State Party submit its combined twenty-third to thirty-first periodic reports, as a single document, by 4 January 2030, taking into account the reporting guidelines adopted by the Committee during its seventy-first session⁵ and addressing all the points raised in the present concluding observations. In the light of General Assembly resolution 68/268, the Committee urges the State Party to observe the limit of 21,200 words for periodic reports.

⁴ HRI/GEN/2/Rev.6, chap. I.

⁵ CERD/C/2007/1.