



State of the World's Minorities and Indigenous Peoples 2014 - Tunisia

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Tunisia has been divided by intense debates around the future Constitution and the broader direction of the country following the 2011 revolution, with competing visions from secularists and supporters of a state based on Islamic law. Though with a population overwhelmingly composed of Arab-Berber Sunni Muslims, the fate of minorities and their place in Tunisia has been an integral part of these debates. Behind the heated discussion about the place of Islam in the Constitution, a number of key issues are at stake, including freedom of religion, non-discrimination and respect for cultural diversity.

In January 2014, a new Constitution was passed enshrining important guarantees for minority rights. In particular, Tunisia was declared a civil state, despite calls from some groups to make *Sharia* the basis of Tunisian law, while freedom of religion and belief was declared a constitutional right guaranteed by the state. Jewish community representatives refused the proposal to allocate specific seats for Jews in Parliament, and requested to be treated as citizens on an equal footing rather than on a sectarian basis.

Nevertheless, the text represents a compromise between moderate Islamists and centre-left secular parties, with some troubling provisions included that could disadvantage minority communities. This includes the designation of Islam as Tunisia's official religion, the requirement that the President must be a Muslim, and the entrenchment by the state of its 'Arab-Muslim identity' through education, raising concerns among minority rights defenders. The difficulties in accommodating two fundamentally opposing conceptions of the role of the state towards religion is reflected in Article 6, which guarantees freedom of conscience and religion while committing the state to fighting apostasy (*takfir*).

Despite lobbying by the ethnic-linguistic Amazigh minority for linguistic rights during the year, the new Constitution retains Arabic as the state language and stipulates the promotion by the state of Arabic and the Arab-Muslim identity. Black Tunisians also undertook demonstrations, awareness-raising events and advocacy to combat ethnic discrimination. While Christian converts also continue to face social stigmatization and are often afraid to manifest their faith openly, the fact that a committee of the National Constituent Assembly sought the views of the small Christian Tunisian community was a sign of their increasing recognition as a religious group.

As elsewhere in the region, Salafist movements have developed in under-privileged areas of Tunisia, thriving on the country's socio-economic difficulties and the state's inability to provide employment to many young people. This social discontent and lack of prospects have been exploited by ultra-conservative preachers inspired by Wahhabism. Nevertheless, the importance of secular political forces in Tunisia and the relative ethnic and religious homogeneity of the population have meant that minorities have not been the primary victims of hate speech and violence in the country in 2013. Instead, Salafists mainly targeted journalists, human rights defenders and members of secular political parties. This included the killing of two politicians, Chokri Belaid in February and Mohamed Brahmi in July, prompting widespread popular protests.

Sufi leaders reported that dozens of Sufi mausoleums and shrines were ransacked by Salafist groups during the year. Hate speech against Jews in Salafist-controlled mosques was also reported and open calls from an imam to eradicate Jews, broadcast on television, did not lead to prosecution. Jewish cemeteries were desecrated in Kef and Sousse at the beginning of the year, and there were accounts of police harassment of the Jewish community on the island of Djerba. An attack on a Jewish school in Djerba was also reportedly handled inadequately by authorities. However, the annual pilgrimage at el-Ghriba synagogue, which had been cancelled in 2011 and poorly attended in 2012 due to security reasons, was held successfully in April, with hundreds of people attending. The government expressed its support to the Jewish community through the symbolic presence of the minister of tourism, as well the mobilization of a significant security presence to provide protection to participants.

Incitement to discrimination or violence is a prosecutable offence under Tunisian law, with offenders liable to up to three years of imprisonment. However, the ongoing challenge that authorities face in countering Salafist violence reflects broader challenges in maintaining security. Nevertheless, the rise in Salafist activism met with strong reactions from Tunisian civil society. An association to monitor hate speech in mosques and other contexts such as schools was set up in 2013, while incitement to hatred in the media is being tracked by the regional media watchdog Arab Media Group for Media Monitoring, seated in Tunis. In December, Tunis also hosted a UN symposium on freedom of expression and on hate speech. While some progress has been made to secure minority rights during the year, major challenges remain. Past practice has shown that Tunisian laws allowing religious freedom provided it 'does not disturb public order' can amount in practice to excessive restrictions on freedom of religion, under the guise of countering proselytization. Effective realization of these rights will depend on the balance of power between secular parties, moderate Islamists and Salafist movements, as well as the capacity of the state to tackle the economic and social conditions in which extremist groups can grow.

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