

World Report 2024



In 2023, Tunisian authorities intensified their repression against the opposition and other critical voices, imprisoning several dozen people on dubious and manifestly political charges.

President Kais Saied continued to wield almost unchallenged power after eliminating nearly all institutional checks and balances on executive power. The new assembly that took office on March 13 had vastly weaker powers under the constitution adopted in 2022 than the parliament that it had replaced. Saied announced local elections for December 24, 2023, to replace the democratically [elected municipal](#) councils that he had unilaterally dissolved in March.

With the country facing a severe economic crisis, the president has repeatedly accused his opponents of conspiracy and of fomenting social tensions amid rising food prices. The president has scapegoated Tunisia's small population of Black migrants, asylum seekers, and refugees who have also faced abuses from the security forces.

Political Crackdown

In February, [a wave of arrests](#) targeted opponents of various political affiliations, activists, lawyers, judges, and the director of a popular radio station. Most were accused of “conspiracy against state security” and remained in pretrial detention as of September.

The arrests continued throughout the year in the [ranks of the opposition](#) and perceived critics of the government, bringing the number of individuals deemed critical of Saied behind bars to at least 40 as of September.

The authorities have also effectively dismantled, without formally banning, the country's largest opposition party, Ennahda. About 20 party members, including its top leaders, Rached Ghannouchi, [Ali Laarayedh](#), and Nourredine Bhiri, were arbitrarily detained.

On May 15, a Tunis court sentenced [Ghannouchi](#) to a one-year prison term and a fine on terrorism-related charges in connection with public remarks he made. Ghannouchi is also being investigated

in several other criminal cases, including for accusations of “conspiracy against the state.”

On April 18, the police closed Ennahda’s headquarters in Tunis and have since prevented access to the party’s offices across the country. The same day, the authorities shut the Tunis headquarters of the Tunisia Will Movement party, which hosted activities of the National Salvation Front (NSF), an opposition coalition cofounded by Ennahda.

The authorities imposed at least a dozen travel bans in connection with criminal investigations of opponents and perceived critics, such as President of the Truth and Dignity Commission [Sihem Bensedrine](#) and former member of parliament [Zied Ghanney](#), restricting their freedom of movement.

Prosecutions of civilians before military courts have increased since the president’s power grab in July 2021. On January 20, [six civilians](#), including four opposition members of the dissolved parliament and a lawyer, were convicted by the military court of appeal and sentenced to up to 14 months in prison on charges that included “insulting public officials” in connection with a protest they held at Tunis airport.

[Chaima Issa](#), one of the leaders of an opposition coalition, is being prosecuted by a military court for comments she made on the radio about the military’s role in organizing the elections. Issa was also detained from February to July on a charge of “conspiracy against state security,” for which she still faces trial.

Saied’s efforts to [undermine judicial independence](#) continued. He ignored an administrative court order to reinstate 49 judges and prosecutors he arbitrarily fired in June 2022. As of September 2023, at least [27 lawyers](#) faced civil or military prosecution in relation to actions they took while defending their clients or for expressing their opinions. Several of them stood accused of “conspiracy against state security.”

Freedom of Expression and the Press

Prosecutors have opened criminal investigations against about 20 people, including journalists, political opponents, lawyers, and activists, under [Decree 54 on cybercrime](#), which Saied issued in September 2022. The decree imposes heavy prison sentences for spreading “fake news” and “rumors” online and in the media. And it contains provisions granting authorities far-reaching powers to intercept, monitor, collect, and store data for private communications, without safeguards for human rights protections.

On May 16, journalist [Khalifa Guesmi](#), correspondent of the private Radio Mosaïque FM in Kairouan, was sentenced on appeal to five years in prison on charges of disclosing national security information in connection with his reporting about the dismantling of a presumed terrorist cell. He began serving his sentence on September 3. Also in May, a court released on bail the director of Radio Mosaïque FM, [Noureddine Boutar](#), after three months of detention. Boutar is awaiting trial on charges of “conspiracy against state security” and money laundering.

On July 21, journalist Chadha Hadj Mbarek was [arrested](#) in connection with her work with a digital content production company, Instalingo. The company, whose customers include media organizations critical of Saied, has been under investigation since 2021. Hadj Mbarek, along with other former Instalingo employees and other [defendants](#), faces dubious “conspiracy” accusations, among others. She was still detained as of September.

Racism and the Rights of Migrants, Refugees, and Asylum Seekers

During comments on February 21 that were made public, President Saied linked undocumented Black African migrants to crime and a “conspiracy” to change Tunisia’s demographics. “Hordes of illegal immigrants from sub-Saharan Africa are still arriving, bringing violence, crime, and unacceptable and illegal practices,” he said. The UN Committee on the Elimination of Racial Discrimination called Saied’s speech racist and [considered](#) that such remarks violate the International Convention on the Elimination of All Forms of Racial Discrimination, to which Tunisia is a state party.

Although Black African foreigners have been the subject of discrimination and sporadic racist assaults in Tunisia for years, they suffered a [surge in attacks](#) after the president’s speech, including violent assaults, robberies, and vandalism by Tunisian citizens, arbitrary evictions by landlords, and job terminations by employers.

In February, the authorities reportedly [arrested](#) at least 850 Black African foreigners indiscriminately, apparently based on racial profiling, including both documented and undocumented people, asylum seekers, and registered students, according to Lawyers Without Borders (ASF).

In 2023, the Tunisian police, military, and national guard, including the coast guard, committed [serious abuses](#) against Black African migrants, refugees, and asylum seekers. The abuses documented by Human Rights Watch included beatings, use of excessive force, some cases of torture, arbitrary arrests and detention, collective expulsions, dangerous actions at sea during boat interceptions, forced evictions, and theft of money and belongings.

In July, Tunisian security forces conducted mass and arbitrary arrests of Black African foreigners with both regular and irregular legal status in and around the city of Sfax; in several cases, they used excessive force or engaging in physical or sexual abuse, including against women and children. The security forces summarily and collectively expelled some [2,000 people](#), according to the UN High Commissioner for Human Rights—of [at least 16 African nationalities](#), including asylum seekers, pregnant women, and children—to remote areas along Tunisia’s borders with Libya and Algeria.

Authorities left expelled people stranded at the borders for days to weeks with little access to water, food, or medical care. Many who were expelled to the Algerian border remain unaccounted for. While Tunisian authorities and the Tunisian Red Crescent eventually evacuated over 700 of them from the militarized Libya-Tunisia border zone to International Organization for Migration (IOM) shelters and other government facilities in Tunisia, [at least 27 migrants died](#) at the border, [according to the Libyan authorities](#) and the [UN High Commissioner for Human Rights](#). Following an agreement between Tunisia and Libya, about 160 people were evacuated to Libya and transferred to detention centers, where they [risk facing serious abuse](#).

Women’s Rights

Women’s rights regressed under Saied’s presidency. His tailor-made [constitution](#), adopted by a national referendum with an official abstention rate of 69.5 percent in July 2022, says women and men are “equal in rights and duties and are equal before the law without any discrimination.” Article 5, however, stipulates that “Tunisia is part of the Islamic Umma [community/nation],” making the realization of the purposes of Islam a responsibility of the state. Such provisions could be used to justify attacks on women’s rights based on interpretations of religious precepts, as other states in the region have done.

The new electoral law issued unilaterally by Saied in September 2022 [stripped provisions](#) from the previous law that aimed to achieve gender parity in Tunisia’s elected assemblies. As a result, [only 25 women](#) sit in the new assembly of 161 seats.

Tunisian law continues to discriminate against women in inheritance rights, and Saied has expressed his firm opposition to the reform of inheritance laws, which was debated in parliament in 2019.

Despite the 2017 law on violence against women, which set out new support services, prevention, and protection mechanisms for survivors, there are numerous shortcomings in the law's implementation, particularly how the police and judiciary address complaints of domestic violence. The insufficiency of state funding for the law's implementation, as well as the lack of women's shelters, is a critical gap.

Disability Rights

In April 2023, the UN Committee on the Rights of Persons with Disabilities called on Tunisia to review and repeal its laws that deny the right to legal capacity for people with disabilities and to ensure people with disabilities have the right to supported decision-making and individual autonomy. The committee also called on Tunisia to ensure all people with disabilities have the right to accessible quality health services, "in particular sexual and reproductive health services," on the basis of free will and informed consent.

The committee also raised concerns about the scarce participation of women with disabilities in political life and public administration.

Sexual Orientation and Gender Identity

Article 230 of the penal code punishes consensual same-sex conduct between both men and women with up to three years in prison. In December 2022, two individuals, a transgender woman and a gay man, were sentenced by Tunisian courts for homosexuality under article 230 to three years and one year in prison, respectively.

Lesbian, gay, bisexual, and transgender (LGBT) people in Tunisia continue to face discrimination, violent attacks, and online hate speech, including "outing," which has far-reaching offline consequences that threaten affected people's safety.

State actors in Tunisia have also undermined LGBT people's right to privacy and other human rights with digital targeting, namely online harassment, doxxing, and "outing" on public social media platforms. Authorities sometimes rely on illegitimately obtained digital information, such as private photos and chats found on LGBT people's phones during arbitrary phone searches, in prosecutions.

International Cooperation

On July 16, the European Union signed a Memorandum of Understanding (MoU) with Tunisia on a new "strategic partnership" in which the EU pledges to provide a funding package of up to €1 billion (approximately US\$1.085 billion) for the country, including €105 million (\$114 million) for "combating irregular migration," to be allocated to "border management, ... search and rescue, anti-smuggling and return."

The MoU included neither serious human rights guarantees for migrants and asylum seekers nor provisions to prevent EU aid from reaching entities responsible for human rights violations. The MoU was signed at a time when hundreds of Black African migrants were languishing in the desert along Tunisia's borders after security forces had summarily rounded them up and deposited them there.

On September 13, the EU Ombudsman Emily O'Reilly [opened](#) an inquiry about respect for fundamental rights in the MoU between the EU and Tunisia.

On [September 22](#), the European Commission announced the imminent release of €127 million (approximately \$US138 million) to support Tunisia's economy, including €42 million (approximately \$45.5 million) from the €105 million (approximately \$114 million) envelope allocated to border management.

In March, the European Parliament adopted a [resolution](#) condemning attacks “against freedom of expression and association, and against trade unions.”

Other EU institutions, including the [European Council](#) and the European Commission, largely failed to publicly address the grave restrictions on human rights and attacks on migrants' rights throughout the year.