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Freedom in the World 2012 - Tunisia

2012 Scores

Status: Partly Free
Freedom Score: 3.5
Civil Liberties: 4
Political Rights: 3

Overview

Nationwide antigovernment demonstrations that broke out in late December 2010 escalated in January 2011, leading to the ouster of President Zine el-Abidine Ben Ali on January 14 and the formation of a transitional government. The government was reshuffled several times during the year in the face of continuing protests. Elections held in October for a Constituent Assembly were deemed to be free and fair, and the new body produced a governing coalition of Islamist and secular parties. Hamadi Jebali, an Islamist, was chosen to serve as prime minister, and secular politician Moncef Marzouki was selected as president.

Tunisia, which had been a French protectorate since 1881, gained its independence in 1956. The country was then ruled for more than 30 years by President Habib Bourguiba, a secular nationalist who favored economic and social modernization along Western lines but severely limited political liberties. Bourguiba succeeded in advancing women's rights and economic development, and his government maintained strong relations with the West and fellow Arab states.

In 1987, Prime Minister Zine el-Abidine Ben Ali ousted Bourguiba and seized the presidency in a bloodless coup. Ben Ali's rise to power had little effect on state policy. He continued to push market-based economic development and women's rights, but he also repressed political opponents. Independent journalists, secular activists, and Islamists faced imprisonment, torture, and harassment. Many Islamists, particularly supporters of the banned movement Ennahda, were jailed following sham trials in the early 1990s.

Ben Ali's hold on government institutions remained strong over subsequent years, and he won a fifth five-year term in the October 2009 presidential election, taking nearly 90

percent of the vote amid tight media and candidacy restrictions.

The government's repressive measures continued through 2010 and included a harsh crackdown on critical journalists and bloggers. In June, the parliament passed a law that criminalized opposition activities deemed to be fomented by "agents of a foreign power." A state media campaign during the year advocated constitutional amendments that would allow Ben Ali to run for a sixth term in 2014.

The strict state controls enforced by the Ben Ali regime, combined with an economic environment marked by high unemployment and few opportunities for young adults, led to nationwide antigovernment protests in December 2010 and January 2011. The uprising was triggered by the self-immolation of a fruit vendor protesting police harassment. As a result of the protests, which led to at least 219 deaths as demonstrators clashed with police, Ben Ali was forced to flee to Saudi Arabia on January 14.

Prime Minister Mohammed Ghannouchi assumed the role of head of state after Ben Ali's departure, but he too was forced from office by the continuing protests. Ben Ali's party, the Democratic Constitutional Rally (RCD), was dissolved by court order in March, all members of the party were forced to resign from the transitional government, and a court decision in June found Ben Ali guilty of theft and sentenced him in absentia to 35 years in prison and a \$65 million fine.

Originally scheduled for June, elections for a Constituent Assembly were held in October. The voting was observed by international monitoring groups, and they were widely touted as the first orderly, free, and fair elections in the country's history. There were isolated reports of irregularities, and one case of a campaign finance rules violation, but the transitional authorities made attempts to act quickly on those problems, in some instances invalidating seats that were gained unfairly. Turnout was 52 percent, according to the Tunisian High Authority of the Elections; this is substantially higher than previous Tunisian elections.

Ennahda, the formerly outlawed Islamist party, won a plurality of the vote and 89 of the 217 seats. Two left-leaning parties, the Congress for the Republic (CPR) and Ettakatol, joined Ennahda in a governing coalition after winning 29 and 20 seats, respectively. Other major parties included the Popular Petition for Freedom, Justice, and Development (PP), with 26 seats, and the secularist Progressive Democratic Party (PDP), with 16. Ennahda's Hamadi Jebali became prime minister, Ettakatol's Mustafa Ben Jaafar was chosen as speaker of the assembly, and the CPR's Moncef Marzouki was named to hold the largely ceremonial presidency. The Constituent Assembly was tasked with drafting a new constitution and holding new elections within a year, and would serve as a legislature in the interim.

Political Rights and Civil Liberties

Tunisia is an electoral democracy. The balloting of October 2011 represented a dramatic improvement in electoral freedoms and practices. Under the former regime of Zine el-Abidine Ben Ali, the cabinet, much of the legislature, and many regional officials had been appointed directly by the president. Elections were tightly controlled, and term limits were extended to allow Ben Ali to remain in power.

By contrast, in the 2011 elections, all 217 members of the Constituent Assembly were directly elected through party-list voting in 33 multimember constituencies, and voters were able to choose from political parties representing a wide range of ideologies and political philosophies, including Islamist and secularist groups. Many of the parties that competed were excluded from political participation under Ben Ali.

The removal of Ben Ali and his close relatives and associates, who had used their positions to create private monopolies in several sectors of the economy, represented an important first step in combating corruption and conflicts of interest. An anticorruption commission was established soon after the former president's ouster, the unelected

transitional cabinet was far more subject to popular scrutiny than its predecessors, and the government elected in October also seemed inclined to operate with greater transparency. However, a strong legal framework and systematic practices aimed at curbing corruption had yet to take shape at year's end. Tunisia was ranked 73 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

The Ben Ali regime had used an array of legal, penal, and economic measures to silence dissenting voices in the media, and the transitional government almost immediately proclaimed freedom of information and expression as a foundational principle for the country. Conditions improved significantly in practice, but many problems persisted, and it remained uncertain whether legal or institutional frameworks would be established to guarantee media freedoms. The transitional government appointed Slim Amamou, a dissident blogger who was imprisoned by the Ben Ali regime, as secretary of state for youth and sport in January 2011. However, after the government acted on the army's request to censor websites, Amamou resigned in May. While the state television and radio networks made an effort to include opposition voices during the year, the transitional government issued no new radio or television broadcasting permits, and there were reports of police and criminal attacks on journalists. For instance, during continuing protests in Tunis in May and July, police allegedly targeted journalists while attempting to disperse the crowds. Isolated criminal attacks reportedly struck radio stations in the southern town of Gafsa in August. In September, a blogger who had been critical of the transitional government was banned from leaving the country, detained, and questioned without access to a lawyer. Also during the year, however, police protected Nessma TV facilities after Islamist demonstrators threatened to attack the network in retaliation for what they deemed to be offensive programming.

Muslims form the dominant religious group in Tunisia, but the small populations of Jews and Christians have generally been free to practice their faiths. After Ben Ali's ouster, conservative and fundamentalist Muslims had more freedom to express their beliefs without state interference and to openly discuss the role that religion should play in the public sphere.

Authorities limited academic discussion of sensitive topics under the Ben Ali regime, and its removal created a more open environment for students and faculty, but substantial institutional changes were still pending in 2011.

The antigovernment demonstrations that swept the country in early 2011 started in the underdeveloped towns of the interior, after fruit vendor Mohamed Bouazizi burned himself to death to protest police harassment in December 2010. The self-immolation became a symbol for wider political frustration and economic dislocation. The unrest quickly spread to larger coastal cities, and while the police attempted to crack down, the military generally declined to intervene. After the Ben Ali administration collapsed, further demonstrations on various issues took place throughout 2011, as citizens exercised their new ability to engage in open political expression.

Nongovernmental organizations (NGOs) were legally prohibited from pursuing political objectives and activities under the Ben Ali regime. However, new NGOs have begun to form and operate, such as the Tunisian Human Rights League (LTDH). A number of conferences were held by NGOs across the country during 2011, and different groups held protests outside government offices to draw attention to women's rights, the role of religion in the state, and challenges facing nomadic Berber communities. No formal registration process has been instated for these organizations, and their existence is not protected by legal frameworks.

State-sanctioned trade unions supported government policies and electoral candidates during the Ben Ali era, but new unions were established in 2011, including the Union of Tunisian Labor (UTT) and the General Confederation of Tunisian Labor (UCGT). Their future role in politics and the economy remains the subject of debate, even within the left-leaning CPR.

Under Ben Ali, the judicial system was carefully managed by the executive branch,

which controlled the appointment and assignment of judges. Trials of suspected Islamists, human rights activists, and journalists were typically condemned as grossly unfair and politically biased by domestic and international observers. Politicized imprisonment and other similar abuses declined significantly in 2011, and the judiciary experienced some changes, reflected partly in the trial of Ben Ali in absentia. However, the court system and law enforcement agencies have been criticized for lagging behind other institutions in their pace of reform, and there is a significant backlog of cases related to abuses by members of the former regime and security forces that have yet to be officially addressed.

After the fall of Ben Ali and the end of restrictions on leaving the country, tens of thousands of Tunisians fled to Europe. With a police force that is significantly more accountable to the people following the Bouazizi suicide, travel within the country has become more liberalized, though this right is not yet protected by legal frameworks.

Tunisia has long been praised for relatively progressive social policies, especially in the areas of family law and women's rights. The country ratified the Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in late 2008, and women in Tunisia have enjoyed more social freedoms and legal rights than in most other countries in the region. The personal status code grants women equal rights in divorce, and children born to Tunisian mothers and foreign fathers are automatically granted citizenship. The country legalized medical abortion in 1973. There are currently 49 women in the Constituent Assembly, representing the largest proportion of female representatives in the Arab world, though only 7 are from a secular party. Human rights groups have called on all of Tunisia's transitional authorities to uphold women's rights and ensure that women and children are protected under the new constitution.

Status Change Explanation

Tunisia's political rights rating improved from 7 to 3, its civil liberties rating improved from 5 to 4, and its status improved from Not Free to Partly Free due to the free and fair elections for the transitional Constituent Assembly held in October; increased freedoms of speech, press, assembly, and religious expression; and greater freedom for academics and nongovernmental organizations, all of which followed the ouster of longtime president Zine el-Abidine Ben Ali in January.

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