

Tunisia 2024 Human Rights Report

Executive Summary

There was a significant increase during the year in arrests, detentions, and investigations of opposition politicians, journalists and other media figures, lawyers, and other perceived critics of the government.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest and detention; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists and censorship; and significant restrictions on workers' freedom of association.

The government took some credible steps to address impunity or reduce abuses, but human rights groups frequently asserted investigations into abuses by police, security forces, and detention center officials lacked transparency and encountered long delays and procedural obstacles. High-profile investigations into former government officials, members of parliament, media figures, and businesspersons on conspiracy and terrorism charges also lacked transparency.

Section 1. Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year; however, prior criminal prosecutions of arbitrary killings continued.

On July 12, the Appeals Court Criminal Chamber reduced the sentences of 12 police officers convicted of manslaughter in November 2022 for the 2018 death of soccer fan Omar Laabidi, age 19. According to a Tunis Court of Appeals statement issued on July 15, the sentences were reduced from two years' imprisonment to one-year suspended sentences. According to media reports, the lawyers representing the victim's family called the ruling "inadequate" and a "miscarriage of justice," and on July 19, filed a request for higher court review. The case stemmed from Laabidi's drowning, allegedly due to police negligence. Civil society groups also criticized the ruling, alleging corruption and conflict of interest.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The constitution and law provided for freedom of expression, including for the press and other media, but the government did not always respect that right. Continued enforcement of exceptional measures and decrees issued in 2021 restricted freedom of expression. Authorities increasingly prosecuted journalists, activists, and politicians for speech critical of the president, according to rights organizations. Nongovernmental organizations (NGOs) stated independent press and civil society had increased self-censorship due to the rise in detentions.

The law criminalized speech causing “harm to the public order or public morals,” defamation, false allegations against members of an administrative or judicial authority, and attacks against the “dignity, reputation, or morale of the army.” NGOs stated authorities misused cybercrime laws, counterterror laws, and other civil and military laws and regulations to target journalists, lawyers, and civil society activists for criticism of the president, the government, or security forces.

During the year, authorities prosecuted several individuals, including bloggers, journalists, activists, citizens, politicians, and lawyers, for statements published online that were critical of security forces or the government.

On July 5, the Tunis Court of First Instance sentenced lawyer and journalist Sonia Dahmani to one year of imprisonment due to a comment she made on television responding to another commentator's claim that sub-Saharan migrants were seeking to settle in the country. Dahmani asked rhetorically, "What extraordinary country are we talking about?" The court accused Dahmani of "spreading rumors" under Article 24 of Decree 54, which criminalized the "spreading of false information." Dahmani faced five cases related to comments she made on television and remained in detention as of September 30.

Physical Attacks, Imprisonment, and Pressure

Violence and harassment against journalists continued, according to human rights organizations and independent journalists. Some individuals, including human rights and online activists, encountered online harassment, particularly for social media postings related to political matters or when mobilizing protests. In its annual report, issued in May, the National Union of Tunisian Journalists (SNJT) stated government threats against journalists and journalism increased during the year, including threats to charge journalists under Decree 54 for their speech.

During the May 13 arrest of journalist Dahmani, authorities allegedly assaulted France 24 broadcast journalists Maryline Dumas and Hamdi Tlili, who were covering Dahmani's arrest, and broke their camera. Tlili, whom authorities detained and released on the same day, said they physically

assaulted him during the arrest.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The government imposed restrictions on media outlets and sought criminal penalties against members of the media who published items deemed to defame government officials or impact national security. According to one local human rights organization, authorities prosecuted 10 journalists from January to June.

On April 17, the First Instance Court of Tunis sentenced journalist Mohamed Boughalleb to a six-month prison sentence on charges of insulting a public official. On March 22, authorities detained Boughalleb based on a complaint by a Ministry of Religious Affairs employee. On April 18, the SNJT issued a statement condemning the verdict as “a blow to the role of the press and the citizens' right to a free, pluralistic, and professional press.”

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the right of workers to organize, form, and join unions and to bargain collectively. The law allowed workers to protest or strike, provided they gave 10 days' advance notice to their federations and received Ministry of Interior approval. Union leadership normally approved

the decision to hold a strike; however, strikes not authorized by union leadership occurred periodically.

The right to strike extended to civil servants, except for workers in essential services “whose interruption would endanger the lives, safety, or health of all or a section of the population.” The government did not explicitly define all essential services, but the national army, magistrates, internal security forces, and customs did not have the right to strike. Authorities largely respected the right to strike in public enterprises and services.

The law prohibited antiunion discrimination by employers and retribution against strikers. The government enforced applicable laws through arrests, fines, and business closures. Penalties for violations were commensurate with those under other laws involving denial of civil rights and were regularly applied against violators. The constitution also provided for freedom of peaceful assembly and demonstration.

On April 18, authorities released Anis Kaabi, Tunisian General Labor Union (UGTT) secretary general of the highways branch, after his pretrial detention period expired. Police had arrested Kaabi in February 2023 after he led a scheduled tollbooth workers’ strike. On February 29, authorities briefly detained UGTT Deputy Secretary General in Bizerte Tahar Mezzi in an incident the union characterized as fabricated and political.

Conciliation panels with equal representation from labor and management

settled many labor disputes. In other cases, representatives from the Ministry of Social Affairs, the UGTT, and the Tunisian Union for Industry, Commerce, and Handicrafts formed tripartite regional commissions to arbitrate disputes. Observers generally considered the tripartite commissions effective. Representatives from smaller rival labor unions, namely the General Confederation of Tunisian Labor and the Union of Tunisian Workers, complained their organizations were ignored and excluded from the tripartite commissions. They claimed a previous minister of social affairs, who was also a former UGTT leader, drafted a decree law explicitly aimed at excluding the smaller unions from social dialogue. The smaller unions accused the UGTT of denying the rights of laborers to freely choose the union best representing their interests.

UGTT representatives alleged some private-sector businesses targeted union leaders and fired them once they led strikes or made demands on behalf of the labor force. The UGTT alleged other antiunion practices by private-sector employers, including firing union activists and employing temporary workers to deter unionization. In certain industries, including textiles, hotels, and construction, temporary workers accounted for a majority of the workforce, a practice reportedly aimed at minimizing the risk of union-related disruptions of business.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at

Country Reports on Human Rights Practices for 2024

United States Department of State • Bureau of Democracy, Human Rights, and Labor

<https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The labor code provided for a range of administratively determined minimum wages, which were above the poverty income level. The law set a maximum standard 48-hour workweek for manual work in the industrial and agricultural sectors and required one 24-hour rest period per week. For administrative jobs in the private and public sectors, the workweek was 40 hours with 125 percent premium pay for overtime. The law prohibited excessive compulsory overtime. Employees were statutorily awarded 18 to 23 days of paid vacation annually based on years of service. The Domestic Workers Law mandated a minimum wage, a workweek not to exceed 48 hours, and a weekly rest day. The law also required recruiting domestic workers through accredited employment offices under fixed-term or open-ended contracts. Violators could be punished with one to three months' imprisonment and a fine.

On August 1, the government implemented legislation to enhance maternity and paternity benefits to public and private sector employees. The law provided mothers with 15-day prenatal leave, three months of fully paid maternity leave (extended to four months for special cases of twins or children born with disabilities), and one to four months of postnatal leave at

half pay. This was an increase to the two months of maternity leave previously provided. Paternity leave increased to up to seven days, from the one or two days previously allowed. The law also prohibited penalizing or dismissing employees during pregnancy, maternity, or paternity leave.

Occupational Safety and Health

Occupational safety and health (OSH) standards were appropriate for key industries in the country, including energy, agriculture and food processing, car parts, electronics, and chemicals. Responsibility for identifying unsafe situations remained with OSH experts and not the worker. The government responded in some cases via inspections and enforcement of regulation.

Special government regulations applied to employment in hazardous occupations, such as mining, petroleum engineering, and construction. Workers were free to remove themselves from dangerous situations without jeopardizing their employment, and they could take legal action against employers that retaliated against them for exercising this right. Media reported some OSH violations in the construction, agriculture, industrial, port operations, mining, and textile sectors.

Wage, Hour, and OSH Enforcement

Ministry of Social Affairs labor inspectors were responsible for enforcing wage, hour, and OSH regulations in the workplace; however, the number of inspectors was insufficient to enforce compliance. The government did not

adequately enforce the minimum wage law, particularly in nonunionized sectors of the economy, according to labor rights organizations.

Prohibitions against excessive compulsory overtime were rarely enforced.

Although there was no standard practice for reporting labor code abuses, workers had the right to report these abuses to regional labor inspectors, who sometimes applied penalties against violators and had authority to make unannounced inspections and initiate sanctions. Penalties for violations were less than those under other laws involving denial of civil rights. Working conditions and standards generally were better in export-oriented firms, which were mostly foreign owned, than in firms producing exclusively for the domestic market, according to media reports.

The informal sector made up 35.5 percent of the economy and employed 58.8 percent of workers in 2022, the last year for which the UN Development Program published statistics. The government did not enforce labor laws in this sector, but occasionally labor inspectors coordinated spot checks with the UGTT and the Ministry of Education to monitor potential cases of child labor and informal hiring in formal businesses.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of

government authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court, but there were reported incidents of arbitrary arrests and detentions, according to local and international rights groups. A state of emergency was in effect since a string of terrorist attacks in 2015, and human rights organizations expressed concern that the government was using its powers under a 1978 state of emergency law to place citizens under house arrest arbitrarily without presenting the legally required court orders authorizing their arrest.

The law required police to obtain a warrant to arrest a suspect unless a crime was in progress, or the arrest was for a felony. Arresting officers had to inform detainees of their rights, immediately notify detainees' families of the arrest, and make a complete record of the times and dates of such notifications. The maximum time of detention without charges for felonies was 48 hours, renewable once by a prosecutor's order, for a maximum of four days. For misdemeanor offenses, the time limit was 48 hours, although this could be extended for an additional 24 hours by a prosecutor's order. All extensions had to be justified in writing.

Detainees had the right to representation by counsel and to request medical

assistance immediately upon detention. The judicial police had to inform a detainee's lawyer of all interrogations and interactions between the accused and witnesses to or victims of an alleged offense. The judicial police had to allow the lawyer to be present unless the accused explicitly waived the right to a lawyer, or the lawyer did not arrive at the prearranged time of questioning. The only exception was for terrorism suspects, who could be held without access to counsel for the first 48 hours. The counterterrorism law provided for authorities to hold a suspect without charges for 15 days, with a judicial review after each five-day period. Defendants could be held in pretrial detention for up to 14 months after charges were filed. Media and civil society reported police failed at times to follow these regulations and detained persons arbitrarily.

The government could assign a defense attorney in a criminal case even if the accused did not ask for one during the investigation. Legal representation was provided at government expense for indigent defendants if certain conditions were met. In felony cases, legal aid was also provided to citizens and foreigners. Legal aid was extended to administrative matters once a police investigation was completed, and the case went to court. The military code of justice gave detainees in military court the same right to legal counsel as described in the civilian penal code including access to counsel. The law permitted authorities to release accused persons on monetary or nonmonetary bail, but pretrial release was rarely implemented. The bail system was largely nonfunctional due to a

systemic lack of capacity to track accused persons and return them to custody should they violate the terms of their release. For this reason, many judges were unwilling to implement pretrial release.

In May, police arrested Saadia Mosbah, the head of the NGO Mnemty. According to her lawyers, on May 6, Mosbah was arrested and placed in pretrial detention; she was reportedly being investigated under the anti-money laundering law for her work with Mnemty, an association working for the rights of the sub-Saharan migrant community, lawyers said. She remained in pretrial detention as of the end of the year. Also arrested were two prominent lawyers, two journalists, and at least four other staff of NGOs working on migration and asylum matters. Detainees included leaders of the Tunisian Refugee Council and the NGO Terre d'Asile Tunisie, providing humanitarian support to migrants. All the individuals remained in pretrial detention at year's end.

International and human rights organizations reported that authorities prosecuted, convicted, and imprisoned at least eight prospective presidential candidates for the October 6 elections, criticizing the prosecutions as politically motivated; the organizations reported that officials disregarded Administrative Court rulings from August 27 and 29 that ruled that three of 12 prospective candidates should have been registered. In separate cases in August, courts imposed prison sentences to eight prospective candidates on charges of buying endorsements or making

donations to influence voters; one candidate, Ayachi Zammel, was sentenced to 22 years in prison.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibited such practices, but there were credible reports government officials employed them. The constitution prohibited “moral and physical torture,” and the penal code penalized the use of “violence” when used without just cause. Civil society organizations criticized the criminal code as insufficient to cover torture, asserting it was not in line with international standards.

The National Police reportedly subjected detainees to harsh physical

treatment, such as beatings, burning with cigarettes, and prolonged solitary confinement, according to firsthand accounts provided to national and international organizations. The World Organization Against Torture (OMCT) reported 56 suspected cases of torture and mistreatment in detention centers and prison between January and May.

Human rights groups called on the government to investigate police conduct during the May 13 arrest at the Bar Association of lawyer Mahdi Zagrouba, who was hospitalized due to injuries sustained during his detention. The presiding judge reportedly refused Zagrouba's request for medical care during the investigation. The Bar Association alleged police "torture," citing evidence of physical harm to his body, and called for a nationwide strike to demand accountability for the action of security agents. Several hundred lawyers and activists protested to demand Zagrouba's release and accountability for the security agents involved. On May 20, the International Commission of Jurists issued a statement calling for an independent investigation into the torture allegations.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Marriage

The minimum age for marriage was 18, but courts could, in certain situations, authorize the marriage of persons between ages 13 and 18 upon the request and approval of both parents.

c. Protection to Refugees

The government's cooperation with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations providing protection and assistance to refugees or asylum seekers, as well as other persons of concern was limited. According to an OMCT report, the number of asylum seekers and refugees increased from 10,000 in September 2023 to 17,000 in April, of whom 22 percent were registered refugees. The increase in refugees resulted in part from millions fleeing the conflict in Sudan. Sudanese comprised nearly 47 percent of the country's refugee population.

Provision of First Asylum

The law did not provide for the granting of asylum or refugee status by the government, and there was no national asylum system in the country. Domestic and international organizations stated refugees and asylum seekers lacked resources and support. Authorities sometimes allowed UNHCR to conduct registration and international refugee status determinations, including asylum claims. UNHCR reported the Ministry of

Foreign Affairs and other ministries coordinated with it, despite the absence of a domestic legal framework. In the first half of the year, UNHCR received international asylum claims, registered asylum seekers, conducted refugee status determination, and provided documentation. Civil society groups reported some individuals registered as international refugees or asylum seekers by UNHCR still faced government mistreatment, including detention and expulsion.

Resettlement

The government did not accept refugees for resettlement nor offer naturalization to refugees residing in the country. The government assisted refugees' and migrants' voluntary returns to their home countries.

d. Acts of Antisemitism and Antisemitic Incitement

The country's Jewish population numbered an estimated 1,500. Religious civil society groups reported an increased sense of vulnerability among members of the Jewish community following the outbreak of the Israel-Hamas conflict in October 2023.

On March 2, media reported authorities arrested a suspect for setting fire to an abandoned synagogue in Sfax on February 25.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the

ability of Jews to exercise freedom of religion or belief, please see the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/trafficking-in-persons-report/>.