

TUNISIA

The Advocates for Human Rights together with the Word Coalition Against the Death Penalty and the Coalition tunisienne contre a peine de mort, submitted a List of Issues Report to the Committee on the Rights of the Child regarding Tunisia's compliance with its obligations regarding children of death-sentenced and executed individuals under the Convention on the Rights of the Child

Since 9 October 1991, Tunisia has observed a de facto moratorium on executions. Following the 2011 revolution, the government stopped placing individuals sentenced to death in solitary confinement, and permitted them to receive visits and care packages from family members. In 2012, the government commuted 122 death sentences to life imprisonment. However, despite substantial improvements in human rights, the Tunisian government continues to violate the rights of children of death-sentenced or executed parents. Specifically, the government provides no evidence of efforts to protect a child's right to maintain direct contact with their parent, not be subject to arbitrary interference with their parents, health care following the death sentence or execution of their parent, and to not be sentenced to death.

The Convention on the Rights of the Child, ratified by Tunisia in 1992, as well as the Tunisian Constitution established in 2014, recognizes that the State must act in accordance with the "best interests" of the child. However, the Tunisian government fails to support the rights of children of death-sentenced or executed individuals; children are only allowed 30 minutes of non-physical contact with their parent per week, and are forced to bear the financial burden of the visitations. These children also receive little to no medical support for trauma they may endure resulting from their parent's execution, demonization campaigns, guilt, and or political and social stigmas that result from having a parent sentenced to death. Lastly, an anti-terrorism law adopted in 2015 permits judiciaries to sentence children to death as terrorists.

This List of Issues submission suggests several questions to pose to the Tunisian Government, including:

- When will Tunisian authorities revise the laws concerning terrorism to prohibit impositions of the death penalty on any persons who committed any terrorist act when under the age of 18 years?
- How will Tunisian authorities ensure that any child accused of terrorist acts is actually rehabilitated and reintegrated? How will austerities ensure that the rehabilitation and reintegration process does not violate the rights of the child?
- What measures do Tunisian authorities take to ensure that children of parents sentenced to death receive relevant and high quality medical treatment and health care for trauma and other health issues arising out of the parents incarceration and death sentence?
- What measures are in place to ensure that children of parents sentenced to death do not face discrimination in any sphere of life?
- At the time of sentencing, what measures are in place to ensure that the sentencing authority considers the best interests of the child of the person being sentenced?
- What measures are in place to ensure that all children of persons sentenced to death may conduct regular, direct visits to the parent, unhindered by financial barriers?
- Do government agencies provide training to individuals in the judiciary and the prison system regarding how to engage with and support children of death-sentenced or executed parents?