

# **TUNISIA REVIEW IN THE WORKING GROUP**

**Tuesday 8 April 2008**

## **Presentation by Tunisia**

The delegation underlines the different elements which show the improvement in his country. He insists on the participation of the NGO's and the civil society in the elaboration process of this report. The statement made by the Minister of Justice and Human Rights contains the several questions asked by delegations before the session. Focusing on the positive aspects made by Tunisia, the difficulties and potential problems are not taken into account, excepting maybe the difficulty expressed to join the political will and the terrorist threats. Concerning the conditions of detentions, the delegation argues that Tunisia is open to welcome Human Right Watch in order to visit the prison. Facing the question of death penalty, the Minister says that the country has de facto abolished capital punishment. Regarding to torture, the delegation insists on the decision to abolish this treatment, which is prohibited by the Tunisian law. Some reparations are also given to victims.

The statement focuses also on:

- The adoption of the woman rights code, which allows the liberation of women. The polygamy is abolished. Women are integrated in many activities, including political positions.
- Tunisia welcomes the visits of Special Rapporteurs.
- Consultations for the creation of a Human Right body in compliance with the Paris Principles.
- Efforts to encourage pluralism: there are nine political parties, as an example.
- Freedom of expression: the press code is a proof that the diversity is allowed.
- Rights of the child: a specific institution has been created, publishing an annual report.
- Collaboration with ICRC: agreement made in 2005, which allows the organisation to visit prisons.
- Creation of a National Solidarity Fund, in order to tackle poverty and marginalization. Tunisia aims a reduction of 2% of poverty by 2015.

## **The Troika**

The troika is composed of Bosnia and Herzegovina, Mauritius and China. They have taken part in the debate on the behalf on their own States, not on the behalf on the troika.

## **Questions/Issues/Human Rights/Recommendations brought up by States during the interactive dialogue**

### **Women condition**

Palestine asks for clarifications on the measures taken for the women status.

Slovenia makes a recommendation to Tunisia to consider the CEDAW. The delegation asks also details on the effects of the equal treatment in working activities.

Mauritania wants to know if there are special measures to enhanced women empowerment.

Bangladesh asks clarification on the improvement of women rights on collaboration with economic, social and cultural rights development.

Brazil recommends Tunisia to sign the OP-CEDAW.

Mexico recommends reconsidering the reservations made by Tunisia on CEDAW.

Mozambique wants Tunisia to share its experience in gender equality.

The delegation points out that, in order to obtain gender parity, there are two main dimensions: the legislative reforms, including those concerning the family, and the promotion of positive actions. Tunisia has a real political will since 1966, but this tendency has been reinforced by the 1992 reforms. Also, the reservations made against CEDAW will be studied by a working group, in order to see if they are maintained.

### **Death penalty**

Italy argues that the commitment against death penalty should be related in the report of the WG.

Albany asks if the capital punishment can be seen as really abolished.

Tunisia reaffirms that death penalty is de facto abolished.

### **Freedom of expression**

Angola asks for the impact of the press code of 2006.

Zambia wants details on the measures taken to ensure that media are independent and that the freedom of expression is respected.

Sweden asks clarifications on the law which restricts some internet sites.

USA wants to know the positive aspects of the measures taken for the press freedom. It notes that during the elections, the access to the candidates news media is very limited.

Tunisia insists on the fact that progress for press freedom has been made through several initiatives. The press code has been amended four times. The delegation mentions the abolishment of imprisonment for journalists: not a single journalist in jail for journalist activities in 20 years. Media are independent, the opposition party has its newspaper. A private television channel has also been created and the authorities promote the use of internet. The sites that have been closed were advocating terrorism. No newspaper is blocked by the Government: those who pretend that act so in order to sell more publications.

### **Freedom of association**

Japan asks for the measures to develop the liberty of association.

Concerning freedom of association, the delegation points out the fact that its approach is very liberal. There are 10,000 associations in the country, and some with public activities can obtain subventions.

### **Rights of civil society and NGO's**

USA points out that some decisions taken by the Government are restricting some NGO's.

Belgium asks clarifications on the measures taken to harmonize the press code for the freedom of expression. It underlines also that there are some difficulties for some journalists to register because of intimidations.

Russia and Japan want clarifications on the relation between the Government and the NGO's.

Azerbaijan wonders if there are measures to reinforce the citizens in public life.

France asks clarifications on measures in order to facilitate the participation of the NGO's.

### **Visits of Special Rapporteurs:**

Mexico recommends the visit of a SR on torture.

Latvia argues that a SR visit is needed.

Belgium asks to the delegation when Tunisia plans to welcome a SR on Human Rights Defenders, which has been refused twice by the country.

Turkey encourages collaboration with SR.

Canada asks also if Tunisia plan to welcome a SR on torture.

In its answer, Tunisia reaffirms that it's disposed to welcome SR.

### **Children condition**

Syria recommends to Tunisia to continue the implementation of the right of the child.

France wonders if additional measures will be taken for the respect of the right for the child. Egypt asks more details on the promotion of child rights, especially on an education free of charge.

The delegation affirms that all threats are considered, for the respect of the right of the child.

### **Education**

Thailand wants Tunisia to share its country experience, especially in education.

Morocco wants to know if measures have been taken for the disparity between urban and rural areas in terms of education.

Yemen congratulates Tunisia for the high quality of its education system and wants to learn more about the measures taken.

Holy See asks for more information on education.

Tunisia argues that the concept of tolerance is incorporated in the education. All the courses given allow the formation in Human Rights.

### **Supreme Council** (National Human Rights Institution)

Saudi Arabia asks which reforms will be made to be in the Paris Principles.

Qatar wants more informations on the percentage of civil society in the Supreme Council, and if it has the right to vote.

Indonesia wants to learn more about the role of this Council.

The delegation underlines that an initiative is submitted to the national Parliament to extend the power of this institution, in order to be in accordance with the Paris Principles. This initiative wants that this organ can present notifications and cooperate with national and international NGO's.

For a reason of time, the list of speakers has had to be cut before the end. In the last forty minutes, the States had have to make an one-minute statement.

### **States that spoke but did not raise questions/issues/recommendations:**

Non exhaustive list: Chad, Ghana, United Kingdom, Lebanon, Mali, Libya.

### **Human Rights mentioned in the NGOs reports but not raised during the review**

- Enforced disappearances
- Extra judiciary, Summary and Arbitrary executions

*Disclaimer: this summary is by no means exhaustive as it is just an indication of the discussion that took place during the review and should therefore not be quoted as an official document of the UPR process.*