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**DRAFT**

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HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (B) OF  
RESOLUTION 5/1 OF THE HUMAN RIGHTS COUNCIL

Tunisia

This report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions of the Office of the High Commissioner for Human Rights (OHCHR). It follows the structure of the general guidelines adopted by the Human Rights Council. Information included therein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being of four years, most documents are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have also been taken into consideration, unless outdated. Since this report only compiles official United Nations documents, lack of information or focus on specific issues may be due to non ratification of a treaty, and / or to a low level of interaction or cooperation with international human rights mechanisms.

## I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /Reservations</i>	<i>Recognition of specific competences of Treaty Bodies</i>
ICERD <sup>2</sup>	13/01/67	No	Individual complaints (art. 14): No
ICESCR <sup>3</sup>	18/03/69	No	
ICCPR <sup>4</sup>	18/03/69	No	Inter-state complaints (art. 41): Yes
CEDAW <sup>5</sup>	20/09/85	Yes (Art. 9§2, Art.15§4, Art. 16§1 c, d, f, g, h, Art. 29§1.)	
CAT <sup>6</sup>	23/09/88	No	Inter-state complaints (art. 21): Yes Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
CRC <sup>7</sup>	30/01/92	Yes (Preamble and Art. 6, Art. 2 and 7)	
CRC- OP-AC <sup>8</sup>	02/01/03	Yes (Art. 3§2)	
CRC-OP-SC <sup>9</sup>	13/09/02	No	
<i>Core treaties to which Tunisia is not a party: ICCPR-OP1<sup>10</sup>, ICCPR-OP2<sup>11</sup>, OP-CEDAW<sup>12</sup>, OP-CAT<sup>13</sup>, ICRMW<sup>14</sup>, CPD<sup>15</sup> (signature only, 2007), CPD OP<sup>16</sup> (signature only, 2007), and CED<sup>17</sup> (signature only, 2007).</i>			
<i>Other relevant main instruments</i> <sup>18</sup>		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide		Yes	
Rome Statute of the International Criminal Court		No	
Palermo Protocol <sup>19</sup>		Yes	
Refugees and Stateless Persons <sup>20</sup>		Yes	
Geneva Conventions and their Protocols <sup>21</sup>		YES, except the Protocol III	
ILO Fundamental Conventions N°29, 105, 87, 98, 100, 111, 138 and 182. <sup>22</sup>		Yes	
UNESCO Convention against Discrimination in Education		Yes	

1. In 2002, the Committee on Elimination of Discrimination Against Women (CEDAW)<sup>23</sup>, while appreciating the progress made towards creating an environment for withdrawal of the reservations to articles 9§2; 15§4; and 16§1 (c), (d), (f), (g), and (h) through legal reforms, expressed concern that these reservations continued to be retained. The Committee urged Tunisia to expedite the steps necessary for the withdrawal of its reservations.

2. In 2002, the Committee on the Rights of the Child (CRC)<sup>24</sup> welcomed the withdrawal of the reservation with regard to article 40, paragraph 2 (b) (v), and the declaration in which Tunisia declared that “its undertaking to implement the provisions of this Convention shall be limited by the means at its disposal”. It noted the statement by the delegation that consideration will be given to withdrawing the remaining reservations, but remained concern about the extent of reservations and declarations. In particular, CRC reiterated that the reservation relating to the application of article 2 appeared to be incompatible with the object and purpose of the Convention. In this respect, CRC encouraged Tunisia to consider reviewing its reservations and declarations to the Convention with a view to withdrawing them, in particular the reservation relating to article 2.

3. Also, in 2002, CEDAW<sup>25</sup> urged Tunisia to sign and ratify the OP-CEDAW<sup>26</sup>. In 2003, the Committee on the Elimination of Racial Discrimination (CERD)<sup>27</sup> noted that Tunisia has not made the declaration provided for in article 14 of ICERD and urged it to consider the possibility of doing so. CRC also welcomed the ratification of the ILO Minimum Age Convention 1973 (No.138) and the 1999 ILO Convention on the Worst Forms of Child Labour, (No.182)<sup>28</sup>. In 2003, it further encouraged it to ratify the CRC OP-SC and the CRC OP-AC - which was consequently done in 2002 and 2003, see chart above.

#### B. Constitutional and legislative framework

4. In 2003, CERD<sup>29</sup> welcomed the fact that, pursuant to article 32 of the Constitution, international instruments ratified by Tunisia, including ICERD, take precedence over domestic law, and may be invoked directly before the courts. In its pledges and commitments to the HRC<sup>30</sup>, Tunisia reiterated this precedence.

5. In 2002, CEDAW<sup>31</sup> commended Tunisia for its political will and commitment to implementing the Convention and to achieving equality between women and men, as reflected in a range of laws, institutions, policies, plans and programmes to address discrimination against women in Tunisia. CEDAW<sup>32</sup> also commended Tunisia on the early reforms of its Personal Status Code, and its reform of the inheritance law as well as of the Penal Code. Furthermore, it commended the reforms to the nationality law introduced by Tunisia in working towards harmonizing the law with article 9 of the Convention<sup>33</sup>.

6. In 2002, CEDAW expressed concern about remaining discriminatory provisions, especially in the nationality law and the Personal Status Code<sup>34</sup>. It urged Tunisia to continue the process of legislative reform and review relevant existing laws in consultation with women's group<sup>35</sup> and to include in its national law a definition of discrimination against women in accordance with article 1 of the Convention<sup>36</sup>. A 2006 United Nations Development Programme (UNDP)<sup>37</sup> report noted that Tunisia's Personal Status Code stands alone in the Arab world as a model for promoting the principle of equality in marital relations in law by avoiding archaic interpretations of shari'a prejudicial to the rights of women. Tunisia's personal status law is also the only Arab personal status code that applies to all the country's citizens regardless of religious affiliation. The 2006 UNDP report noted however that progressive changes in family laws have coincided with restrictions on the freedom of action of activist women and with state monopolisation and monitoring of the movement's discourse<sup>38</sup>.

#### C. Institutional and human rights structure

7. In 2002, CEDAW<sup>39</sup> commended Tunisia for its progressive development of its national machinery through the reconstitution of the Ministry for Women and Family Affairs as a full Ministry. In 2002, CRC<sup>40</sup> welcomed enhancing the status of the National Council for Children by converting it into a Higher Council and, in 2003, CERD<sup>41</sup> welcomed the establishment of a national commission for human rights education. CERD<sup>42</sup> also noted that insufficient information was provided in the report and in the oral replies on the effective functioning of the human rights bodies and mechanisms in Tunisia, particularly the Higher Committee of Human Rights and Fundamental Freedoms and the Administrative Mediator. While noting the information provided by the delegation that the institution of the Administrative Mediator was further strengthened by a law introduced in February 2002, CERD requested that in its next periodic report, Tunisia provide additional information on the role, responsibilities, functioning and achievements of these institutions, as well as on

measures taken to ensure their independence. CRC<sup>43</sup> also welcomed the creation of the “Information, Training, Documentation and Study Observatory” in February 2002, and the appointment of delegates who play an important role in the protection of children and in receiving complaints. CRC<sup>44</sup> also noted the need to establish a monitoring mechanism of an independent nature.

#### D. Policy measures

8. In 2003, CEDAW<sup>45</sup> commended the measures taken to improve women’s health, including through the provision of reproductive health services and reduction of maternal and child mortality rates. The later point was also noted in a 2004 Millennium Development Goal and a 2006 UNDP reports<sup>46</sup>. CEDAW also noted the measures taken to increase women’s political participation<sup>47</sup> and urged Tunisia to take measures to increase the representation of women in high-level decision-making<sup>48</sup>. It also urged Tunisia to adopt appropriate measures to ensure women’s equal access to paid employment<sup>49</sup> and requested it to include in its next report, measures taken to prevent and combat, trafficking in women and girls<sup>50</sup>. It further noted that governmental action, in particular the Ninth National Development Plan, was placed within the context of the implementation of the Beijing Platform for Action<sup>51</sup>. It recommended the intensification of education and training programmes on the Convention to enhance knowledge of judges, lawyers and law enforcement personnel<sup>52</sup>.

9. With respect to children with disabilities, in 2002, CRC<sup>53</sup> urged Tunisia to review its existing policies and practices taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities. CRC<sup>54</sup> also noted the adoption of a series of new laws regarding children born out of wedlock and with regard to the joint responsibility of the spouses and noted the adoption of policy measures to ensure maintenance following divorce, measures for the protection of children deprived of a family environment, and various other steps taken to improve the implementation of the Convention. In this respect, CEDAW<sup>55</sup> requested Tunisia to include in its next report information including the measures taken to ensure that the rights of children born out of wedlock are protected.

## II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with Treaty bodies

10. In its pledges and commitments to the HRC<sup>56</sup>, Tunisia indicated in 2006 that it had honoured all its commitments with respect to the presentation of its periodical reports.<sup>57</sup> The chart below was drawn on the basis of information from the treaty bodies and indicates that a number of reports are overdue:

<i>Treaty Body</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD <sup>58</sup>	2002	June 2003	-	18 <sup>th</sup> and 19 <sup>th</sup> periodic reports due in 2006, submitted in 2007 and scheduled for consideration in 2009
CESCR <sup>59</sup>	1996	May 1999	-	3 <sup>rd</sup> and 4 <sup>th</sup> periodic reports overdue since 2000 and 2005 respectively
HR Committee <sup>60</sup>	1993	November 1994	-	5 <sup>th</sup> periodic report due in 1998, received in 2006 and scheduled in 2008

<i>Treaty Body</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CAT <sup>61</sup>	1997	November 1998	-	3 <sup>rd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> periodic reports overdue since 1997, 2001 and 2005 respectively
CEDAW <sup>62</sup>	2000	June 2002	-	5 <sup>th</sup> periodic report overdue since 2002
CRC <sup>63</sup>	1999	June 2002	-	3 <sup>rd</sup> periodic report overdue since 2004
CRC-OP-AC	-	-	-	Initial report due in 2005 and received in 2007

11. In 2002, CRC<sup>64</sup> regretted that some of its concerns and recommendations had been insufficiently addressed. In addition, in 2003, CERD<sup>65</sup> noted that in its report, Tunisia did not provide sufficient information on the extent to which individuals concretely enjoy the protection afforded by the Convention.

## 2. Cooperation with Special Procedures

12. In its pledges and commitments to the HRC<sup>66</sup>, Tunisia indicated in 2006 that it responded systematically to communications addressed to it by special procedures as well as by certain working groups<sup>67</sup>. The chart below was drawn on the basis of information from special procedures and indicates that:

<i>Standing invitation</i>	No
<i>Latest visits accomplished</i>	December 1999 by the Special Rapporteur on freedom of opinion and expression
<i>Visits agreed upon in principle</i>	None.
<i>Visits requested and not yet agreed upon</i>	The Special Representative of the Secretary-General on Human Rights Defenders has requested a visit on 21 August 2002 and reiterated it on 2 December 2004 <sup>68</sup> . The Special Rapporteur on the Independence of judges and lawyers requested a visit on 4 December 1997, reiterated on 15 April 2002 as well as on 20 January 2004 <sup>69</sup> . The Special Rapporteur on human rights and counter-terrorism requested a visit on 9 December 2005 <sup>70</sup> . The Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment requested a visit in 1998, reiterated it on 2 May 2005, 17 July 2006 as well as 9 May 2007 <sup>71</sup> .
<i>Follow-up to visits</i>	N/A
<i>Facilitation/ cooperation during missions</i>	N/A
<i>Responses to letters of allegations and urgent appeals</i>	Between 01 January 2004 and 31 December 2007, a total of 78 communications were sent to Tunisia. 189 individuals, including 30 women, were covered by these communications. Between 01 January 2004 and 31 January 2007, Tunisia provided responses to 54 communications which represents 69 per cent of responses to the communications sent.
<i>Responses to questionnaires on thematic issues</i>	Out of 13 questionnaires sent by the Special Procedures mandate holders <sup>72</sup> between 01 January 2004 and 31 December 2007 Tunisia has responded to the two questionnaires within the deadlines <sup>73</sup> .

## 3. Cooperation with the Office of the High Commissioner for Human Rights

13. During the last years, Tunisia has provided financial contributions to the Office since 1996 mainly to support the Voluntary Fund for Victims of Torture and the Voluntary Trust

Fund for Indigenous Populations. Also, since its creation in 1989, the Arab Institute for Human Rights (AIHR) has been supported by the then Centre for Human Rights, and subsequently by OHCHR. Technical and financial support is mainly provided for the organisation of the annually “Anabtawi” human rights training session in Tunisia, which bring together participants from NGOs and national institutions from the Arab region. In addition, OHCHR, as a member of the board of the AIHR, participates in the annual administrative board meeting and provides substantive inputs to various seminars and activities<sup>74</sup>.

## B. Implementation of international human rights obligations

### 1. Equality and non-discrimination

14. In 2002, CRC<sup>75</sup> was deeply concerned that the principle of non-discrimination was not fully implemented in practice with respect to certain groups. CRC recommended that Tunisia make concerted efforts at all levels to address discrimination and to enhance efforts to close gaps in the enjoyment of rights between different regions, and between urban and rural communities. In 2003, CERD<sup>76</sup> noted that Tunisia did not provide information on the Berber population and on measures taken for the protection and promotion of their culture and language and requested concrete information on their situation as well as increase attention on the situation of Berbers as a specific component of the Tunisian population.<sup>77</sup>

15. While noting the positive measures taken to bring the different age requirements into full compliance with the Convention, CRC<sup>78</sup> expressed concerns at the disparity in the minimum age of marriage for boys and girls, particularly that the age for girl is set at 17 years, although noting with appreciation that it was raised from 15 years. CRC thus recommended that this disparity be rectified.<sup>79</sup>

16. In 2002, CEDAW<sup>80</sup> was concerned at the lack of legal remedies to ensure that the Constitutional provision on equality was enforced as well as at the lack of court decisions in which women had obtained redress for acts of discrimination. It urged Tunisia to ensure adequate mechanisms to enable women to seek and obtain redress from the courts for violation of the rights protected by the Convention and the Constitution, with appropriate remedies. In 2003, CERD<sup>81</sup> reminded Tunisia that the mere absence of complaints and legal action by victims of racial discrimination may be mainly an indication of the absence of relevant specific legislation, or of a lack of awareness of the availability of legal remedies, or of insufficient will on the part of the authorities to prosecute. It requested Tunisia to ensure that appropriate provisions be available in national legislation, and to inform the public about all legal remedies in the field of racial discrimination.

### 2. Right to life, liberty and security of the person

17. In 2006, concerns on alleged ill-treatment as well as excessive use of force, sometimes resulting in the death of individuals have been expressed by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture<sup>82</sup>. In 2007, CAT<sup>83</sup>, in its decision n°269/2005, relating to a case of torture and ill-treatment by public force, concluded to the violation of articles 1, 12, 13 and 14 of the CAT. Previously, CAT<sup>84</sup> had already found violations of the prohibition of torture in five other cases, three of which were considered together. Tunisia did not agree with the findings in the four cases in which follow-up information was due. On 25 November 2006, the CAT-Special Rapporteur on follow-up met with the Tunisian Ambassador in connection with three of these

cases (Nos. 187/2001, 188/201, 189/2001). While CAT agreed to close the follow-up procedure in one case (189/2001) the Ambassador confirmed that he would convey the Committee's concerns and request for investigations in two other cases (Nos. 187/2001 and 188/2001) and update the Committee on any subsequent follow-up action taken. Thus, follow-up is ongoing in three cases (no. 60/1996, 187 and 188/2001) and a follow-up response is not yet due in relation to the latest decision adopted in 2007 (269/2005).

18. In 2006, the Special Rapporteur on torture expressed concern on cases of alleged ill-treatment of individuals in detention, including long periods of time in solitary confinement and condition of imprisonment not in line with international norms and cases of hunger strike undertaken by prisoners to protest against conditions of detention<sup>85</sup>. In its replies, Tunisia often informed that a judicial investigation was underway<sup>86</sup>. Tunisia further indicated that individuals in detention benefit from all international guarantees applicable to detainees, including medical treatment<sup>87</sup>. Furthermore, in its pledges and commitment to the HRC<sup>88</sup>, Tunisia indicated in 2006, that an agreement was signed with the International Committee of the Red Cross enabling it to visit all detention places to measure conditions of detention<sup>89</sup>.

19. In 2002, CRC<sup>90</sup>, while welcoming the adoption of legal provisions in the area of juvenile justice, was concerned at reports of detention and ill-treatment of children, as well as detention of juveniles with adults which has allegedly resulted in sexual abuse or other ill-treatment. CRC recommended to ensure the full implementation of the legislation governing the juvenile justice system, and to ensure that deprivation of liberty was used only as a measure of last resort, and that children had access to legal aid and independent and effective complaints mechanisms. CRC further recommended that persons under 18 be not detained with adults<sup>91</sup>.

20. Also, while welcoming Tunisia's strict criminal legislation regarding sexual abuse and exploitation of children, CRC<sup>92</sup> expressed concern at reports indicating its existence in Tunisia, both in the home and on the street. CRC<sup>93</sup> thus recommended that Tunisia undertake studies with a view to determining the extent of sexual exploitation of children and implement appropriate policies and programmes for its prevention and for the rehabilitation, recovery and reintegration of child victims.

21. In 2002, while noting related child laws banning all forms of corporal punishment and practices injuring the dignity of children, CRC<sup>94</sup> expressed concern that corporal punishment was only a crime if it was prejudicial to the health of the child and that violence as a means of discipline in the home and at school continued to be acceptable in Tunisia. CRC urged Tunisia to take all legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse, against children in the family, in the schools and in institutions and to design policies, programmes and public education campaigns on the negative consequences of ill-treatment of children<sup>95</sup>.

22. In 2002, issues of violence, sexual abuse and harassment were addressed by CEDAW<sup>96</sup> which was concerned that no specific legislation had been enacted to combat domestic violence and sexual harassment. It thus called upon Tunisia to adopt such specific legislation and to create public awareness<sup>97</sup>. It also requested Tunisia to take measures to prevent and combat trafficking in women and girls and exploitation of prostitution<sup>98</sup> and urged it to ensure that women victims of violence are enabled to seek and obtain redress from the courts for violations of the rights protected by the Convention as well as appropriate remedies<sup>99</sup>. CERD<sup>100</sup> also requested Tunisia to ensure that appropriate provisions are

available in national legislation, and to inform the public about all legal remedies in the field of racial discrimination.

### 3. Administration of justice and the rule of law

23. In 2004, the Special Rapporteur on the independence of judges and lawyers expressed concern on information received regarding the lack of independence of the judicial system, and the serious interference by the executive power in the administration of justice<sup>101</sup>. In 2006, he noted acts of violence and intimidation against lawyers and judges, whose objective seems to be to prevent them from carrying out their work in a free and independent manner<sup>102</sup>.

24. In 2007, alleged ill-treatment by police forces on members of the judiciary<sup>103</sup>, as well as allegations of harassment, threats, intimidation, systematic repression and insults to members of the judiciary who are engaged in the defence of human rights were also mentioned jointly by the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the freedom of opinion and expression as well as the SRSO on human rights defenders as subject of concerns<sup>104</sup>. The issue of freedom of expression and arbitrary detention have also been addressed by the working group on arbitrary detention<sup>105</sup>.

### 4. Freedom of expression, association and peaceful assembly

25. In a Press Release issued on 16 November 2005<sup>106</sup>, three Special Rapporteurs expressed their deep concern regarding the deteriorating situation of freedom of expression, association and assembly. They underlined that they had received numerous allegations regarding on repeated attacks against organisations of human rights defenders and their members including members of the judiciary as well as journalists and lawyers, who had been fined, sanctioned and ill-treated for having publically raised human rights issues and having expressed their opinion<sup>107</sup>. In that regard, Tunisia<sup>108</sup> stated in its reply that magistrates, at all levels, exercise their functions independently and are subjected only to their conscience and the authority of the law. The right of magistrates to freedom of expression and association is guaranteed and a number of them are members to the Tunisian Association of Magistrates and chose freely their representatives. In addition, Tunisian lawyers exercise, like all citizens, their right to freedom of opinion and expression under the conditions defined by the law. They can be pursued only if they commit reprehensible acts as described by the criminal law.

26. In 2006, concerns were also expressed by the SRSO on human rights defenders<sup>109</sup> regarding the restrictions that appear to be brought to freedom of expression in Tunisia. In the context of her mandate, she has received numerous cases of journalists who are facing legal proceedings for defamation, propagation of false or malicious information likely to disturb public order as well as contempt of court, for having publicly denounced human rights violations.

27. In 2002, CRC<sup>110</sup> remained extremely concerned at allegations of violations of the right of the child not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment appearing in a number of reports brought to the attention of the Committee, particularly in relation to children of human rights defenders and political opponents. The CRC strongly recommended that Tunisia enforce, or, when appropriate, review existing legislation and investigate in an effective way reported cases of torture and ill-treatment of children<sup>111</sup>. CRC had also concerns regarding the implementation of the rights of the child to freedom of expression, including to receive information, and to freedom of association and peaceful assembly. The Committee recommended that Tunisia ensure the full practical



implementation of those rights as well as the right to freedom of thought, conscience and religion<sup>112</sup>.

28. In 2006, issues related to freedom of opinion and expression and the question of entrance to and departure from the territory of Tunisia regarding human rights defenders and lawyers have also been the subject of communications<sup>113</sup>. In those communications, Tunisia indicated that either a positive outcome was reached<sup>114</sup>, or that the expulsion of a NGO representative was based on the violation of Tunisian laws as well as on the sovereignty and credibility of Tunisian institutions<sup>115</sup> or that the refusal to enter the territory for one individual was motivated by criminal charges retained against this person<sup>116</sup>.

29. In 2006, the SRSG on human rights defenders expressed concerns on the obstructions brought to freedom of association while there are existing legal guarantees to protect it<sup>117</sup>. The SRSG highlighted that it appears that national authorities act as if associations were subject to a system of pre-authorisation which would have the effect of forcing a number of human rights defenders to act illegally although, according to the applicable law, they had taken the necessary steps to be registered as associations<sup>118</sup>. Information on founders of associations who were physically blocked by law enforcement forces from depositing the founding statute of the association for registration, or were refused the receipt following deposit of the statute, or never received an answer regarding the actual registration of the association were referred to by the Special representative<sup>119</sup>.

30. The SRSG further expressed concerns that this absence of legal recognition of human rights organisations had the effect of limiting the exercise of their rights, including the right to hold meetings<sup>120</sup>. Communications related to cases where NGO offices were surrounded by police forces to prevent access to or disperse meetings were referred to by the special representative<sup>121</sup>. On those cases, Tunisia replied that while the organisation was a legally established political group, the meeting in question was illegal and instigated by groups which were not legally established and that the alleged ill-treatment of individuals was without any basis<sup>122</sup>.

#### 5. Right to work and to just and favourable condition of work

31. In 2002, CEDAW was concerned at the low level of women's labour force participation including in the private sector and urged Tunisia to adopt appropriate measures to ensure women's equal access to paid employment<sup>123</sup>. In 2002, CRC commended the amendment to the Labour Code rising the minimum age for admission to employment to 16 years, which is the age for completion of compulsory education<sup>124</sup>. The Committee welcomed the various measures taken to address child labour by the State party and recommended to take all necessary measures to effectively prevent and combat child labour<sup>125</sup>.

#### 6. Right to social security and to an adequate standard of living

32. CRC<sup>126</sup> noted the sustained commitment by Tunisia to implement its primary health policies and the ensuing achievements in the area of health care. While noting the delegation's statement that a plan has been formulated to address the issue of persisting regional and urban/rural disparities in the availability and quality of maternal and child health-care services, the Committee nevertheless remains concerned at the persistence of this problem as well as challenges regarding the provision of health services dealing with the specific needs of adolescents. CRC<sup>127</sup> encouraged Tunisia to allocate appropriate resources and develop policies programme to improve and protect the health situation of children and, in that regard,

encouraged Tunisia to seek technical assistance from, among others, the World Health Organization (WHO) and UNICEF<sup>128</sup>. Furthermore, a 2007 WHO report<sup>129</sup> noted that the health care system in Tunisia is efficient and effective despite modest resources. Maternal and child health have greatly improved in Tunisia but regional disparities persist. Although non communicable disease are increasing, communicable disease have declined and HIV/AIDS cases have been stable since 1990. The WHO report indicated that harmonization and coordination of international aid for health development remains a challenge for Tunisia<sup>130</sup>.

#### 7. Right to education and to participate in the cultural life of the community

33. In 2002, CEDAW<sup>131</sup> and CRC<sup>132</sup> welcomed and commended the efforts and progress achieved by Tunisia in making basic education a priority and in facilitating access to education. This was also noted in a 2007 UNESCO<sup>133</sup> and a 2004 MDG<sup>134</sup> reports. CRC<sup>135</sup> and CEDAW<sup>136</sup> also welcomed and noted the reduction of female illiteracy and encouraged Tunisia to further take measures to reduce the disparity in the illiteracy rate between urban and rural areas. This point was also noted in a 2007 UNESCO report<sup>137</sup>. CRC<sup>138</sup> further welcomed the extensive legislation regarding children with disabilities and their rights to appropriate education, rehabilitation and training and encouraged Tunisia to undertake greater effort in that regard.

#### 8. Human rights and counter-terrorism

34. In 2005, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism<sup>139</sup> noted that the definition of a terrorist act contained in the law was broad and vague and may allow its use against dissidents and members of the opposition. He also noted that according to the information he received, the legislation permitted detention of individuals suspected of being a threat to national security, without any charges or trial. He also noted that the law placed serious restrictions on freedom of assembly and freedom of association, particularly regarding the financing of associations. This concern was echoed by the SRSG on the situation of human rights defenders and the Special Rapporteur on the freedom of opinion and expression<sup>140</sup>, who expressed concern that the counter-terrorism legislation may contribute to restricting the freedom of opinion, expression as well as the freedom of assembly and association of human rights defenders. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism<sup>141</sup> also noted that the law seems to allow that investigative judges remain anonymous, which renders more difficult the possibility of any recourse in cases of ill-treatment. Noting that new penal laws punish racial discrimination and incitement to racial hatred as extensions of the law that penalizes terrorism, CERD<sup>142</sup> was concerned about the association of racial discrimination and terrorism and recommended that Tunisia review its domestic legislation and adopt separate legislation on the offence of racial discrimination and the propagation of racial hatred.

### III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

35. In the context of the fight against poverty in the world, the President of Tunisia has called and contributed for the establishment by the General Assembly of the “World Solidarity Fund to eradicate poverty in the world”<sup>143</sup> which represents a practical tool for the realization of the target set by the Millennium Development Summit<sup>144</sup>. In 2003, CERD<sup>145</sup> noted with interest the establishment of a National Solidarity Fund to combat poverty and marginalization as well as the creation of a National Solidarity Bank at the national level and appreciated the results Tunisia had achieved so far in terms of economic growth. In 2002,

CEDAW<sup>146</sup> and a 2006 UNDP report<sup>147</sup> also commended Tunisia for its political commitment as well as series of measures and policies to address discrimination against women and to ensure women's emancipation as well as equality between men and women. CEDAW also noted that rural women in Tunisia were enjoying an overall improvement in the quality of rural life benefiting from technical and financial support through the efforts of the economic and financial authorities<sup>148</sup>. CERD commended the efforts made in the area of human rights education, including the advocacy of the principles of tolerance and respect in accordance with article 7 of the Convention<sup>149</sup>.

36. CEDAW<sup>150</sup>, in regard to the lack of legal remedies as well as to the lack of court decisions, recommended the intensification of education and training programmes on the Convention to enhance the knowledge of judges, lawyers and law enforcement personnel. In 2002, CRC<sup>151</sup>, while noting with appreciation the efforts undertaken to publicize widely the principles and provisions of the Convention, reiterated its recommendation to pursue efforts aiming at creating awareness of all aspects of the Convention, and to continue training relevant professional groups working for and with children. Furthermore, CRC recommended to train teachers, law enforcement officials, care workers, judges and health professionals in the management of ill-treatment cases<sup>152</sup>.

#### IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

37. In its pledges and commitment to the HRC<sup>153</sup>, Tunisia indicated that it had adopted a number of measures aimed at strengthening the rule of law, ensure fundamental freedoms and rights of human being, the promotion of democracy and the rights of women to ensure gender equality within the Tunisian society. In the context of the Millennium Development Goals, Tunisia indicated that it places itself amongst the countries with a strong development potential and that efforts were deployed by the public authorities to improve economic performance and social wellbeing<sup>154</sup>. Furthermore, the adoption of new legislations on education has enable Tunisia to increase the quality of education but also to respond to persistent problems of early school dropouts and the pupils' poor performance<sup>155</sup>. Eventually, Tunisia has set up a number of structures whose main role is to elaborate women's promotion policies, ensure the reduction of disparities and provide them with education, training and access to labour market<sup>156</sup>.

#### V. CAPACITY BUILDING AND TECHNICAL ASSISTANCE

38. Following a Common Country Assessment in 2001<sup>157</sup>, an United Nations Development Assistance framework for 2007-2011<sup>158</sup> was designed to focus on a partnership and mobilize additional funds with a number of UN agencies, funds and programmes<sup>159</sup> on specific areas such as: equal access to essential and quality social services and promotion of human rights; the promotion and satisfaction of youth, the protection of children and adolescent and their participation and integration in the development process; employment; and on integrating Tunisia into a globalized economy. The UNFPA also noted their capacity-building programmes and activities in Tunisia<sup>160</sup>.

*Notes*

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<sup>1/</sup> The status of ratifications of instruments listed in the chart may be found in Multilateral Treaties Deposited with the Secretary-General : Status as at 31 December 2006, ST/LEG/SER.E.25; complemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs, <http://untreaty.un.org> .

2/ International Convention on the Elimination of All Forms of Racial Discrimination.

3/ International Covenant on Economic, Social and Cultural Rights.

4/ International Covenant on Civil and Political Rights.

5/ Convention on the Elimination of All Forms of Discrimination against Women.

6/ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

7/ Convention on the Rights of the Child.

8/ Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

9/ Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

<sup>10/</sup> Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

11/ Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

12/ Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

13/ Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

14/ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

15/ Convention on the Rights of Persons with Disabilities.

16/ Optional Protocol on the Convention on the Rights of Persons with Disabilities.

17/ International Convention for the Protection of All Persons from Enforced Disappearances.

<sup>18/</sup> Information relating to other relevant international human rights instruments, including regional instruments may be found in the pledges and commitments undertaken by Tunisia before the Human Rights Council, as contained in the Note Verbale sent by the Permanent Mission of Tunisia to the President of the General Assembly, dated on 8 May 2006.

<sup>19/</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>20/</sup> Include 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

<sup>21/</sup> These Conventions and Protocols are: Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Convention (III) relative to the Treatment of Prisoners of War; Convention (IV) relative to the Protection of Civilian Persons in Time of War; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). Source: Switzerland, Federal department of foreign affairs, <http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html>.

<sup>22/</sup> International Labour Organization Convention N° 29 concerning Forced or Compulsory Labour and Convention; Convention N°105 concerning the Abolition of Forced Labour, Convention N°87 concerning Freedom of Association and Protection of the Right to Organise; Convention N°98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention N°100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention N°111 concerning Discrimination in Respect of Employment and Occupation; Convention N°138 concerning Minimum Age for Admission to Employment; Convention N°182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

<sup>23/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, paras.182 and 188.

<sup>24/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, paras. 6, 10 and 11.

<sup>25/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.207.

<sup>26/</sup> Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

<sup>27/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.13.

<sup>28/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.7.

<sup>29/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.4.

<sup>30/</sup> Pledges and commitments of Tunisia to the Human Rights Council, op. cit., dated on 8 May 2006, page 2.

<sup>31/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.183.

<sup>32/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.184.

<sup>33/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.185.

<sup>34/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.190.

<sup>35/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.191.

<sup>36/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.193

<sup>37/</sup> Arab Human Development report 2005 entitled “toward the rise of women in the Arab world”, UNDP report, New York, 2006, pages 193 and 194.

<sup>38/</sup> UNDP, Arab Development Report 2005, page 12.

<sup>39/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.186.

<sup>40/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.4.

- <sup>41/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.5
- <sup>42/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.11.
- <sup>43/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.16.
- <sup>44/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.16.
- <sup>45/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.187.
- <sup>46/</sup> United Nations Millennium Development Goals, Tunisia, May 2004, pages. 19-22 as well as UNDP, Human Development Report 2006, New York, 2006, page 302.
- <sup>47/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.198.
- <sup>48/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.199.
- <sup>49/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.201.
- <sup>50/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.197.
- <sup>51/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.181.
- <sup>52/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.193.
- <sup>53/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.36.
- <sup>54/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.5.
- <sup>55/</sup> CEDAW Committee, Concluding observations, A /57/38, adopted 14 June 2002, para.205.
- <sup>56/</sup> Pledges and commitments of Tunisia to the Human Rights Council, op. cit., dated on 8 May 2006, page 4.
- <sup>57/</sup> Pledges and commitments of Tunisia to the Human Rights Council, op. cit., dated on 8 May 2006, page 4.
- <sup>58/</sup> Committee on the Elimination of Racial Discrimination.
- <sup>59/</sup> Committee on Economic, Social and Cultural Rights.
- <sup>60/</sup> Human Rights Committee.
- <sup>61/</sup> Committee against Torture.
- <sup>62/</sup> Committee on the Elimination of Discrimination Against Women
- <sup>63/</sup> Committee on the Rights of the Child.
- <sup>64/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.8.
- <sup>65/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.3.
- <sup>66/</sup> Pledges and commitments of Tunisia to the Human Rights Council, op. cit., dated on 8 May 2006, page10.
- <sup>67/</sup> Pledges and commitments of Tunisia to the Human Rights Council, op. cit., dated on 8 May 2006, page10.

<sup>68/</sup> Special Representative of the Secretary-General on human rights defenders, E/CN.4/2005/101/Add.1, para.554 and E/CN.4/2006/95/Add.5, para.1636.

<sup>69/</sup> Special Rapporteur on the Independence of judges and lawyers, E/CN.4/2006/95/Add.5, para.257.

<sup>70/</sup> Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, E/CN.4/2006/98, para.4.

<sup>71/</sup> Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment, A/HRC/4/33, para.23.

<sup>72/</sup> - Special Rapporteur on the right to education (A/HRC/4/29, para.47): Questionnaire on the right to education of persons with disabilities sent in 2006.

- Special Rapporteur on the human rights of migrants (A/HRC/4/24, para.9): Questionnaire on the human rights of migrants on border control and measures to reduce address irregular migration; expulsion; conditions for admission stay; rights of migrants; and the protection of migrants sent on 8 and 9 September 2006.

- Special Rapporteur on trafficking in persons, especially in women and children (A/HRC/4/23, para.14): Questionnaire on Forced marriages in the context of trafficking in persons, especially women and children Report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children sent on 26 July 2006.

- Special Representative of the Secretary-General on the situation of human rights defenders (E/CN.4/2006/95/Add.5, paras.1 and 1617): Questionnaire aimed at identifying the main areas of progress and the remaining challenges that need to be addressed in relation to the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms sent in June 2005.

- Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15, para.7): Questionnaire on the human rights of indigenous peoples sent in August 2007.

- Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62, para.24) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67, para.22) : Joint questionnaire on demand for commercial sexual exploitation and trafficking and demand for sexual services deriving from exploitation sent on 25 and 26 July 2005.

- Special Rapporteur on the right to education (E/CN.4/2006/45, para.89): Questionnaire on girl's right to education sent in 2005.

- Working Group on the use of mercenaries as a means of violating human rights (A/61/341, para47): Questionnaire on Mercenaries sent in mid-November 2005.

-Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31 dated 26 December 2006, §24): Questionnaire on the Sale of Children's organs sent on July 2006.

- Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78, para4): Questionnaire on Child pornography on the Internet sent on 30 July 2004.

- Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2004/9, para.4): Questionnaire on the Prevention of child sexual exploitation sent on 29 July 2003.

-Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprise (A/HRC/4/35/Add.3): Questionnaire to identify policies and practices by which states regulate, adjudicate and otherwise influence corporate actions.

<sup>73/</sup> Special Rapporteur on trafficking in persons, especially in women and children, 26 July 2006: Questionnaire on Forced marriages in the context of trafficking in persons, especially women and children as contained in document A/HRC/4/23, para.14 and Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, Questionnaire to identify policies and practices by which states regulate, adjudicate and otherwise influence corporate actions, as contained in document A/HRC/4/35, para.7.

<sup>74/</sup> OHCHR Annual Report 2004, p.164; Annual Report 2005, p.169; Annual Report 2006, p.80.

<sup>75/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, paras.22, 23 and 24.

<sup>76/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.8.

<sup>77/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, paras.22, 23, and 24.

<sup>78/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.20.

<sup>79/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.21.

<sup>80/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, paras.196 and 197.

<sup>81/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.10.

<sup>82/</sup> Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, E/CN.4/2006/6/Add.1, para.495 and A/HRC/4/33 Add.1, para.302 as well as reports by the Special Rapporteur on extrajudicial, summary or arbitrary executions, E/CN.4/2006/53/Add.1, page 251 and A HRC/4/20/Add.1, pages 316 to 320 as well as report by the Special Representative of the Secretary-General on the situations of human rights defenders, E/CN.4/2006/95 Add.1, paras.524 and 527.

<sup>83/</sup> CAT Committee, decision n°269 2005 as contained in document CAT/C/39/D/269/2005 dated 22 November 2007 and report of the Special Representative on the situation of human rights defenders, E/CN.4/2005/101/Add.1, para.541.

<sup>84/</sup> See report of the CAT at the 37<sup>th</sup> and 38<sup>th</sup> session to the General Assembly as contained in document A/62/44, 2007, pages 135 to 138.

<sup>85/</sup> Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, E/CN.4/2006/6/Add.1, paras.493 and 494.

<sup>86/</sup> See response by Tunisia in the reports of the Special Rapporteur on extrajudicial, summary or arbitrary executions as contained in document E/CN.4/2006/53/Add.1, page 251 and A/HRC/4/20 Add.1, page 317 and 320 as well as report by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, A/HRC/4/33/Add.1, para.302.

<sup>87/</sup> See response by Tunisia in report op. cit., E/CN.4/2006/6/Add.1, pages 289, 290 and 291.

<sup>88/</sup> Pledges and commitments of Tunisia to the Human Rights Council, op. cit., dated on 8 May 2006, page 11.

<sup>89/</sup> Pledges and commitments of Tunisia to the Human Rights Council, op. cit., dated on 8 May 2006, page 11; See also response by Tunisia in the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, E/CN.4/2006/6/Add.1, para.494.

<sup>90/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.45.

<sup>91/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.46.

<sup>92/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.43.

<sup>93/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.44.



- <sup>94/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.33.
- <sup>95/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.34
- <sup>96/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.194
- <sup>97/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.195.
- <sup>98/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, paras.196-197.
- <sup>99/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, paras.192-193.
- <sup>100/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted 18 March 2003, para.10
- <sup>101/</sup> Special Rapporteur on the independence of judges and lawyers, E/CN.4/2004/60/Add.1, para.143.
- <sup>102/</sup> Special Rapporteur on the independence of judges and lawyers, E/CN.4/2006/52/Add.1, para.257.
- <sup>103/</sup> Special Rapporteur on the independence of judges and lawyers, A/HRC/4/25/Add.1, para.360.
- <sup>104/</sup> Special Rapporteur on the independence of judges and lawyers, E/CN.4/2006/52/Add.1, paras.244 and 248 and E/CN.4/2006/95/Add.1, paras.509, 511, 512, 513 as well as A/HRC/4/25/Add.1, para.362.
- <sup>105/</sup> See opinion on Tunisia adopted on 28 November 2005 by the working on arbitrary detention, A/HRC/4/40/Add.1, pages 14-19.
- <sup>106/</sup> Special Rapporteur on the independence of judges and lawyers, E/CN.4/2006/52/Add.1, para.255.
- <sup>107/</sup> Special Rapporteur on the independence of judges and lawyers, E/CN.4/2006/52/Add.1, para.255 as well as Special Representative of the Secretary-General on human rights defenders, E/CN.4/2006/95/Add.1, para.1633.
- <sup>108/</sup> Special Rapporteur on the independence of judges and lawyers, E/CN.4/2006/52/Add.1, para.256, Tunisia response to the Press release issued on 16 November 2005.
- <sup>109/</sup> See report by the Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.5, para.1633.
- <sup>110/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.31.
- <sup>111/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.32.
- <sup>112/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, paras.25 to 30 as well as CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, for the issue of freedom of religion, para.6.
- <sup>113/</sup> Special Rapporteur on the independence of judges and lawyers A/HRC/4/25/Add.1, para.361 as well as Special Rapporteur on the right of freedom of opinion and expression, A/HRC/4/27/Add.1, paras.641, 643, 648, 649 as well as Special Representative of the Secretary-General on human rights defenders, E/CN.4/2004/94 para.69, and E/CN.4/2006/95/Add.1, para.514 and E/CN.4/2005/101/Add.1, para.539.
- <sup>114/</sup> See response by Tunisia as contained in the report of the Special Rapporteur on the right to freedom of opinion and expression, A/HRC/4/27/Add.1, op. cit., §653.
- <sup>115/</sup> See response by Tunisia as contained in the report of the Special Rapporteur on the right to freedom of opinion and expression, A/HRC/4/27/Add.1, op. cit., para.654.

<sup>116/</sup> See response by Tunisia as contained in the report of the Special Rapporteur on the right to freedom of opinion and expression, A/HRC/4/27/Add.1, op. cit., para.665.

<sup>117/</sup> Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.1, para.523.

<sup>118/</sup> Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.5, dated 6 March 2006, para.1630.

<sup>119/</sup> Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.5, dated 6 March 2006, para.1631.

<sup>120/</sup> Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.5, para.1632.

<sup>121/</sup> Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.1, paras.520, 522, 525, 530 and E/CN.4/2006/95/Add.5, para.1632 as well as Special Rapporteur on the freedom of opinion and expression, A/HRC/4/27/Add.1, paras.637 and 65.

<sup>122/</sup> Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.1, paras.540 and 541 as well as Special Rapporteur on the right to freedom of opinion and expression, A/HRC/4/27/Add.1, para.678.

<sup>123/</sup> CEDAW Committee, Concluding observations, A 57 38, adopted 14 June 2002, paras.200 and 201.

<sup>124/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.35.

<sup>125/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, paras.41 and 42.

<sup>126/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.37

<sup>127/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.38

<sup>128/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.38.

<sup>129/</sup> WHO, Country Cooperation Strategy, Geneva, 2007, p. 1, available at [http://www.who.int/countryfocus/cooperation\\_strategy\\_ccsbrief\\_tun\\_en.pdf](http://www.who.int/countryfocus/cooperation_strategy_ccsbrief_tun_en.pdf) (accessed on 13 February 2008).

<sup>130/</sup> WHO, Country Cooperation Strategy, Geneva, 2007, p. 2, available at [http://www.who.int/countryfocus/cooperation\\_strategy\\_ccsbrief\\_tun\\_en.pdf](http://www.who.int/countryfocus/cooperation_strategy_ccsbrief_tun_en.pdf), (accessed on 13 February 2008).

<sup>131/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.187.

<sup>132/</sup> CRC Committee, Concluding observations, CRC C 15 Add.181, adopted 28 May 2002, para.39.

<sup>133/</sup> UNESCO, *Global Education Digest 2007*, Montreal, Canada, 2007, pages 60, 70, 101, 125 and 164.

<sup>134/</sup> United Nations Millennium Development Goals, Tunisia, May 2004, pages. 5-12.

<sup>135/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, para.39.

<sup>136/</sup> CEDAW Committee, Concluding observations, A 57 38, adopted 14 June 2002, para.187.

<sup>137/</sup> UNESCO, *Global Education Digest 2007*, Montreal, Canada, 2007, page184.

<sup>138/</sup> CRC Committee, Concluding observations, CRC/C/15/Add.181, adopted 28 May 2002, paras.35-36.

<sup>139/</sup> Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism as contained in document E/CN.4/2006/98/Add.1, paras.15 and 16.

<sup>140/</sup> Special Representative on the situation of human rights defenders, E/CN.4/2006/95/Add.1, para.523 and E/CN.4/2006/95/Add.5, para.1634.

<sup>141/</sup> Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism as contained in document E/CN.4/2006/98/Add.1, paras.15 and 16.

<sup>142/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.9.

<sup>143/</sup> Pledges and commitments of Tunisia to the Human Rights Council, *op. cit.*, dated on 8 May 2006, pages 3, 8 and 9 as well as General Assembly resolution A/57/265 adopted on 20 December 2002. See also National report on millennium developments goals, United Nations, May 2004, pages 41.

<sup>144/</sup> For more information on the World Solidarity Fund, see <http://www.fonds-solidarite.org>

<sup>145/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted on 18 March 2003, para.6.

<sup>146/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, paras.183-187.

<sup>147/</sup> UNDP, Arab Development Report 2005, page 12.

<sup>148/</sup> CEDAW Committee, Concluding observations, A/57/38, adopted 14 June 2002, para.187.

<sup>149/</sup> CERD Committee, Concluding observations, CERD/C/62/CO/10, adopted 18 March 2003, para.5.

<sup>150/</sup> CEDAW Committee, Concluding observations, A 57 38, adopted 14 June 2002, paras.192 and 193.

<sup>151/</sup> CRC Committee, Concluding observations, CRC C 15 Add.181, adopted 28 May 2002, paras.18 and 19.

<sup>152/</sup> CRC Committee, Concluding observations, CRC C 15 Add.181, adopted 28 May 2002, para.34.

<sup>153/</sup> Pledges and commitments of Tunisia to the Human Rights Council, *op. cit.*, dated on 8 May 2006, pages 1 to 12.

<sup>154/</sup> National report on millennium developments goals, United Nations, May 2004, pages 3 and 8.

<sup>155/</sup> National report on millennium developments goals, United Nations, May 2004, pages 9-11.

<sup>156/</sup> National report on millennium developments goals, United Nations, May 2004, pages 14-18.

<sup>157/</sup> Country Common Assessment, United Nations, March 2001.

<sup>158/</sup> United Nations Development Assistance Framework for 2007-2011, dated on February 2006.

<sup>159/</sup> The Food and Agriculture Organization (FAO), the International Agency for Atomic Energy (IAAE), the International Labour Organization (ILO), the Migration International Organization (MIO), the Joint United Nations Program on HIV/AIDS (UNAIDS), the United Nations Children's Fund (UNICEF), the United Nations Development Program (UNDP), the United Nations Industrial Development Organization (UNIDO), the United Nations Population Fund (UNFPA) and the World Health Organization (WHO).

<sup>160/</sup> UNFPA, UPR submission on Tunisia, November 2007. UNFPA indicated that it is providing support to the governmental youth sexual and reproductive health programme. UNFPA also supports the Government to increase the availability of a minimal package of quality reproductive health services, the development and reinforcement of regional health centres as referral centres and the setting up of pilot experiences for new reproductive health concerns - such as the elaboration of protocols for menopause care, breast cancer screening

and assistance to women victims of violence. In addition, UNFPA has provided full support to the “Ministry of Women Affairs, Family, Childhood and Ageing People” for the development of a National Strategy to fight gender-based violence

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