



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Seventh periodic report submitted by Tunisia under
article 18 of the Convention, due in 2020***

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Contents

	<i>Page</i>
Introduction	3
Drafting methodology and process	3
General issues	4
Constitutional and legislative framework	6
Access to justice	11
National machinery for the advancement of women	13
National human rights institution	18
Temporary special measures	19
Stereotypes	19
Gender-based violence against women	20
Gender-based violence against women in conflict and peacebuilding situations	25
Trafficking and exploitation of prostitution	27
Participation in political and public life	30
Nationality	36
Education	37
Employment	38
Health	42
Economic empowerment of women	46
Disadvantaged groups of women	50
Marriage and family relations	53

Introduction

1. Tunisia signed the International Convention on the Elimination of All Forms of Discrimination against Women on 24 July 1980. It was ratified by Act No. 68 (1985) on 12 July 1985. Tunisia subsequently ratified the Optional Protocol by means of Act No. 35, dated 9 June 2008.
2. Pursuant to Decree No. 103 of 24 October 2011, withdrawal of the declaration and reservations of the Government of Tunisia was approved. Order No. 4260 (2011), dated 28 November 2011, ratified the withdrawal of the declaration and reservations.
3. Tunisia is submitting its seventh report pursuant to the simplified procedures, article 18 of the Convention and paragraph 70 of the concluding observations of the Committee on the Elimination of Discrimination against Women, following its consideration, during its 949th and 950th sessions held in November 2010, of the combined fifth and sixth periodic reports of Tunisia (CEDAW/C/TUN/QPR/7).
4. The present report comes in the wake of a significant period in the history of Tunisia. Fundamental transformations followed the December 2010–January 2011 revolution, which led to a change in the political system and, subsequently, significant changes at several levels.
5. The present report covers the progress made in implementing the articles of the Convention and the most important legislative, regulatory, judicial, administrative, institutional and practical developments in general. It is based on the Committee's recommendations and observations and builds on the country's previous periodic reports and the common core document (HRI/CORE/TUN/2016).
6. The report was prepared by the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights¹ following a participatory approach and a process and methodology to which it has remained faithful since its inception.

Drafting methodology and process

7. As part of its participatory approach to national reporting, the National Commission, in collaboration with the Office of the United Nations High Commissioner for Human Rights in Tunisia and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), organized activities with participation from civil society organizations, constitutional and national organizations and government agencies, resulting in a number of recommendations (see annex I). Those activities included:
 - Electronic consultations, through a list of questions sent to 35 women's rights associations;
 - A regional consultation on 26 June 2020 in the city of Tabarka (Jendouba Governorate) that was attended by 75 persons, including representatives of more than 12 civil society organizations from Baja, Kef and Siliana Governorates;
 - A national consultation in Tunis on 10 July 2020 that was attended by 82 people, including representatives of 26 associations.
8. In addition, a training workshop on the Convention was held on 11 June 2020 for the members of the National Commission.

¹ Established pursuant to Government Order No. 1593 (2015), dated 30 October 2015, amended by Government Order No. 663 (2016), dated 30 May 2016.

9. The National Commission considers the present report an opportunity to resume positive interaction with the Committee, especially given that more than 10 years have elapsed since the submission of the previous report and since the Committee's observations and recommendations.

I. General issues

A. General data on the current situation of women:

10. Based on data from the 2014 Census of Housing and Population and data provided by statistics organizations,² women made up 50.2 per cent of the total population. The average age of women is estimated to be 32.4 years, compared with 31.7 for men.

11. The average number of live births to women under 20 years of age increased from 0.02 in 2004 to 0.07 in 2014 despite a decline during the same period in the overall average birth rate from 1.51 to 1.33.

12. Households headed by women accounted for only 14.5 per cent of all families. Of those women, 49 per cent were over 60 years of age and 24.6 per cent of them lived alone.

13. During the 2019–2020 school year, 99.6 per cent of girls six years of age were enrolled in school, compared to 99.5 per cent of boys. Enrolment rates were equal for boys and girls in the 6–11 age group, at 99.1 per cent.

Enrolment of girls 12–18 years of age stood at 87.5 per cent, compared with 76.7 per cent of boys.

During the 2018–2019 academic year, 154,109 female students were enrolled in public universities, compared with 79,583 male students. At private universities, that number was 14,987 for female students, compared to 18,475 for male students.

The percentage of women with advanced degrees was higher than that of men. For the 2017–2018 academic year, female graduates of public education institutions stood at 34,671 out of a total 50,307 graduates. At private institutions, that number was 3,663 female graduates out of a total 7,741 graduates.³

The number of men with professional certificates was 1.5 times higher than that of women.

14. The unemployment rate among women remains lower than among men (26.6 per cent among women compared to 68 per cent among men in 2019). However, unemployment among women has risen to 25 per cent as compared to 15.2 per cent for the second quarter of 2020. In addition, 44.3 per cent of employed women have a high level of education.

15. Geographical distribution remains an obstacle to equal enjoyment of health-care services for both sexes, as 42 per cent of women and 72 per cent of men live less than 2 km away from the nearest hospital, clinic or health centre.

16. With respect to individual living conditions, there are no significant gaps with respect to housing. Access to basic facilities, particularly water distribution and sewerage systems, is also equally available to men and women.

² See <http://www.social.gov.tn/fileadmin/user1/doc/statistique2014.pdf>.

³ See <http://www.mes.tn/image.php?id=11783>.

17. With regard to politics and participation in decision-making, although 36.5 per cent of women are in public sector jobs, 32 per cent of which are sub-class A-1 jobs (2016), they make up only 5.9 per cent in ranks such as ministry general clerk, general director or similar. After the most recent legislative elections, women make up 24.4 per cent of the Assembly of the Representatives of the People.

18. The present report contains various statistics on the situation of women in a number of areas.

B. The statistical system

19. Tunisia is developing its statistical system in line with national and international standards, including those relating to the Convention, owing to its importance for measuring the extent to which gender is mainstreamed in policies and programmes for the empowerment of women and the achievement of gender equality.

20. The National Institute of Statistics periodically conducts family surveys and population censuses in order to produce data disaggregated by age and gender. The Institute also maintains statistics on the distribution of disability by region.⁴

21. The Institute, with the support of UN-Women, completed a study entitled *Gender Gaps: From the 2014 Population and Housing Census Data* and drafted the first national report on gender statistics for 2015, which is in the process of being updated.⁵

22. The Institute, pursuant to its agreement with the Ministry of Women's Affairs (the European Union-funded Equality programme), is currently creating a page for gender statistics on its website.

23. Many government bodies, such as the Ministries of Women's Affairs, Justice, the Interior, Education, Higher Education, Health and Social Affairs, produce statistics and data disaggregated by sex. The statistical work of these bodies is based on the following:

- Organic Act No. 15 (2019), which provides that State and public entities must draw up budgets in accordance with goals and indicators that promote equality and equality of opportunity for men and women and non-discrimination among all groups within society.
- The Local Government Code, which stipulates that local authorities shall propose programmes to the central authorities to support poverty resistance and provide care for the needy, based on the statistical data in their possession.

24. The Ministry of Women's Affairs also relies on the National Strategy for Gender Mainstreaming (2016–2020) to develop public policies and development plans that incorporate a gender-based approach and that are based on gender statistics, follow-up and evaluation.

25. The Centre for Research, Documentation and Information on Women (CREDIF), which is overseen by the Ministry of Women's Affairs, monitors women's issues through the Equal Opportunities Observatory by compiling gender-disaggregated statistical data and indicators in five key areas: demographic data, education and training, employment, health, and public and political life.

26. The Observatory reconstructs and analyses data following a gender-based approach and places them at users' disposal through various publications and special

⁴ <http://www.ins.tn/>.

⁵ *Gender Gaps: From the 2014 Population and Housing Census Data*.

studies, which address qualitative aspects that cannot be grasped with quantitative indicators.

27. The Observatory's work has recently been enhanced and expanded to qualitative approaches, modern monitoring methods, the production of special indicators and follow-up on the situation of various categories of women at the regional and local levels.

28. The Observatory has several databases, including:

- The Bchira Ben Mrad statistical database, which contains data in the above-mentioned five areas.
- A qualitative database on "equal opportunity associations in Tunisia", based on field research on the post-2011 association landscape.
- The "Who is She?" (Tunisia) database. Created in 2013 with the support of the Danish Centre for Gender, Equality and Diversity, it collects data on women's competencies in various fields and supports women's participation and partnership in various forums.

29. Although important results have been achieved in the improvement and provision of disaggregated data in several areas, some shortcomings remain. The relevant bodies are striving to address those shortcomings by developing a comprehensive and unified system, strengthening coordination between different sectors at the central and local levels, and providing fit-for-purpose human and financial resources and training.

II. Constitutional and legislative framework

A. Training and education

30. In addition to what is stated in the common core document ([HRI/CORE/TUN/2016](#)), material on human rights has been included in educational and training programmes at various levels in accordance with article 39 of the Constitution.

31. Through its cooperation with several international organizations, the Ministry of Justice has developed training programmes and held training events on international human rights instruments. Since 1992, the Higher Institute of the Judiciary has been teaching human rights material to judicial trainees. The Institute also teaches that material to judges and prosecutors as a complement to their expertise. The National School for Prisons and Rehabilitation also trains officers and staff of prisons and correctional institutions on human rights issues and mechanisms.

32. The Ministry of National Defence has created a programme for teaching human rights and international humanitarian law at all stages of training at military academies and schools in order to raise awareness of universal human rights principles and the importance of upholding international treaties during military operations in the field. The senior military and civilian leadership of the National Defence Institute take training courses that incorporate human rights material.

33. For its part, the Ministry of the Interior has integrated human rights into the teaching curriculum at various training levels. It republished a human rights guide containing the various international instruments and national human rights laws and distributed it to all law enforcement officers.

34. After 2011, the Ministry also strengthened its cooperation with specialized United Nations organizations to produce training materials and hold courses on human rights, including the Convention, to support the capacities of professionals.

35. Higher education institutions, particularly those with law-related specializations, have included units on human rights and international instruments in their programmes. A Master of Arts degree in research on international humanitarian law and human rights, one on African human rights mechanisms and a professional Master of Arts degree in human rights have been created.

36. The Ministry of Women's Affairs has held training courses on the Convention for members of the National Constituent Assembly, ministries, government agencies and civil society organizations to enhance awareness and gather support for its implementation.⁶

37. The Ministry has also trained more than 150 individuals, including members of the Peer Network for Gender and to Combat Violence against Women and civil society activists. More than 10 training courses on the gender-based approach have been held, benefiting more than 190 women and men participants.

38. Several activities were also organized to advocate for the withdrawal of reservations to the Convention. The campaigns, initiatives and efforts of civil society and political activists culminated with the withdrawal of the reservations in 2011.⁷

39. CREDIF develops women's leadership skills. Since 2011, it has intensified its training and awareness-raising activities to introduce the Convention to different audiences. In 2013, it held an international symposium on the Convention that enabled countries such as Morocco, Denmark and South Africa to share experiences.

40. Women's rights groups have organized several programmes on awareness and interpretation of the Convention, as well as implementation or training advocacy and capacity-building.⁸

B. The legislative framework

41. In addition to the instruments mentioned in the common core document, Tunisia has ratified:

- The Optional Protocol to the Convention on the Rights of the Child on a communications procedure.⁹
- The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the issuance in July 2018 of the declaration of article 34 (6) of the Protocol to the African Court of Human and People's Rights recognizing the competence of the Court to receive complaints from individuals and non-governmental organizations.¹⁰
- The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.¹¹

⁶ Pramila Patten, member of the Committee on the Elimination of All Forms of Discrimination against Women, took part in the events.

⁷ In support of the completion of procedures for the withdrawal of reservations, the Ministry of Women's Affairs held a discussion with male and female members of the National Constituent Assembly that was also attended by Pramila Patten, member of the Committee on the Elimination of All Forms of Discrimination against Women, for the purpose of gaining support from the people's representatives and to make them aware of the importance of depositing the withdrawal of reservations with the Secretary-General and implementing the Convention.

⁸ For example, the organization Equality and Parity has issued a booklet entitled "CEDAW: Yes to Equality, Yes to CEDAW".

⁹ Pursuant to Government Decree No. 62 (2018).

¹⁰ Pursuant to Government Decree No. 61 (2018).

¹¹ Pursuant to Government Decree No. 5 (2018).

42. The Council of Europe also approved Tunisia's request to accede to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Tunisia is currently completing its ratification procedures.

43. Tunisia has passed a number of organic acts related to women's rights:

- Organic Act No. 61 (2016) on preventing and combating human trafficking.¹²
- Organic Act No. 7 (2017) amending the Elections and Referendums Act.¹³
- Organic Act No. 58 (2017) on the elimination of violence against women.¹⁴
- Organic Act No. 29 (2018) on the Local Government Code.¹⁵
- Organic Act No. 47 (2018) on common provisions applicable to independent constitutional bodies.
- Organic Act No. 50 (2018) on the elimination of all forms of racial discrimination.¹⁶
- Organic Act No. 51 (2018) on the Human Rights Commission.¹⁷
- Organic Act No. 15 (2019) on the budget.¹⁸
- Organic Act No. 60 (2019) on the Commission for Sustainable Development and the Rights of Future Generations.¹⁹
- Act No. 51 (2019) on the creation of the category of transport for women farm workers.²⁰
- Act No. 30 (2020) on the social and solidarity economy.²¹

44. Several measures have been enacted at the regulatory level, including the Government Decree creating the Council of Peers for Equality and Equal Opportunities for Women and Men²² and the Government Order creating the National Observatory to Combat Violence against Women.²³ Work is currently under way on a Government Decree creating the National Commission to Combat Racial Discrimination. In addition, the General Directorate of Human Rights was created at the Ministry of the Interior.²⁴ It is concerned with hearing citizens' concerns, offering guidance and addressing petitions and complaints related to human rights.

¹² http://www.legislation.tn/detailtexte/Loi-num-2016-61-du-03-08-2016-jort-2016-066_2016066000611.

¹³ http://www.legislation.tn/detailtexte/Loi-num-2016-61-du-03-08-2016-jort-2016-066_2016066000611.

¹⁴ http://www.legislation.tn/detailtexte/Loi-num-2017-58-du-11-08-2017-jort-2017-065_2017065000581.

¹⁵ Available at www.legislation.tn/sites/default/files/news/ta2018291.pdf.

¹⁶ http://www.legislation.tn/detailtexte/Loi-num-2016-61-du-03-08-2016-jort-2016-066_2016066000611.

¹⁷ http://www.legislation.tn/detailtexte/Loi-num-2018-51-du---jort-2018-089_2018089000511.

¹⁸ http://www.legislation.tn/detailtexte/Loi-num-2018-51-du---jort-2018-089_2018089000511.

¹⁹ http://www.legislation.tn/detailtexte/Loi-num-2016-61-du-03-08-2016-jort-2016-066_2016066000611.

²⁰ http://www.legislation.tn/detailtexte/Loi-num-2018-51-du---jort-2018-089_2018089000511.

²¹ http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX_3068-151-JJfKByAyWF/RechercheTexte/SYNC_8123359.

²² Government Decree No. 626 (2016), dated 25 May 2016. See <https://legislation-securite.tn/ar/node/45818>.

²³ Government Decree No. 126 (2020), dated 25 February 2016. See <https://legislation-securite.tn/ar/node/45818>.

²⁴ Government Decree No. 737 (2017), dated 9 June 2017.

45. In order to harmonize laws with international standards, including the Convention, the National Commission to Harmonize Human Rights Legislation with the Constitution and Ratified International Instruments²⁵ was created in order to promote relations with constitutional bodies and civil society. It reviews the laws in force to ensure that they are in line with the Constitution and international standards.

46. Several ministerial committees have also been set up to review and amend discriminatory laws. In addition, the act creating the Human Rights Commission allows for the submission of proposals to harmonize legislation with international standards.

47. Some of the recommendations related to women's rights arising from the review of the legal system carried out by the Ministry of Women's Affairs in 2012 were adopted in Act No. 46 (2015) granting both parents the right to obtain and travel documents for their minor children and to authorize them to travel. The rest were referred to the National Commission for consideration.

48. In connection with the recommendations of the Commission on Equality and Individual Freedoms²⁶ contained in its August 2018 report,²⁷ particularly those related to issues of discrimination, the session of the Council of Ministers held on 23 November 2018 approved a draft organic act on equality between men and women in relation to inheritance. It is currently before the Assembly of the Representatives of the People for consideration.²⁸

C. Definition of discrimination

49. The January 2014 Constitution enshrined the principle of equality and non-discrimination between the sexes. Its preamble provides that the State shall guarantee equality of rights and duties between all male and female citizens and fairness among the regions. Its articles stipulate that male and female citizens have equal rights and duties and that they are equal before the law, without discrimination (article 21); that the State shall work to ensure that women are represented in elected bodies (article 34); and that every citizen has the right to decent working conditions at fair pay and that the State shall take the necessary measures to ensure that on bases of competence and fairness (article 40).

50. It also stipulates that the State is obliged to protect, support and enhance women's rights. The State shall also guarantee equality of opportunity for men and women in assuming various responsibilities in all areas and shall strive to achieve gender parity in elected bodies (article 46). It must provide all types of protection to all children without discrimination and in accordance with the best interests of the child (article 47). It shall protect persons with disabilities from any discrimination (article 48). It shall ensure that every person has the right to a fair trial within a reasonable time frame and that litigants are equal before the courts. The right to litigate and the right of defence are guaranteed. The law shall facilitate access to justice and guarantee legal aid to those unable to pay (article 108).

51. In implementation of those provisions, especially article 46, article 3 of Organic Act No. 58 (2017) on the elimination of violence against women explicitly defines

²⁵ Government Decree No. 1196 (2019), dated 24 December 2019, concerning the creation of a national commission to harmonize human rights legislation with the Constitution and ratified international instruments, and setting its missions, composition and methods of work.

²⁶ Pursuant to Presidential Order No. 111 (2017), dated 13 August 2017.

²⁷ The report is available at <https://colibe.org/%D8%A7%D9%84%D8%AA%D9%82%D8%B1%D9%8A%D8%B1/?lang=ar>.

²⁸ <http://www.arp.tn/>.

discrimination against women as any distinction, exclusion or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women of human rights and freedoms on the basis of full and effective equality in the civil, political, economic, social and cultural field, regardless of colour, race, religion, belief, age, nationality, economic, social or cultural status, civil or health status, language or disability.

52. That definition is based on the text of the Convention. The phrase “positive actions and measures aimed at accelerating gender equality shall not be considered discrimination” was added.

53. The Act not only defines discrimination but also criminalizes it, stipulating in article 21 that deliberate discrimination, as defined by this Act, shall be punishable by one month to two years imprisonment and/or a fine of 1,000 to 5,000 Tunisian dinars if, as a result:

- The victim is prevented or hindered from enjoying her rights or obtaining a benefit or service;
- The victim is prevented from pursuing her normal activities;
- The victim is denied employment, dismissed or punished.

54. During the drafting of the Constitution in January 2014, the Constituent Assembly adopted the definition of discrimination against women contained in the document entitled “Advocating for the inclusion of women’s rights in the Constitution”, which was received during discussions with women’s rights activists.

55. In that context, there are several provisions of legislation that relate to the principle of equality and non-discrimination. The Labour Code (article 5 bis) provides that no distinction may be made between men and women in the application of the provisions of the present Code and its implementing regulations. Article 11 of Act No. 112 (1983) concerning general regulations on the conduct of State officials, local authorities and public administrative institutions provides that no distinction shall be made between the sexes in the application of the present law, with the exception of special provisions that may be taken in this regard necessitated by the nature of the functions.

56. Discrimination has also been eliminated between mothers and fathers with respect to the transmission of citizenship to children. Tunisian mothers have the right to transmit their nationality to their children on an equal basis with fathers in accordance with Act No. 55 (2010) amending some of the provisions of the Nationality Code.

57. Act No. 46 (2015) grants both parents the right to obtain and validate travel documents for minor children, a right that had previously been reserved exclusively for the father.

58. The Local Government Code, mentioned above, provides for gender equality and equal opportunities, including in articles 40, 106, 210 and 308.

59. Organic Act No. 50 (2018), on the elimination of all forms of racial discrimination, defines racial discrimination as any distinction, exclusion, restriction or preference based on race, colour, descent, national or ethnic origin or other forms of racial discrimination as provided by ratified international treaties that disrupts, impedes or prevents the enjoyment or exercise on an equal basis of rights and freedoms or resulting or entails additional duties or burdens. Any distinction, exclusion, restriction or preference established between Tunisians and foreign nationals does not constitute an act of racial discrimination provided that it does not target a specific nationality and is in line with the international obligations of the Republic of Tunisia.

60. Organic Act No. 15 (2019) on the budget (article 18, paragraph 4) provides that budgets must be drawn up in line with goals and indicators that promote equality and equality of opportunity for men and women and non-discrimination among all groups within society.

61. In respect of implementing regulations, Order No. 4030 (2014), ratifying the Code of Conduct and Ethics of Public Officials,²⁹ stipulates that public officials shall respect the rights and interests of persons using public facilities and shall treat them equally without discrimination on the basis of race, sex, nationality, religion, belief, political views, regional origin, wealth, professional status or any other form of discrimination.

62. Official bodies are also working to establish treatment of women “with special needs” in accordance with their specific situations while taking into account the principle of non-discrimination.

III. Access to justice

A. Ensuring that women know their rights

63. In addition to paragraphs 77 to 84 of the common core document, the Ministry of Women’s Affairs has developed a programme aimed at raising awareness among women of various groups of their rights. Since 2011, it has implemented a programme to establish a culture of citizenship among rural women in cooperation with the Spanish Agency for International Development Cooperation.

64. The work programmes of family guidance and counselling centres, centres for women victims of violence and counselling and guidance centres have also incorporated legal advice services in cooperation with relevant organizations.

65. As part of the Equality programme, administered in partnership with the European Union and UN-Women, the Ministry has developed a legal guide for women victims of violence and has held several training courses on that guide for concerned parties, including regional women’s affairs representatives, to help them to conduct outreach to women, especially in rural areas.

66. It has also developed a companion guide with commentary on Organic Act No. 58 (2017) to explain the Act’s provisions and standardize its application. Training courses on its content have been held to ensure that it is properly applied.

67. The Ministry has provided visually impaired women with a Braille copy of the Act for them to read and use if necessary.

68. Article 5 of Organic Act No. 58 (2017) also enshrines the principle of providing legal guidance to victims of violence. Article 13 grants victims of violence the right to legal guidance on the provisions governing litigation and the services available.

69. The Legal Advice Association, located at each court of first instance, is key to the realization of the right to legal guidance. The legal adviser (an assistant to the Public Prosecutor), who is available daily during working hours, meets with and listens to women victims of violence and directs them to various legal and judicial resources they can access for the purpose of protecting their rights, preserving their interests and prosecuting assailants.

70. A representative has also been appointed at the office of the military prosecutor to provide legal guidance to members of the military in general and women soldiers and women military personnel who have been the victims of violence in particular.

²⁹ http://www.legislation.tn/detailtexte/D%C3%A9cret--201num4-4030-du-03-10-2014--2014-09jort0__2014090040303.

71. Although the Office of the Administrative Ombudsperson does not take up cases, it provides guidance, especially to women, on how to defend their rights and on legal assistance and legal aid. The Office of the Administrative Ombudsperson does not intervene in the judicial process, but it may provide relevant advice and guidance to women petitioners.

72. In non-judicial matters, the Office of the Administrative Ombudsperson may take up a case directly and contact concerned parties to seek clarifications and make recommendations.

73. In 2019, the Office of the Administrative Ombudsperson took up 198 cases, most of which were from urban areas and only 4.9 per cent from rural areas. Women in rural areas did not have access to ombudsperson services owing to their distance from the main office and four regional offices.

B. Access to justice

74. The Ministry of Justice adopted the Strategy for Judicial Reform (2012–2016), which aimed to strengthen the independence of the judiciary and uphold the rights of litigants through legislative and institutional reform.

75. The Ministry also developed the Plan of Action for Judicial and Prison System Reform (2015–2019). One of its main components is quality of justice and rights of litigants and the other on access to justice.

76. In order to uphold the right of access to justice and the rights of litigants, Tunisia has since 2002 taken a number of legal measures. Act No. 52 (2002) on legal aid provides that litigants who are unable to afford the costs of litigation may request legal aid in civil or criminal procedures, regardless of whether they are plaintiffs or defendants.

77. Act 3 No. (2011) on legal assistance for the administrative court was enacted to cover the administrative justice system.

78. To address the specific characteristics of violent gender-based crime and the costly judicial expenses involved, Organic Act No. 58 enables women victims of violence to obtain necessary legal aid.

79. At the institutional level, the Ministry of Justice has improved court infrastructure in order to strengthen the right to litigation at two levels and to make justice more accessible to litigants. Since 2011, it has expanded the judicial system by creating five new appellate courts in response to increased activity at existing courts and to address the distance of courts from population centres.

80. In the light of the comprehensive quarantine measures taken during the coronavirus disease (COVID-19) pandemic, the State has also sought to implement a range of measures to facilitate access to justice, particularly for women, through legislation to ensure the rights of individuals before the judiciary:

- Decree No. 8 (2020) on the suspension of procedures and deadlines;
- Decree No. 12 (2020) supplementing the Code of Criminal Procedure, which authorizes the holding of court hearings and the issuance of rulings through secure audiovisual connection between the courtroom and a prison space equipped for that purpose pursuant to an order presented to the Public Prosecutor for opinion and subject to the defendant's consent.

81. Similarly, the Ministry of Women's Affairs, in coordination with the Ministry of Justice, took special measures during quarantine to combat violence against women, which had increased ninefold during that period compared to the same period the

previous year. Family judges continued to consider protection requests immediately, without postponement or delay. Women victims also continued to receive protection decisions despite the suspension of non-emergency work at all courts. The Office of the Public Prosecutor also continues to work to ensure that cases of spousal violence are heard and given due priority.

IV. National machinery for the advancement of women

82. The creation of the Peer Council for Equality and Equal Opportunities between Women and Men pursuant to Government Decree 626 (2016) is a substantial institutional step forward, a contribution to the implementation of the 2016–2020 development agenda and an advancement of Sustainable Development Goal 5, particularly indicator 5.1.

83. Article 4 of that Decree stipulates that the Council shall be chaired by the Head of Government or, if necessary, an individual delegated by the Minister of Women's Affairs. This allows for decisions to be made at the highest level of Government and ensures that they are respected by all the Council's members. The Head of Government may also submit legislative initiatives to parliament in accordance with article 62 of the Constitution or issue regulatory orders as head of the executive branch. He possesses general regulatory authority pursuant to article 94 of the Constitution. He is also entitled, in his capacity as Prime Minister, to issue circulars containing instructions to departments of the various ministries and agencies under his supervision.

84. Membership of the Peer Council includes, in addition to representatives of ministries, includes representatives from the Presidency of the Republic, the Assembly of the Representatives of the People and civil society as permanent members. That membership suggests that a comprehensive gender perspective is incorporated.

85. The Peer Council is striving to have a gender-based approach incorporated into planning, evaluation and budgeting, with a view to eliminating all forms of gender-based discrimination and achieving equality between men and women with respect to rights and responsibilities. Its tasks are set out in article 2 of the Government Decree establishing the Council.³⁰

86. While the aforementioned Decree states in article 1 that the Peer Council is an advisory council, it is clear when examining its functions that it has reporting powers with an influence on Government policy, including, necessarily, approval of the annual sectoral plan and follow-up of its programme on gender mainstreaming at a ministerial council.

87. The Council also plays an important role in monitoring obstacles to gender mainstreaming and accordingly may seek to address them by submitting proposals for administrative procedures and legislative and regulatory reforms. The purpose of this function is to develop harmonious and effective Government policies culminating in legislative initiatives, regulatory orders or even circulars issued to public agencies.

88. The Peer Council also plays an important role through its advisory function, which allows it to enter the legislative or regulatory sphere and influence the rules and mechanisms regulating women's rights in the public or private sphere. Through that function, the Peer Council may be consulted on any new legislation that is put to a vote.

89. While the Council has the powers of a council, its members have basic powers connected to the departments to which they belong.

³⁰ Government Decree No. 626 (2016), dated 25 May 2016. See <https://legislation-securite.tn/ar/node/45818>.

90. Given the importance of the Peer Council, the Ministry of Women's Affairs is currently reviewing Government Decree No. 626 in line with the Council's own recommendations, contained in its annual report, in order to strengthen its institutionalization and the powers of its focal points.

National equality and anti-discrimination strategies

These are based on the National Plan for the Inclusion and Institutionalization of Gender.

91. Approved by the Peer Council in June 2018, it contributes to the implementation of Sustainable Development Goal 5. The Plan aims to guide government policies by setting priorities to eliminate gender gaps and uphold equality and equal opportunity in all areas.

92. In order to ensure the proper implementation of the plan, metrics and indicators have been developed for the evaluation and gauging of progress, focusing on:

- Creation of a system of accountability to eliminate all forms of discrimination and violence against women in law and in practice;
- Increasing women's representation and participation in national, regional and local elected bodies and councils and in decision-making centres;
- Policies for the economic and financial empowerment of women and the right to decent work and fair pay;
- Public policies, development plans and gender-based budgeting;
- A national communication plan on gender mainstreaming.

93. The Ministry of Women's Affairs is responsible for the preparation and implementation of that Plan in cooperation and coordination with all relevant agencies represented by the Plan that are responsible for preparing annual sectoral plans for its implementation.

94. To more closely examine and to improve the implementation of a gender-based approach, in early 2019, priority was assigned to a gender-based approach when programming activities for the ministries' annual training plan, in accordance with Circular No. 27 of the Office of the Prime Minister, dated 1 October 2018, which stipulates the inclusion of a gender-based approach at the level of the Ministry of Women's Affairs.

95. The Ministry has organized several workshops and dialogues for Peer Council members, staff of the Council's permanent secretariat and staff of other ministries who are responsible for women's issues and the preparation and implementation of budgets.

96. In that regard, the Ministry has proposed a number of measures:

- The creation of a prize for the best initiative to promote gender equality and equal opportunity, pursuant to Government Decree No. 611 (2018), dated 26 July 2018;
- Imposing parity for councils and committees of various kinds, especially those relating to promotions, assignments and disciplinary matters, pursuant to Government Decree 314 No. (2020) setting the principles relating to the selection, performance evaluation and dismissal of directors representing public shareholders and independent directors, which requires (in article 1, paragraph 2) that balanced gender representation be taken into account and that representation of either sex be no less than 40 per cent;

- Allocation of a space for the children of female and male employees of the Ministry, especially during holidays;
- Proposal to increase the children's allowance, which, since the country's independence, was set to be in line with the current standard of living;
- Making compliance with the circular on the designation of senior functions compulsory and creating a mechanism for monitoring and following up on any failure to implement it;
- Achieving parity in the Ministry's regional representatives plan.

National Strategy for Economic and Social Empowerment of Rural Women and Girls (2017–2020):

97. This strategy and its action plan comprise five main areas of intervention:

- Economic empowerment, including: increasing employment among women in rural areas by increasing access to vocational training and diversifying their skill sets; ensuring access to resources and means of production; facilitating the transition from the informal sector to the formal economy; supporting economic initiative and disseminating a social and solidarity economy culture; and ensuring access to markets;
- Social empowerment, including: countering interruption of education and relapse into illiteracy; providing decent working conditions; and improving access to and quality of health services;
- Participation in public life and local governance: spreading a culture of citizenship and preparing women and girls for participation in public life and local affairs;
- Ensuring quality of life in rural areas by providing facilities and infrastructure and by providing cultural and recreational activities and facilitating access to them.
- Producing data and statistics disaggregated by gender and geographical area and making use of them in the preparation and evaluation of development plans.

98. Several projects have been developed in implementation of the Strategy and its action plan, including the integrated national project to combat interruption of education, especially among rural girls, and projects for women in the agricultural sector, traditional industries or agricultural manufacturing. Those projects allow women to break out of rural isolation and participate in comprehensive development programmes. Paragraphs 344–351 contain additional information on this subject.

National Action Plan for the Implementation of Security Council resolution 1325 (2000) on women and peace and security and its sectoral programmes

99. The Plan was approved in June 2018 by the Council of Ministers and launched in July 2018. It was developed through partnership between government agencies and civil society with the support of Finland, UN-Women and the Arab Women's Training and Research Centre (CAWTAR).

100. The Plan aims to empower women and girls, enhance their participation in building lasting peace and stability, contribute to the elimination of all forms of gender-based discrimination and protect society against the threats of conflict, extremism and terrorism.

101. The Plan focuses on:

- Protecting women and girls from all forms of violence before, during and after conflicts, crises and natural disasters and from the threat of terrorism;
- Ensuring that women and girls are protected from all forms of violence and gender-based discrimination in situations of conflict and terrorism; ensuring their safety, their physical, psychological and mental health and their security; and facilitating their access to justice and their enjoyment and exercise of their human rights;
- Fostering the participation of women and girls in political and public life and decision-making with a view to maintaining peace, resolving conflicts and countering terrorism;
- Relief, peacebuilding, peacekeeping and reconstruction, with women and girls making an effective contribution as active partners in peacebuilding, sustainability, reconstruction and countering terrorism;
- Awareness, advocacy and information related to the implementation of the Plan.

102. Sectoral plans were prepared in committees with 168 members, including 23 representatives of civil society and 125 individuals from ministerial agencies and independent organizations. They are currently being implemented despite scarce budgetary resources.

103. In preparation for the setting of new Plan orientations, which is nearing completion, the Ministry of Women's Affairs held a workshop in July 2020 to follow up on its implementation, assess the progress made and develop practical proposals for its future development.

National Strategy for Combating Violence against Women and Girls of All Ages

104. The Strategy, which was approved in 2008 and relaunched in 2012, focuses on four main areas:

- Monitoring, follow-up and evaluation of the phenomenon of violence against women;
- Providing appropriate and diverse services addressing victims;
- Changing behaviour through social mobilization and collective awareness with a view to eliminating violence against women;
- Garnering support for the review and strengthening of legislation to prevent and criminalize violence against women.

105. The Strategy played a role in the drafting of Organic Act No. 58 and in the creation of a number of counselling centres and shelters for women victims of violence. In 2020:

- A framework agreement was signed with the Tunisian Association for Management and Social Stability to support the 1899 telephone helpline to connect with and counsel women victims of violence (January 2020);
- In February 2020, partnership agreements were signed with four associations active in that area to ensure helpline service 24 hours a day, 7 days a week (the Tunisian Women's Association for Development Research, the Tunisian Society for Management and Social Stability, the South Gafsa Development Association and the Association for Sustainable Development and International Cooperation).

106. Following the passage of Organic Act No. 58 (2017), updates were made to the strategy, following an approach that encouraged participation from staff of government agencies and civil society organizations.

It will be presented in its updated and final form for approval by the Council of Ministers.

The Tunisian gender equality programme (Equality)

107. In 2015, a partnership agreement was concluded between the Ministry of Women's Affairs and the European Union for implementation of the Equality programme, which aims to reduce gender inequality nationally, regionally and locally.

108. The programme's implementation plan was based on the following:

- Strengthening the capacity of the Ministry of Women's Affairs and its partners in respect of gender equality;
- Enhancing women's participation in political and public life;
- Helping to reduce gender-based discrimination and violence.

Raida, a women's entrepreneurship programme

109. The programme is part of the State's policy of investing in all governorates, increasing the number of women involved in economic activity and transitioning women from the informal sector to formal economic activity. It is being conducted in collaboration with the National Solidarity Bank.

110. Its main purposes are:

- Reducing the unemployment rate, especially among women who hold higher degrees, as well as reducing poverty and regional disparities;
- Promoting women's economic involvement;
- Providing the basic necessities for a decent life for women;
- Raising development indicators related to poverty and marginalization in the regions, reducing unemployment and promoting social stability.

111. To ensure the effectiveness and success of the Raida programme, a women's funding line has been created. This has contributed to the creation of approximately 2,300 projects with a total investment of approximately 17 million Tunisian dinars.

112. In addition, a number of measures for the benefit of rural women have been announced to mark International Women's Day:

- Raising the allocation for the women's entrepreneurship programme from 3 million to 10 million Tunisian dinars in 2020;
- A fivefold increase in the rate of loans for women's agricultural projects, from 6 per cent to 30 per cent;
- Earmarking 70 per cent of the amount allocated to the women's entrepreneurship programme to the interior regions for the purposes of positive discrimination;
- Coordinating with the Tunisian Solidarity Bank to prioritize new entrants to professional organizations at agricultural development associations and cooperatives so that they are able to benefit from the programme;

- Organizing an annual national exhibition of products made by rural women, in partnership with the Ministry of Women's Affairs, the Ministry of Agriculture and the Tunisian Solidarity Bank.

Gender-based planning and budgeting

113. Article 18 of Act No. 15 (2019) on the Organic Act on the budget provides that the head of the programme shall draft the budget on the basis of objectives and indicators that ensure equality and equality of opportunity between women and men and, in general, among all groups of society without discrimination, and it shall be assessed on that basis.

114. That approach was also enshrined in article 156 of the Local Government Code, which provides that local governments shall allocate funds in their annual budgets in accordance with tasks and programmes to implement development plans. They shall take into account obligatory expenses and the need for social justice and equality of opportunity between men and women, based on statistical data.

115. Accordingly, in 2019, the Ministry of Finance issued a memorandum to ministries concerning a project on gender-sensitive budgeting.

116. The main stages in the development of the budgeting system are as follows:

- Developing and proposing a working strategy to develop gender-sensitive budgeting on the same basis as goal-based budgeting;
- Beginning actual implementation of gender-sensitive budgeting at model ministries;
- Drafting a reference guide on gender-sensitive budgeting based on pilot project results;
- Identifying methodological evidence related to the budget management system according to objectives that will be reviewed, in order to gradually incorporate gender concepts;
- Developing and launching an outreach programme on the gender-sensitive budgeting project.

V. National human rights institution

117. Organic Act No. 51 (2018) on the Human Rights Commission was passed after national and regional consultations with various stakeholders. The Act ensures that the Commission has a wide-ranging mandate and powers, primarily to monitor respect for and the protection and promotion of human rights. It also monitors all human rights violations, conducts the necessary investigations and takes legal steps to address them. It is prohibited for any party to interfere in the work of the Commission.

118. The members of the Commission must be independent and available to work full-time in order to be elected by the Assembly of the Representatives of the People. They shall enjoy immunity in the exercise of their functions in accordance with the Constitution and the law. They shall be appointed by means of a special hiring mechanism. The Commission shall enjoy administrative and financial independence in accordance with article 4 of Act No. 74 (2018). The Commission shall be allocated an independent budget, which it shall develop and then discuss with the Assembly of the Representatives of the People. The budget shall be implemented independently and without ex ante control.

119. The Commission is currently in the process of being set up. Once it has been set up and its members have been elected by the parliament, it will be recommended that application be made for a certificate of accreditation from the Global Alliance of National Human Rights Institutions.

VI. Temporary special measures

120. The January 2014 Constitution enshrined the principle of parity, providing in article 21 that the State shall guarantee equality of opportunity for men and women in assuming various responsibilities and in all areas, and that it shall strive for gender parity in elected bodies.

121. Decree No. 35 (2011) on the election of members of the National Constituent Assembly ensures parity between women and men in the candidate rosters on a rotating basis, which has contributed to an increase in the number of women in the Assembly. However, in the election, women managed to win only 65 of the 217 seats, or 29.95 per cent.

122. Organic Act No. 16 (2014) on elections and referendums stipulates the principle of vertical parity in legislative elections, which in 2014 contributed to women winning 32 per cent of the seats in the Assembly of the Representatives of the People, although that figure fell to less than 30 per cent in the 2019 elections.

123. The principle of horizontal and vertical parity, which came into effect for local elections pursuant to Organic Act No. 7 (2017), resulted in an increase in women's representation to 47.05 per cent in municipalities in the 2019 local elections, while 19.5 per cent of mayors are women.

124. In accordance with the principles of equality of opportunity between the sexes and representation of women in elected bodies, Organic Act No. 34 (2016) on the Supreme Judicial Council adopted a positive standard for gender equality. Article 26, paragraph 2 stipulates that any ballot that does not observe the principle of parity with respect to the number of candidates to be selected by the voter for each category, within the limits of the individual number of seats allocated to each category and rank, shall be null, with the exception of cases where the number of candidates of either of the sexes is insufficient. This has contributed to a rise in the women's representation in the Council to nearly half.

VII. Stereotypes

125. Since 2002, the Tunisian State has introduced educational reforms by changing curricula and pedagogical tools, incorporating gender equality and human rights principles and adding units in civic studies classes on women's rights and Tunisian reforms in that area. Material on human rights and public freedoms have also been integrated at all institutions of higher education in order to raise awareness of the principles of equality and equal opportunity between the sexes.

126. The media sector has undergone significant changes since 2011, the most notable of which are the dissolution of the Ministry of Communication, the restructuring of many media outlets and the creation of private media. In addition, the Independent High Authority for Audiovisual Communication was created. In order to establish a balanced audio and visual media landscape, its licensing regulations relating to the establishment or operation of private and public radio or television stations oblige all licensees to comply with basic standards, including protection of women's rights and ending stereotypes of women in media.

127. Article 11, paragraph 2 of Organic Act No. 58 on the elimination of violence against women prohibits the dissemination and broadcasting of content, regardless of medium, containing stereotypes or scenes, statements or acts that denigrate women or that glorify violence against women or minimize its threat.

128. In the context of its partnerships with civil society organizations, the Ministry of Women's Affairs, along with the Arab Institute for Human Rights, launched a campaign in 2014 to raise awareness of women's capabilities in all areas, under the slogan "Tunisian women, national aptitude". It also aims to combat disrespectful and stereotypical images of women and calls on voters of both sexes to support women candidates who defend equality, freedom and human rights principles.

129. Partnership programmes with civil society and international and regional organizations aimed at promoting and inculcating a culture of women's rights have increased. They target a wide-ranging audience of children, young people, men and women themselves in both urban and rural areas.

130. The Ministry of Women's Affairs has stepped up its awareness-raising activities in that regard through advertisements on several national public and private channels.

131. CREDIF has set up a mechanism to monitor media treatment of women's issues, conducting a study on the handling of violence against women in the press and another on media treatment of women's political participation in 2019. Those studies have led to training courses for journalists in which CREDIF presented its findings and called for women's issues to be addressed objectively, without relying on stereotypes. CREDIF held several courses since the creation of that mechanism and expects to offer more on various topics.

132. CREDIF also conducts awareness-raising campaigns based on its study regarding online gender-based violence, including the recent Facebook campaign against bullying of women, "This is My Face", which emphasized that women do not need to conform to the image set by society. Additional campaigns will be launched in accordance with the results of the studies issued by the monitoring mechanism.

133. Despite those efforts, women's rights issues and women's contributions to public affairs have been under-addressed by the media. Women's media visibility has been disappointing, whether on television or radio talk shows or in journalistic investigations. This suggests that media professionals are unfamiliar with a gender-based approach and the principle of equality of opportunity for women. Moreover, an increase in women's participation in the media sector has not resulted in an increase in women's access to decision-making positions.

134. Women's modest participation in leadership roles in parties and trade unions is a reflection of the male monopolization of discourse in media spaces, regardless of the topics addressed.

VIII. Gender-based violence against women

A. Statistics and exceptional measures

135. Annex II contains Ministry of the Interior statistics on cases of violence since 2010 and since the passage of Act No. 58 (2017). Annex III contains the number of adjudicated and registered cases of violent crime during the 2018/19 judicial year.

136. Reports of violence against women during the COVID-19 pandemic quarantine period increased in comparison with the same period of 2019, with 3,085 calls related to violence against women made to the 1899 helpline from 23 March 2020 to 30 June 2020. Of those cases, 90 per cent involved verbal violence, 84 per cent involved

psychological violence, 76 per cent involved physical violence, 37 per cent involved economic violence and 17 per cent involved sexual violence, while 22 per cent of calls involved violence against children.

137. As a result, the Ministry of Women's Affairs has taken exceptional measures for women victims of violence, expanding the operation of the 1899 helpline to 24 hours a day, 7 days a week.

138. It has also trained 18 women to counsel women victims of violence, organizing 12 group training classes and 18 individual sessions, conducted remotely, on helpline techniques.

139. An interactive online platform, "We are with you, you're not alone", has been launched to provide psychological counselling services for children and families through the creation of a free 1809 helpline for counselling, psychological support and child and family guidance from 8 a.m. to midnight every day of the week.

140. The Ministry, in partnership with national radio, set aside a daily slot for Ministry psychologists to offer advice on how to deal with family members during the quarantine period.

141. To ensure continuity of services for women victims of violence, the Ministry for Women, supported by the United Nations Population Fund (UNFPA) and in partnership with civil society, provided a shelter where women victims of violence and their children are able to stay during the 14-day compulsory quarantine period before entering shelters for women victims of violence.

142. In early 2016, the first forensic medical unit was established at Charles Nicolle Hospital to receive women and children victims of sexual assault in whose cases judicial proceedings have been initiated. The unit provides immediate care from a medical, psychological and social point of view and supplies the judiciary with evidence so that perpetrators may be prosecuted.

In 2017, the unit saw more than 800 rape victims. Of those cases, 65 per cent involved rape of children under 18 years of age, 80 per cent of whom were female.

B. Prohibition of marital rape

143. The Act on the elimination of violence against women does not contain the expression "marital rape", but a reading of its provisions accommodates such a term. Article 2 provides that the Act covers all forms of gender-based discrimination and violence against women, irrespective of the perpetrator [husband, father, son, etc.] and where the violence takes place [within the family, in the workplace, in the street, etc.].

144. Article 3 of the Act also defines sexual violence as any action perpetrated or statement made with the aim of subjecting a woman to the sexual desires of the perpetrator or another individual through the use of coercion, deception, pressure or any other method to weaken or overcome the will of the victim, irrespective of the perpetrator's relationship to the victim.

145. Given that rape is classified as sexual violence, marital rape is considered a criminal offence and the perpetrator thereof subject to punishment, particularly as the new article 227 of the Criminal Code does not exclude the punishment of the husband for acts criminalized under the Act.

C. Enforcement of the Organic Act on the elimination of violence against women

146. In line with article 46 of the Constitution, relevant international standards and target 5.2 of Sustainable Development Goal 5, Tunisia passed Organic Act No. 58 (2017) on the elimination of violence against women. The Act, which came into force on 15 February 2018, takes a comprehensive, four-pronged approach focusing on prevention, protection, deterrence and advocacy, regardless of perpetrator or domain (private space, including the family, and public space).

147. The following steps have been taken to implement the Act:

- Prevention: this includes measures to prevent and protect against violence. To that end, the following measures have been taken:
 - Organization of awareness-raising campaigns through radio and television notices and announcements and social networks in order to change social representations, stereotypes and denigrating images of women.

CREDIF has undertaken the following actions:

- Supporting awareness campaigns, in partnership with the Ministry of Transport, on violence against women on transportation, and developing versions 1 and 2 of the “Harassers Don’t Ride With Us” campaign;
- Carrying out a number of awareness-raising and education activities at the local and regional levels as part of a 16-day campaign against violence against women every year;
- Providing training courses for various Ministry officials and partners at the national and regional levels on the requirements of the Organic Act, especially for security teams dedicated to cases of violence against women.

148. The focus on training is of great importance. The Ministry of the Interior, in partnership with international organizations (the Friedrich Ebert Foundation and the United Nations Children’s Fund (UNICEF)), has strengthened the capacities of team leaders involved in investigating violent crimes against women, children and women workers through training courses on supporting women victims of violence and workshops on mechanisms for implementing the Act on the elimination of violence against women, techniques for counselling victims and joint support and protection measures for women and children victims of violence. Those courses and workshops have benefited more than 5,000 aides and staff.

149. The Ministry of the Interior has also included training elements in its basic training for staff and trainees. Under the continuing training programme, full-time staff were given training materials on violence against women and children.

150. At the Ministry of Justice, the issue of violence against women has been incorporated in continuing training courses for judges with less than six years’ experience. Several national and regional specialized training courses have been held by the Higher Institute of the Judiciary in cooperation with the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the International Development Law Organization.

151. The Ministry, in partnership with the Office of the United Nations High Commissioner for Human Rights and the International Organization for Development Law, has also drafted a judicial training manual and held three trainer-training courses for 15 judges. At the end of 2020, a trainer’s manual was also drafted for judges training other judges in the regions.

152. In addition, the Ministry of Social Affairs held training courses for 27 regional staff. In cooperation with UN-Women, a training programme was held for 80 social workers and 60 social welfare specialists.

153. The National Office of Family and Population, under the Ministry of Health, is implementing a five-year training programme for health-care workers on detecting and evaluating all forms of violence against women, and on screening, treatment and follow-up.

154. The Office also developed an introductory training module to educate medical staff and a training course for trainers. Subsequently, workshops were held in 23 governorates for 540 medical and paramedical staff, psychologists, emergency physicians, forensic medicine staff, receptionists, technicians and administrative staff.

155. The Office also held four trainer-training courses on spousal violence for 23 participants from government and civil society.

156. A legal clinic was also set up at the Faculty of Legal, Political and Social Sciences in Tunis that has provided integrated training to build students' skills and capacity to handle actual situations of gender-based violence.

157. In addition to a 2010 study by the National Office of Family and Population on violence indicators and a 2015 CREDIF study on gender-based violence in the public sphere, a study was carried out to evaluate advocacy services for women victims of violence in Tunisia (2017) and a psychosocial study on social representations of violence against women among young and elderly men (2018) was conducted.

158. CREDIF has put in place an inclusive national plan for developing statistical indicators on violence against women. Some 38 indicators had been developed by 2019, and they are currently utilized at the sectoral level by top-level ministries (e.g., the Ministries of Justice, the Interior, Health, Social Affairs and Women's Affairs).

159. Protection: this ensures that victims are able to exercise their rights legally and in practice and have access to administrative, security and judicial procedures. To that end, the following measures have been taken:

- Creation of the 1899 helpline to facilitate reporting of violence. The helpline has been open 24 hours a day, 7 days a week since the start of the COVID-19 pandemic;
- The creation of the 1809 helpline to provide psychological support and assistance for children and women victims;
- The issuance of several decisions and protection measures, although these have decreased during the COVID-19 quarantine period;
- The issuance of decisions on legal aid to help women secure their rights and to facilitate their access to justice.

160. It should be recalled that article 13 of Organic Act No. 58 (2017) stipulates that women victims of violence and children living with them have a number of rights, including the right of access to information and legal advice on the provisions governing legal proceedings and the services available and the right to legal aid. Article 39 of the same Act stipulates that all persons tasked with protecting women victims of violence must inform the complainant of all her rights to ensure that she is aware of what she is entitled to under the Act.

161. Services and institutions: this includes procedures, services and institutions involved in protecting women victims of violence. The following steps have been taken in that regard:

- Assignment of public prosecutors to gender-based violence cases at all trial courts;
- Creation of 128 teams to handle cases of violence in each security and National Guard region. Women make up 12.5 per cent of team leaders, and 40 per cent of the teams are composed of women security officers;
- Implementation of special criminal procedures contained in the Act, particularly with regard to private hearings for children, while noting that financial, technical and human (i.e., specialists) resources are lacking in that regard. Work is underway with UNICEF to develop a practical guide to supporting child victims of violence;
- Issuance of Decree No. 126 of 25 February 2020 concerning the establishment of the national observatory for combatting violence against women and its administrative and financial structure.³¹
- Developing multisectoral mechanisms to protect women victims of violence through:
 - Approval in December 2016 by top-level ministries, namely the Ministries of Justice, the Interior, Health, Social Affairs and Women, of sectoral measures to protect women victims of violence;
 - The signature in January 2018 of a joint agreement among top-level ministries for the organization and coordination of work among workers in those sectors;
 - Preparation of sectoral work manuals for top-level ministries on joint sectoral protection of women victims of violence;
 - Establishment of a central coordinating body and 24 coordinating bodies in all governorates comprising representatives of various relevant government agencies and associations with expertise in combating violence against women.

162. The Ministry of Women's Affairs has also developed a national map of services for women victims of violence and women in vulnerable situations which includes a list of government agencies and civil society organizations providing related services in various regions of the Republic. It is an action, information and coordination tool that enables referrals among various providers and facilitates women's access to services. A website has been created for it (www.sosfemmesviolences.tn).

163. The Ministry has strengthened its financial and technical partnerships with and support for the associations concerned, creating centres to receive or shelter women victims of violence. The first model centre is managed by the Tunisian Women's Association for Development Research. Support was provided to six regional associations to establish centres for victims of violence in various governorates (Ariana, Kairouan, Sfax, Gafsa and Médenine and Jendouba), four of which are within the Equality programme. Technical support was also provided through training in the required areas.

164. The Ministry, utilizing a participatory approach, is currently working on a draft government decree concerning women and children victims of violence and a draft resolution to approve its regulations.

165. The Ministry issued the first annual report on the application of the law that contains comprehensive data relating to the implementation of Organic Act No. 58 (2017).³²

³¹ <https://legislation-securite.tn/ar/node/104732>.

³² <http://www.femmes.gov.tn/wp-content/uploads/2020/01/rapport-national-loi582017-2.pdf>.

166. Prohibiting corporal punishment of girls: Act No. 40 of 26 July 2010 revising the provisions of article 319 of the Penal Code outlaws corporal punishment of both girls and boys by removing the phrase “disciplining a boy by a person who has authority over him is not punishable”. Thus, the legal pretext for using violence as a means of discipline by authority figures such as parents and educators has been removed.

167. Since 1995, the Child Protection Representative Institution, which is responsible for preventive intervention in cases where a child’s physical or mental health or safety is threatened upon receiving a report from any citizen, employee, including those subject to professional confidentiality, or staff of governmental or non-governmental agencies. Reporting to the child protection representative is mandatory in cases of habitual abuse or sexual exploitation of any child, male or female, according to the Child Protection Code. Any breach of the duty to report in such cases is criminally punishable.

168. Children who are victims of violence may submit reports to child protection representatives in all governorates, either in person, by mail or by email, without revealing the identity of the reporter. Units responsible for investigating violent crimes against women and children may also accept reports and refer them to the competent judicial authorities. Family judges may accept direct reports from children and citizens or from State institutions of any situation in which a child or a woman has been subjected to violence.

169. In addition to the helpline referred to previously, the Ministry of Women’s Affairs, in coordination with other ministries concerned with children’s affairs, has issued regulatory handbooks for professionals working in health,³³ education³⁴ and social affairs reminding them of mandatory reporting mechanism for serious threats to children as provided under article 20 of the Child Protection Code, particularly regarding cases of habitual abuse of children.

D. Implementation of the National Strategy to Combat Violence against Women of All Ages (see paragraphs 104 to 106 of the present report).

IX. Gender-based violence against women in conflict and peacebuilding situations

170. During the previous regime and the first year of the revolution, the following statistics were recorded:

- In 2010, there were 21,984 cases of violence against women (physical and sexual), or 35.53 per cent of all cases, and 4,158 cases of violence against children, or 6.72 per cent of all recorded cases;
- In 2011, there were 15,342 cases of violence against women (physical and sexual), or 21.19 per cent of all cases, and 2,639 cases of violence against children, or 3.64 per cent of all recorded cases.

³³ Ministry of Health Publication No. 21 of 31 March 2015.

³⁴ Ministry of Education publication of March 2015 on activation of the child protection representative reporting mechanism (<http://www.administration.education.gov.tn/2015-03-30/27052015.pdf>).

A. Gender mainstreaming in the transitional justice process

171. Organic Act No. 53 (2013) regulates the various areas of transitional justice, including truth disclosure, memory preservation, accountability, reparations, rehabilitation and institutional reform, and established the Truth and Dignity Commission to ensure the effective implementation of that process.

172. The Truth and Dignity Commission carried out a number of activities during its mandate. It submitted its final report on 31 December 2018 in accordance with the requirements of the aforementioned Act³⁵ and for three presidencies. The report was published in the *Official Gazette* in July 2020³⁶ in accordance with its commitments made before the Human Rights Committee during the discussion of the most recent periodic report of Tunisia in March 2020.

173. Pursuant to the rules of procedure of the Truth and Dignity Commission, the Women's Committee was created to fulfil the Commission's commitment to gender mainstreaming in the implementation of the Transitional Justice Act. The Committee coordinates with the Commission's committees and bodies to ensure that women's issues are taken into account when addressing violations of women's rights and when developing reparations and compensation programmes. By resolution No. 8 (2016) of 27 May 2016, the Commission's board approved the Women's Committee's procedure manual.

174. The Women's Committee primarily proposes mechanisms to ensure proper conditions for receiving, assisting and protecting women victims who wish to anonymously report violations. It coordinates with organizations that investigate violations against women as well as with regional offices and various committees concerning specific treatment of those women.

175. As part of the comprehensive final report on the work of the Truth and Dignity Commission, a volume devoted to violations of women's rights was issued.

B. Transitional justice chambers

176. Pursuant to article 7 of the Transitional Justice Act, accountability falls within the remit of the judicial and administrative commissions and authorities. Thirteen chambers specializing in transitional justice have been established, in Tunis, Sfax, Gafsa, Gabès, Sousse, Kef, Bizerte, Kasserine, Sidi Bouzid, Médenine, Monastir, Nabeul and Kairouan. Those chambers have been assigned to hear 25 cases involving grave human rights violations, including murder, torture and the enforced disappearance of persons. Those cases are still pending or in their preliminary stages.

177. The specialized chambers work to uncover the truth, hold the guilty accountable and achieve fair redress for victims of both sexes through application of the Transitional Justice Act, which does not discriminate on the basis of gender when it comes to compensation procedures or the extent of such compensation. They also apply the Code of Criminal Procedure and other laws governing the award of compensation without regard to the sex of the victim. Compensation is based solely on the extent and nature of the damage.

³⁵ <http://www.ivd.tn/rapport/>.

³⁶ http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX_676-79-kJgZiZXRmU/AfficheJORT/SYNC_356825265.

X. Trafficking and exploitation of prostitution

Progress made in implementing Organic Act No. 61 (2016)

178. Organic Act No. 61 (2016) established the National Authority for Combating Trafficking in Persons, which is supervised by the Ministry of Justice. The Authority began operations pursuant to Government Order No. 219 (2017) designating its president and its members, who come from governmental and non-governmental bodies. Members are appointed for a non-renewable five-year term.

179. The Authority was given a premises in January 2018, and its organization and working methods were established by Government Order No. 653 (2019).

180. Pursuant to article 46 of the aforementioned Act, the Authority, with technical assistance from UNODC, formulated the National Strategy to Combat Trafficking in Persons for 2018–2023 through a participatory approach.

181. In addition, the Authority developed an action plan for implementing the key components of the Strategy in the period from the 2017 to 2019. They establish a framework that is consistent with targets 16.2 and 16.4 for Sustainable Development Goal 16 and target 5.2 for Sustainable Development Goal 5.

182. The aim of the Strategy is to set out a comprehensive approach to combating trafficking, in particular with regard to implementing protection measures and providing assistance to victims. In addition, the Strategy calls for the establishment of a database on trafficking in persons to facilitate the activities of the Authority.

183. Following are the four key components of the strategy:

- Prevention: this includes conceptualization of the machinery needed for realizing the Strategy's goals, particularly with respect to the formulation of comprehensive policies to prevent trafficking in persons through effective enforcement of legal provisions, harmonization of laws, evaluation of the reality of trafficking and addressing its root causes, as well as spreading societal awareness of the danger of the phenomenon through preventive measures. Other aspects of this component include promoting research and studies and enhancing training and capacity-building.
- Protection: this focuses on methods of identifying victims by issuing relevant guidelines and establishing social, health and legal reporting mechanisms;
- Prosecution, which focuses on ensuring effective deterrence of the crime of human trafficking by strengthening specialized law enforcement agencies and protecting the rights of victims and witnesses during judicial proceedings;
- Partnership and cooperation at the national and international level, with a focus on strengthening cooperation between governmental and non-governmental actors, promoting bilateral, regional and international cooperation, and establishing mechanisms for periodic evaluation and follow-up.

184. The Authority has established a committee comprising the various relevant agencies that will align the various legal provisions related to exploitation of children, bearing in mind that approximately 75 per cent of trafficking cases involve exploitation of children. The relevant legal framework includes conflicting and overlapping concepts, as well as differences in penalties, making it difficult to intervene in order to provide protection and support, or to establish a legal definition of the offence.

185. The Authority is also drawing up regulatory provisions, including a draft government order establishing conditions and modalities for providing assistance to

victims free of charge. It also participated in the amendment of Government Decree No. 1061 of 26 September 2017 concerning consular tariffs applicable to foreigners whose authorized period of residence in Tunisian territory has expired.

186. With regard to awareness-raising, the Authority participated in the Blue Heart Campaign against trafficking in persons on 30 July 2019 and it organized an international symposium from 26 to 28 July 2020 to promote that campaign at the regional and national level. In addition, it concluded two information agreements to raise awareness of trafficking in persons.

187. The Authority consolidated its partnerships with several international organizations, such as the International Organization for Migration (IOM) and UNODC, and with regional organizations, such as the Council of Europe. Cooperation agreements were concluded with civil society organizations, such as Terre d'Asile Tunisie, the Young Lawyers Association, the American Judges Association, Lawyers without Borders, the National Bar Association, the Tunisian Rehabilitation Institute (NEBRAS) and the Amal Association for the Family and Child.

188. In respect of capacity-building, the Authority has organized several training activities for judges, judicial trainees, internal security forces, officials from the Ministries of Social Affairs, Women's Affairs, Religious Affairs and Health, and university professors.

189. More than 200 persons from the judiciary took part in the training programmes. Courses on international treaties and their application and specialized training courses in international standards for combating smuggling and trafficking in persons were held for sitting judges. Those courses were attended by all judicial trainees from 2015 to 2018, as well as by 125 judges from the Office of the Public Prosecutor and investigating judges, and by 28 judges who serve as sources for their colleagues in the effort to combat trafficking in persons. Several sessions were also organized for family judges and prosecutors in all courts of first instance who handle cases of violence against women.

190. Four military judges participated in a training course on trafficking in persons organized by the Partnership for Peace Training Centre in Ankara, with a view to enhancing their capacity to deal effectively with trafficking in persons and to raise their awareness of key mechanisms and measures to combat trafficking in persons.

191. Some 25 judicial police officers from the internal security forces attended four training courses on trafficking in persons, and eight national trainers were selected. In addition, 104 persons participated in four regional courses organized by the Authority.

192. Social welfare centre workers took part in training courses and workshops on methods for identifying victims, and 26 of the participants were chosen to serve as contact points. In addition, 25 child protection officers were trained as part of a train-the-trainer programme, and 41 officers from the regions participated in several training courses.

193. In 2018, the Authority, in partnership IOM, organized 29 training activities in which more than 2,000 persons participated.

194. To protect victims of trafficking, the Authority:

- Provides medical assistance, in order to ensure the physical and psychological recovery of victims;
- Provides victims with guidance on the judicial and administrative procedures that must be followed to obtain compensation;
- Assists victims in assembling documentation, with a view to obtaining legal aid;

- Receives notifications concerning trafficking in persons and refers them to the competent judicial authorities;
- Issues guidelines on identifying and assisting victims;
- Works with various relevant public authorities in order to protect victims, witnesses and whistle-blowers, and assist victims;
- Follows up, in coordination with non-governmental organizations, with the public authorities on the status of victims' cases and assists victims, when necessary, in order to remove any obstacles that might stand in their way;
- Provides victims with social assistance, in order to facilitate their reintegration into society, and offers them shelter.

The national machinery for referring and directing victims of trafficking in persons

195. In order to improve identification and prosecution of traffickers and provide protection and assistance to victims, the National Authority for Combating Trafficking in Persons, in cooperation with the Council of Europe and in partnership with the public and private sectors, civil society and the international community, has established a national mechanism for identifying, referring and directing victims of trafficking in persons. That mechanism makes it possible to identify victims, direct them to appropriate services and provide them with support and protection.

196. When the mechanism was being developed, the roles of governmental and non-governmental institutions were defined with the aim of establishing a general framework and a basis for dealing with victims and in order to ensure that a participatory approach is taken from the moment a crime is known to have been committed to the time that the victim is reintegrated into society or returned voluntarily to her own country, so as to ensure that she is not trafficked again. Victims are provided with all the assistance and protection that their circumstances dictate, in accordance with the relevant international and national standards. A range of tools has been developed in order to facilitate coordination between partners and uphold the rights of victims.

197. In order ensure that the mechanism would be effective and practical, the Authority decided to carry out trials before endorsing it. Accordingly, in 2020, the mechanism was trialled in simulations that were conducted at three regional workshops for various provinces.

198. Pending endorsement of the mechanism, support for victims must continue to be provided by the relevant agencies, in coordination with various stakeholders.

199. With regard to data collection, the Authority, with the support of IOM, is compiling an annual report on victims of trafficking in persons who have been provided with support. The Authority provided support to 742 victims in 2017, 780 in 2018 and 723 in 2019 (see annex IV).³⁷

200. The Authority is currently developing an information system that will enable it to digitize the process of providing support and compile statistics on cases referred.

201. With regard to the amendment or repeal of article 231 of the Penal Code, concerning the criminalization of prostitution, the Ministry of Justice is carrying out a comprehensive review of the Penal Code and the Code of Criminal Procedure in

³⁷ https://tunisia.iom.int/sites/default/files/activities/documents/Rapport%202019%2020-01-2020.pdf?fbclid=IwAR3w476L0klNnFZg9aPT7cavQPZx4Kz_IWyRgz4AMXsOdcdTsxYPXV_Y5P8.

order to ensure that they are in line with the requirements of the Constitution and international standards.

XI. Participation in political and public life

A. Participation of women in public life and decision-making

202. Although there was an equal number of men and women on the electoral lists for the 2011 legislative elections, women's representation in parliament remained below expectations. Women made up 25 per cent of the National Constituent Assembly at the start of the legislative session in January 2012. That proportion increased to 30.59 per cent in June 2014. Women made up 35.94 per cent of the Assembly of the Representatives of the People, the elections for which were held in October 2014.

203. The number of women in parliament fell from 54 in 2019 to 163 in 2024, a decline of 24.88 per cent.³⁸

204. Since September 2020, women have made up nearly 28 per cent of the current Tunisian Government, including seven women who serve as ministers and 29 who hold the post of State secretary.

For the first time in the country's history, a woman judge headed the Ministry of Justice, which is one of the core ministries, during the term of the previous government (February to September 2020).

205. A total 3,385 women were elected to serve on municipal councils, representing some 47.05 per cent of the country's municipal councillors. In addition, 573 women heading electoral lists were elected in municipal elections, equivalent to 29.55 per cent of all heads of electoral lists.

206. Women have little representation at the regional level; only one of the country's 24 Governorates is governed by a woman.

207. Women make up 37 per cent of the civil service, a figure that increases 46 per cent if one also counts women who are actively serving in the Ministry of the Interior and the Ministry of Defence.

208. Women comprise 35.8 per cent of qualified officials in the civil service. Women account for the following percentages of qualified officials:

- 25 per cent of general directors;
- 30.1 per cent of directors;
- 33.8 per cent of assistant directors;
- 40.2 per cent of heads of service.

209. The proportion of posts in the judiciary held by women has increased significantly, increasing steadily from 32.4 per cent of staff in 2010 to 43.12 per cent in 2018. Between 1986 and 2018, women made up a growing percentage of those joining the judiciary, with their share of the total increasing from 32 per cent to 68.5 per cent during that period. In 2020, women comprised more than 70 per cent of those joining the judiciary. At present, women comprise 55 per cent of first level

³⁸ http://www.arp.tn/site/main/AR/docs/composition/compos_s.jsp. Assembly of the Representatives of the People website: distribution of membership by sex.

judges, 23 per cent of second level judges and 22 per cent of third level judges in the ordinary courts.

210. Nevertheless, the number of female judges in decision-making positions remains low and no woman has been appointed to any of the seven most senior judicial positions in Tunisia.

211. The number of female judges serving in the administrative courts increased from 39 in 2010 to 61 in 2016. From 2010 to 2019, the number of female judges serving in the financial courts increased from 30, or 30 per cent of all financial court judges, to 79 in 2016, or 45.14 per cent.

212. The number of women serving on the judicial councils has increased from five members, including four female judges appointed to the Temporary Judicial Commission, to 19 members, a figure that includes 10 female judges who were appointed to the Supreme Judicial Council. This is equivalent to an increase from 10.5 to 42.2 per cent of judicial council members.

213. In 2018, women made up 33.33 per cent of the Department of Military Justice, compared with 13.36 per cent in 2011. In the period from 2 September 2016 to 30 June 2019, military women held core leadership positions in the Department, including the posts of prosecutor with the Military Court of Appeal and State Prosecutor for Military Justice.

214. Women comprised 5.58 per cent of national army ranks in 2018 and 5.74 per cent in 2019.

215. With regard to the diplomatic service, there are 66 women diplomats serving in missions abroad. Some 131 women hold posts in the diplomatic service, including:

- 4 senior ministers plenipotentiary
- 24 ministers plenipotentiary, 12 of whom are serving abroad
- 40 foreign affairs advisers
- 53 secretaries of foreign affairs (20 serving abroad and 33 in the central administration)

216. In addition, seven women serve as ambassadors and five as consuls, while five are representative to international agencies.

B. Legal framework for gender equality

217. Since National Constituent Assembly elections, the principles of parity and rotation have been the basis for the composition of the lists of candidates. Those principles were made integral elements of the election law³⁹ following the adoption of the 27 January 2014 Constitution.⁴⁰ The principle of vertical parity was used only in drawing up lists for the legislative elections. The request to mandate parity in the leadership of electoral lists (horizontal parity) was not addressed when the electoral law was debated. However, with adoption of the Electoral Act in 2017, lawmakers introduced both horizontal alignment and vertical alignment in the municipal and regional elections.

³⁹ Article 16 of Decree No. 35 (2011), dated 10 May 2011, concerning the election of the National Constituent Assembly.

⁴⁰ Article 24 of Organic Act No. 16 (2014), dated 26 May 2014, concerning elections and referendums.

218. Organic Act No. 29 (2018), concerning the Local Government Code, contains several provisions concerning parity (article 44) and equality between and equality of opportunity for women and men (article 106). The legal framework established by that Act is in line with target 5.5 of the Sustainable Development Goals on ensuring women's equal participation in public life and decision-making.

219. In accordance with those provisions, the Independent Electoral Commission rejected all candidate lists, whether for legislative or municipal elections, that did not respect the principles of parity and rotation between men and women.

220. Many of the lawsuits heard by the courts in relation to the 2019 legislative election centred on one of the conditions that had to be satisfied by the list of nominees. Although vertical parity was not one of the conditions that caused major problems in the aforementioned elections, that was not case in the 2014 legislative elections and the 2018 municipal elections. In those elections, failure to respect that requirement was one of the most important reasons why nominations were rejected and contested in court. The vertical parity requirement was added to the horizontal parity requirement in accordance with the Electoral Act, which provides that nominations for membership of municipal and regional assemblies shall also be made on the basis of the principle of parity between women and men heading party and coalition lists if those parties or coalitions are running in more than one electoral district. Parties and coalition lists that do not comply with that rule are inadmissible unless they are regularized within the legally-prescribed deadline.

221. Ultimately, the failure to implement horizontal parity meant the few women headed electoral lists (see annex V).

C. Measures taken to increase women's participation in public and political life

222. In the National Strategy for Gender Mainstreaming, particular emphasis is placed on promoting the participation of women in political life and in the management of public affairs (paras. 91–96). Meanwhile, the national plan of action for the implementation of Security Council resolution [1315 \(2000\)](#) on women and peace and security includes a section on the inclusion of women in political life, the management of public affairs and decision-making, with a view to maintaining peace, resolving conflicts and countering terrorism.

223. In addition, the Prime Minister issued Circular No. 31 (2018), which provides that the principle of parity must be observed in relation to appointments and senior positions. To further support the adoption of that principle, the Prime Minister issued a circular in 2019 stipulating that both a woman and a man must be nominated for every governmental, civil service and decision-making position.

224. With the adoption of Act No. 58 (2017) on the elimination of violence, Tunisia became the first Arab and African country to acknowledge political violence against women as a form of violence and to criminalize it. In so doing, Tunisia has gone beyond the scope of the relevant international instruments, which commit states to enshrining equality in politics. Civil society stakeholders active in this area are now advocating for and mobilizing support for steps to be taken to ensure that relevant international instruments address the issue of violence, and particularly political violence, and for the establishment of an international legal conceptual framework that will facilitate the adoption of comparable legislation in that area.⁴¹

⁴¹ Study on the inclusion of gender-based political violence in international instruments (not available online).

225. A set of scientific indicators have been developed on the basis of this framework that are derived from a number of relevant studies. These include a study on women in decision-making positions in the public sector, which was carried out by the Office of the Prime Minister in cooperation with UN-Women, and the studies carried out by CREDIF, the most recent of which include:

- A monitoring and follow-up mechanism on Tunisian women in administrative positions in the public sector;
- The National Committee for Promoting Equal Opportunities for Women and Men in Local Governance.

226. For the 2014 elections, the Ministries of Women’s Affairs, Social Affairs and the Interior and the Independent Electoral Commission partnered to implement a programme aimed at helping women in rural areas obtain national identification cards.

The Independent Electoral Commission produced awareness-raising bulletins that were directed at women, in in the first place, as well as other groups such as young people, the elderly and persons with disabilities. In 2014, women voters who registered voluntarily comprised 50.5 per cent of all newly registered voters, bringing the number of women voters to 2,446,393, or 46.10 per cent of the total number of registered voters.

227. Specific groups, including, rural women, were targeted for registration in the 2019 elections. As a result, there was a near-perfect balance in the proportions of women (49 per cent) and men among registered voters. Those efforts were carried out in coordination with civil society organizations.

228. Gender-based violence is addressed in the Manual on Election Campaign Rules and Procedures, and it is one of the irregularities that campaign observers must monitor pursuant to Act No. 58 (2017). In that connection, a guidance document was prepared for campaign observers that clarifies the concept of gender-based violence.^{42,43}

229. With regard to capacity-building for women candidates from deprived groups, in early March 2020, CREDIF, in collaboration with the Forum of Federations (Canada), organized a regional training workshop for 21 women active in public and political life in Jordan, Morocco and Tunisia. The aim of the workshop, theme of which was “Transformative Leadership for Change”, was to enable the participants to reach decision-making positions within parties and make their presence felt in political circles.

230. In 2019, CREDIF, in partnership with the Forum of Federations, organized a “Political Academy” under the theme “Women Leaders for Integrated Governance”. The aim of the Academy is to help ensure that there are women in the central structures of parties and in regional forums, and to support the development of mechanisms that strengthen women’s political alliances. Another aim of the Academy is to implement a common strategy for forming advocacy groups and pushing for real change. Seven training workshops were organized during the course of the Political Academy. Preparations will be made to hold a second round of the Political Academy.

231. CREDIF regularly conducts seminars and brainstorming sessions aimed at various women’s groups and women representatives of political associations and parties, in order to support participants in local affairs and stand with women

⁴² See the Manual on Election Campaign Rules and Procedures (2019). See pg. 4 of Act No. 58 (2019), in the preambular section. Pg. 7, definition of political violence. Pg. 38, the provision that campaign observers must identify political violence against women.

⁴³ See copy of pedagogical document.

candidates who are nominated for municipal elections. CREDIF is currently updating and expanding its “Who is she?” database to include, in addition to experts and academics, qualified women in positions of administrative responsibility. The database will make information on their backgrounds available to decision-makers, national and international organizations, and the media.

232. The Arab Network for Women in Elections was launched in October 2019 and Tunisia was elected to chair the steering committee. The Network is a regional organization that develops programmes to promote women’s participation in elections and in politics. The Network, under its three-year strategy, which is currently being developed, will:

- Organize a training programme on women leaders in elections and politics;
- Develop an informational campaign about the Network, its objectives and its approach;
- Produce documents and programmes on combating political violence against women;
- Observe elections by applying a gender perspective and in accordance with international principles, with a view to ensuring the inclusivity of elections such that they encompass all groups and serve as a pillar for democracy, the peaceful transfer of power and stability.

D. Protecting human rights defenders

233. Articles 35, 36 and 37 of the Constitution enshrine freedom of peaceful assembly and demonstration, the right to organize, the right to strike and the right to form parties, unions and associations. The adoption of Decree No. 88 (2011) concerning the regulation of associations has had a significant impact on the freedom to form associations. That Decree abolishes the licensing regime and replaces it with a permit system. Any subsequent regulation of associations is achieved through legal action. This has led to a significant increase in the number of associations.

234. Article 6 of Decree No. 88 provides that the public authorities are prohibited from obstructing or disrupting the activities of associations in a direct or indirect manner. Article 7 provides that the State shall take all necessary steps to ensure that all persons are protected by the competent authorities from any violence, threat, retaliation, actual or legally harmful discrimination, pressure or any other repressive act in response to the legitimate exercise of the rights mentioned in the present Decree.

235. However, there is no comprehensive legal framework in Tunisia for protecting of human rights defenders, and any such violations are handled under general law (the Penal Code or special laws). That situation has led some civil society organizations to begin drafting a bill on protecting human rights defenders.

E. Implementation of the National Action Plan on women and peace and security

236. In addition to the information provided in paras. 99 to 103 of the present report, it should be noted that CREDIF completed the first study on the institutional framework for the implementation of Security Council resolution [1325 \(2000\)](#), on which the Ministry of Women’s Affairs relied in developing the National Action Plan for the Implementation of resolution [1325 \(2000\)](#).

237. In 2018, CREDIF completed the first qualitative scientific audit on women's security across four model areas, in order to measure women's sense of security in public spaces and identify unsafe spaces. In 2019, CREDIF completed a research project on preventing violent extremism in various governorates around the country, with a view to providing analyses on the role of women and young people of both sexes in preventing violent extremism, carrying out activities to support their capacities and protecting against violent extremism through advocacy and awareness.

238. Following the adoption of the National Action Plan, 13 public agencies and 22 civil society organizations transformed it into various sectoral plans and then into a general operational plan, with the latter serving as an umbrella document for all of the sectoral plans to the end of 2020. An international symposium was organized in October 2019 to mobilize support for the implementation and funding of the operational plan.

239. Sectoral plans have been finalized for the following ministries: Women's Affairs; Defence; the Interior; Foreign Affairs; Health; Religious Affairs; Youth and Sport; Transport; Cultural Affairs; Development, Investment and International Cooperation; Agriculture, Water Resources and Fisheries; and Social Affairs.

240. In that connection, stakeholders have:

- Prepared benchmarks for selecting partners for the operational plan programme;
- Fine-tuned the working methodology for preparing sectoral plans and developed a programme and work calendar for the second part of the track;
- Added new ministries (Transport, Cultural Affairs, Agriculture, Youth and Sport, and Industry) to the process;
- Organized workshops to formulate sectoral plans;
- Organized technical support meetings for partners, and sectoral working sessions;
- Organized workshops with civil society associations and organizations on ways to cooperate in the implementation of sectoral plans.

241. The expected outcomes of the plan are as follows:

- Develop an updated database shared by all public agencies;
- Enact laws and adopt measures that promote the principle of parity in all elected bodies and independent bodies and offices at the national and local levels, and ensure that laws and regulations are harmonized with the Constitution and international standards;
- Appropriate measure have been taken and national mechanisms have been put in place to protect women and girls from violent extremism and terrorism;
- Develop the capacity of the security agencies to respond to violations of women's and girls' rights;
- Increase the proportion of women in decision-making positions and in high-level civil, judicial and military positions of responsibility;
- Increase the number of programmes and measures aimed at promoting the employment of women and girls.

242. The main element of the Ministry of Women's sectoral plan was the "Project Hayat for Every Region" programme, which takes a comprehensive, participatory and integrated approach to creating economic projects for women in regions that are threatened by terrorism and violent extremism, have high population density and are

suffering from poverty and marginalization, with a view to creating value for products produced by the region. That goal is accomplished by adopting the principles of economic social solidarity within an organized and structured framework and by encouraging the population to remain in their areas while maintaining a decent standard of living. The region is provided with the necessary facilities, such as schools, kindergartens, childcare and youth centres, leisure spaces, clinics and post offices, as well as any infrastructure required, such as lighting, sewerage and sanitation networks, roads and means of transport, in order to attract investors to the region.

XII. Nationality

243. The laws of Tunisia concerning nationality have developed significantly as a result of successive revisions to the Nationality Code, which were made in order to harmonize it with the Constitution and purge it of discriminatory requirements. This includes, in particular, the significant revision that was made pursuant to Act No. 55 (2010). In that connection, the Ministry of Women's Affairs has submitted a bill that would enable Tunisian women married to foreigners to transmit Tunisian citizenship to their children who were born abroad.

244. The aim behind the bill is to align national law with the requirements of international instruments that Tunisia has ratified. The most important of those instruments is the Convention on the Nationality of Married Women, which was ratified by means of Act No. 41 (1967), dated 21 November 1967.

245. To demonstrate the importance of this proposed revision, we have set out in annex VI the various developments that have occurred in the Nationality Code of Tunisia, in order to identify shortcomings and point out the changes that would be made as a result of the draft amendment.

246. The right of women married to foreigners to transmit Tunisian citizenship to their children who were born abroad is one of the most significant reasons why Tunisian nationality law is considered to be discriminatory. The Committee, in its concluding observations concerning the fifth and sixth periodic reports of Tunisia, recommended that Tunisia adopt a law that establishes equality between women and men in respect of the ability to transmit their nationality to their children without discrimination, in accordance with article 9 of the Convention.

In that connection, the principle of non-discrimination was enshrined in the changes to the Nationality Code, in particular articles 6 and 12 thereof, that were made pursuant to Act No. 55 (2010).

However, that change was not enough and did not make the desired impact in practical terms. As a result, the Ministry of Women's Affairs decided to submit a bill that would revise Act No. 55 (2010).

247. It should be noted that, in the absence of clear wording, the Tunisian judiciary has read the provisions in a non-discriminatory manner that upholds the principle of equality. For example, the Court of First Instance of Tunis, in its judgement No. 7482 of 2 April 2018, clearly stated that lawmakers have decided, as expressed in the new article 6 of the Nationality Code, that the children of a Tunisian mother acquire Tunisian nationality by descent, regardless of where they are born. That demonstrates a consistent intent to eliminate discrimination between men and women. In the new article 6 of the Nationality Code, lawmakers recognize that children born to a Tunisian father and mother should be granted Tunisian citizenship regardless of whether they were born in Tunisia or abroad. That decision, which was adopted with the abolition of the old article 6 and its replacement by the new article 6, establishes that the descent of the person requesting Tunisian nationality, not his or her place of birth, is the

fundamental basis for the right of Tunisian women to transmit their nationality to their children, regardless of where they were born.

Education

248. The data compiled highlights the steady increase in the proportions of girls enrolled in educational institutions. As noted in para. 13 of the present report, there are more girls enrolled primary and secondary school than boys (see annex VII). Girls' educational excellence is reflected in their success, failure and dropout rates.

249. The preschool year plays an important role in ensuring that students have the best chance to succeed in school; it helps them increase their academic attainment and improves their social and educational integration. Accordingly, efforts have been made to ensure that preschool year programmes are widely available, particularly in rural areas and densely populated neighbourhoods. In the 2019/20 school year, 59,544 children were enrolled in preschool classes. Of that number, 29,356 (or 49.3 per cent) were girls (see annex VIII).

250. With regard to primary education, some 1,171,569 students were enrolled in public schools in the 2019/20 school year. Girls comprised 48 per cent of that figure (see annex IX).

251. In the 2018/19 school year, the success rate for primary school girls was 4.7 per cent greater than for boys. Annex X highlights the success, failure and dropout rates.

252. The middle/secondary school level consists of the middle school stage, which supplements primary education, and the secondary school stage, which is open to all who meet the requirements for advancing from middle school that are set out in article 25 of the relevant framework act.

253. In the 2019/20 school year, the number of students enrolled in middle school and secondary school was 926,832, with girls constituting 9.6 per cent more of students than boys.

254. In order to encourage equality and promote equality of opportunity, a programme was initiated to integrate children with disabilities into educational institutions as part of a national school and educational integration plan for children with disabilities that has been in place since 2003.

255. As a result of that effort, the number of males and females enrolled in the standard education programme has increased, training units have been put in place, integrated schools have been established and equipped, and pedagogical guidance and support has been made available.

256. Preparatory units have been opened for children with disabilities and a national communication and information strategy for school integration has been developed.

257. Statistics for the 2019/20 school year show that the number of students with disabilities (as well as those with special needs) had increased to 6,113, of whom 2,205 were females (annex XI).

258. The United Nations Special Rapporteur on the right to education visited Tunisia in 2012 and 2019, and made a series of recommendations. Those recommendations were transmitted to stakeholders, so that they could be guided by them in developing action plans to promote equality of opportunity between the sexes.

259. With regard to vocational training, many measures have been taken to upgrade technical education in order to develop the capacities and enhance the qualifications of students. Technical training schools were converted into vocational schools in the 2000/01, and technical schools were opened in 2007/08.

260. Students of both sexes enrolled in such schools receive technical and practical training that qualify them for one the major professions, such as industry, construction and the service sector; students also receive instruction in language, the sciences and social studies. There are three forms of basic training: classroom study, work-study programmes and on-the-job training.

261. With regard to higher education, article 6 of Act No. 19 (2008) of 25 February 2008, concerning higher education, provides that holders of a baccalaureate degree or recognized equivalent degree from another country may apply for admission to higher education based on merit and without discrimination.

262. As a result, women make up a significant proportion of the students enrolled in public higher education institutions. In the 2018/19 academic year, women constituted 66 per cent of students enrolled in public universities and 69 per cent of those holding higher degrees from public universities.

263. The rate of illiteracy among women is 25.7 per cent, compared to 12.9 per cent for men. The rate is higher in rural areas: 41.8 per cent for women and 23.2 per cent for men.

264. A number of measures have been taken to eliminate illiteracy and provide education for adults. Since 2000, the National Adult Education Programme has focused on educating persons whose circumstances prevented them from starting education or forced them to leave education prematurely or revert to illiteracy. Participants receive a comprehensive cultural education through cultural communications courses on such topics as the family, upbringing, health, citizenship, dialogue and the environment.

265. The Department of Literacy and Adult Education takes into account learners' social circumstances and offers incentives, such as financial and in-kind assistance, to those who are indigent or destitute. Another of the Department's concerns is the status of women. In that connection, it helps to promote the role of women in the family and society by raising awareness of women's rights. In addition, the Department teaches young students basic skills and, when necessary, provides them the means to engage in income-generating activities.

Annex XII contains statistics on the accomplishments of the National Adult Education Centre in the 2019/20 academic year, disaggregated by governorate, age group and gender.

266. The Women's Social Development Programme of the Ministry of Women's Affairs has been operational since 2016. The Programme, which part of the national strategy to eradicate illiteracy by 2030, was launched in Ala district of Kairouan Governorate and then extended to all governorates, with an emphasis on priority areas where the illiteracy rate is high.

267. The aim of the Programme is to gradually eradicate illiteracy and resist reversion, thereby enabling female beneficiaries to develop their capacities and knowledge, overcome marginalization, poverty and unemployment, live a decent life and participate in public life.

Employment

268. The right to work is enshrined in article 40 of the Constitution, which provides that every citizen, male and female, has the right to work, and that the State shall take the necessary measures to guarantee that right on the basis of competence and fairness. The Constitution also provides that every citizen has the right to work in decent conditions and a fair wage.

269. Accordingly, measures have been taken to increase women's participation in the labour market. The Ministry of Vocational Training and Employment has implemented several programmes related to employment, private sector initiatives and vocational training.

270. In recent years, women have represented approximately 70 per cent of persons benefiting from various active employment programmes that are funded with resources from the National Employment Fund. Those programmes provide supplementary training, with a view to hiring the unemployed and ensuring that private sector institutions contribute to the effort by offering internships and providing career training.

271. A programme to improve the employability of job seekers was launched as part of the plan to review and reform employment programmes and mechanisms and to implement a sectoral employment strategy. The aim of that programme is to provide job seekers of both sexes with training tailored to fit the specific needs of the job market. In addition, an employment subsidy programme directed at high added-value enterprises was launched in order to encourage such enterprises to recruit higher degree holders on employment contracts or on a full-time basis.

272. Tunisia has continued to take measures designed to ensure equality of opportunity in employment and eliminate all forms of discrimination, including the announcement of interviews for all candidates and the adoption of a competency standard.

273. With regard to pay equity, in addition to the relevant provisions of the country's Constitution and the laws in effect, Tunisia has ratified all international conventions on equality, including International Labour Organization (ILO) Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value.

274. The principle of non-discrimination, which extends to equal remuneration for both sexes for work of equal value, is enshrined in national law. Article 6 of Organic Act No. 58 (2017) on combating violence against women provides that the State shall take all necessary measures to eliminate all discriminatory practices against women, particularly in relation to pay.

275. When visiting private sector institutions, labour inspectors verify the classification of each job and compare the wages and bonuses paid to women and men for a specific job on the basis of seniority, with a view to ensuring that there is no discrimination within the company. When inspectors uncover violations of the Labour Code, they prepare a report and submit it to the tribunal responsible for investigating violations of workers' rights. Moreover, failure to pay an employee, whether male or female, the legally approved wage constitutes a punishable offence under the law.

276. In the public sector, equal pay for men and women is guaranteed by the general regulations governing State officials, local authorities and public administrative institutions. Article 13 of those regulations establishes employees' right to receive a salary following completion of work, in addition to a number of other benefits that are not gender-specific in any way.

277. With regard to criminalization of sexual harassment in the workplace, article 226 ter (new) of the Penal Code provides that any person who perpetrates sexual harassment shall be imprisoned for a term of two years and fined 5,000 dinars.

278. Sexual harassment is any hostile and sexually suggestive action, gesture or utterance directed at a person that is humiliating or offends his or her sense of modesty and is aimed at forcing the person to respond to the sexual desires of the attacker or

of another, or exerting serious pressure on the person with a view to weakening his or her ability to resist such pressure.

Under the law, the penalty is heightened in certain circumstances, including when the perpetrator has authority over the victim or abuses the power of his position, and when the commission of the offence is facilitated by the victim's manifest vulnerability or the perpetrator's knowledge thereof.

279. Accurate data on women's employment in the informal sector are not available. However, given the growth and impact of the parallel economy, stakeholders agreed to include a special point in the section on employment policies and vocational training of the social contract calling for workers to transition gradually transition from the informal to the formal sector and emphasizing the need to organize vocational training for that purpose.⁴⁴

280. An integrated programme has been developed under which inspectors run awareness-raising campaigns for workers and persons of both sexes who are engaged in unorganized trades and profession in order to help them make the transition into the formal economy by encouraging them to join a social security scheme. As part of the comprehensive approach aimed at achieving social justice and expanding social security coverage, the reform of the social protection system will ensure that every citizen, including those who work in the informal sector, receives adequate social welfare and health-care coverage.

281. With regard to protecting domestic workers, the Ministry of Women's Affairs promotes the economic empowerment of women from vulnerable groups, in particular those who were affected by the quarantine and unable to continue their normal work. To that end, it established a funding facility for domestic workers that provides them with a 1,000-dinar interest free loan with a two-month grace period and a repayment term of 24 months.

282. The Ministry is pushing for the adoption of laws that will protect domestic workers and, in that connection, has initiated the multilateral consultative process with the support of ILO. A workshop on the theme "Reviewing the legal framework for domestic workers and promoting the accession of Tunisia to the ILO convention concerning decent work for domestic workers (No. 189)" was held in June 2020. A committee of experts has been established to assess the current framework and propose a vision for its development in accordance international standards. The Ministry supports the accession of Tunisia to the ILO convention concerning decent work for domestic workers (No. 189).

283. The Ministry is designing a database on domestic work in Tunisia. It aims to register all domestic workers and their employers, thereby making domestic work a visible and more organized profession.

284. With regard to combating female child labour, Tunisian lawmakers have endorsed penalties for anyone who violates the laws and regulations concerning child labour. The Labour Code grants labour inspectors significant privileges in order to facilitate their tasks, including the authority to enter, without warning and at any time, any institution that is subject to labour inspection and to request access to all records, registers and documents that must be maintained or retained pursuant to labour laws, with a view to verifying that such records are in compliance with the relevant legal, regulatory and contractual provisions. If labour inspectors encounter any difficulties or obstacles in the performance of their duties, such as not being allowed to enter an institution, the Labour Code authorizes them, as judicial officers, to call on the assistance of the police in order to carry out their duties.

⁴⁴ <http://www.social.gov.tn/fileadmin/user1/doc/CONTRATSOCIAL.pdf>.

Police officers and the National Guard are also authorized to investigate violations of the Labour Code and to issue reports thereon, including on child labour.

285. In that connection, it is worth noting that article 20 of Organic Act No. 58 (2017), on combating violence against women, provides that any person who intentionally employs a child in domestic work, whether directly or indirectly, shall be liable to a term of imprisonment of between 3 and 6 months and to a fine of between 2,000 and 5,000 dinars.

Anyone acting as an agent in the employment of a child in domestic work shall be liable to the same penalties. The penalty is doubled for repeated offending. In addition, any attempt to do so is punishable.

286. With regard to the programme for combating child labour, in implementation of the National Plan to Combat Child Labour, a report on action to develop and support cooperation between various stakeholders was prepared in 2018 as part the PROTECT project.

287. To that end, two training workshops were organized in September 2019 in the Governorates of Sfax and Jendouba for the staff of the Ministry of Social Affairs, the Ministry for Women, the Family, Children and Older Persons and representatives of the Tunisian General Labour Union and the Tunisian Union of Industry, Trade and Handicrafts. The workshops focused on how to address the worst forms of child labour, methods for enhancing participants' qualifications and skills, the key roles and responsibilities entrusted to each party, and intensification of awareness-raising campaigns on combating child labour.

288. A guidebook on child labour laws has been developed. Its main themes are promoting research on child labour, deploying the prevention and protection mechanisms required to combat child labour, and creating an integrated and participatory framework for the various stakeholders that are addressing this issue. The guidebook is intended primarily for focal points in relevant institutions.

289. In the United States Department of Labor annual report on the worst forms of child labour for 2018, it was noted that Tunisia had made a significant advancement in efforts to eliminate the worst forms of child labour.⁴⁵

290. With regard to the ratification of international labour instruments, since Tunisia joined ILO in 1956, it has acceded to 65 international labour agreements (see annex XIII).

291. In 2019, Tunisia ratified the Labour Inspection (Agriculture) Convention, 1969 (No. 129), thereby completing ratification of the four international labour conventions on governance. It also ratified the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), in order to further strengthen the working environment.

292. The authorities, in consultation with social partners, are conducting the studies required to ratify several international labour agreements related to occupational health and safety and other areas.

293. With regard to providing social services to working women and redistributing roles within the family, the latter requires a change in the social behaviours that restrict women to their reproductive role, with women taking on the responsibility of child-rearing in the absence of any measures that help them to reconcile the demands of family and professional life.

⁴⁵ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/tunisia>.

Work is under way to provide some support in that regard, such as children's clubs and social and educational development clubs. There are few childcare centres for children under the age of three, with large gaps in geographical distribution.

294. The Ministry of Women's Affairs has prepared a draft bill on parental leave for the public and private sectors that would establish and regulate parental leave for mothers and fathers working in the public and private sectors. Stakeholders are following up on its progress.

295. Under Act No. 58 (2006), a mother with one child or more under the age of 16 on the date on which the initial application or the application for renewal is made (the age requirement does not apply to children with disabilities) is eligible to work half-time while being paid two-thirds salary. Such an arrangement can be renewed twice over the entire professional career, regardless of the number of children.

A mother who benefits from this scheme retains her full rights with respect to seniority, promotion and social benefits, and is entitled to the same holidays as full-time employees.

296. Although the aforementioned Act affords an option for reconciling professional and family life, it is aimed at women, not men, and this has caused problems for some with regard to professional advancement. In order to apply the Act to other sectors, an updated study will have to be prepared on its effects on reconciling family life and women's rights to work.

Health

297. In order to ensure equal access to quality health care for all, the Ministry of Health has adopted a reform plan aimed at providing preventive and therapeutic services and quality universal health coverage for all citizens, including women living in the most disadvantaged areas.

298. To that end, investment in the public health sector has been reallocated on the basis of the principle of positive discrimination in favour of priority governorates, which received more than 70 per cent of all infrastructure investments in order to facilitate access for all, including women, to essential health-care services across the health system's three divisions in the west and south of the country. Accordingly, in 2020, the health-care budget grew to nearly 3,392.4 million dinars, approximately 5.4 per cent of the State budget. This represents an increase of approximately 525.6 million dinars, or 18.3 per cent, over the 2,486.866 million dinars that were allocated under the 2019 Finance Act.

299. The Ministry of Health has established and equipped primary health-care centres in rural areas in order to bring health-care services closer to the rural population. It has also established level IV intermediate or primary health-care centres, depending on the region, in order to provide and bring good health-care services closer to rural women.

300. The Ministry of Health, in order to ensure the right of all to benefit from a comprehensive range of quality sexual and reproductive health-care services, has:

- Enhanced the capacity of doctors and paramedical staff to provide pregnancy care;
- Offered preventive sexual and reproductive health services to young students and brought those services closer to them by launching a reproductive health unit and providing information and guidance on reproductive health and preparation for family life for students in university dormitories and in some secondary schools;

- Trained health-care professionals on how to apply a law-based approach, respecting the choices of women, adolescents and the most vulnerable, and ensuring the confidentiality of services.

301. The adoption of an approach based on equality and equality of opportunity among different groups of society is reflected in the strategic direction of the primary health-care programme, the budget of which grew to approximately 430 million dinars in 2020. One of the most significant components of that programme is the provision of basic services to the population in the interior of the country, in particular health-care services for mothers and children.

302. As part of the effort to strengthen programmes for women in particular, approximately 300 million dinars has been allocated for the 2016–2020 five-year plan for implementation of the preventive health-care policy, with a view to strengthening the national maternal and child health strategy. In addition, regional action plans aimed at governorates that are still below the national average have been adopted.

303. Maternal and newborn health is one of the Sustainable Development Goals that is applicable the health and well-being of this group. Tunisia, in keeping with its belief in and commitment to international covenants, has included the goal of “improving maternal and child health” among its priorities through the national programme for maternal and infant health, the aim of which is to reduce maternal and infant mortality and disease. Under that programme:

- The authorities have supported the reproductive health policy in order to ensure balanced demographic growth that is in line with the national population policy plan for the future;
- Improved indicators of maternal and neonatal health have been achieved thanks to the support provided by the perinatal programme, intensified efforts to identify and monitor high-risk pregnancies, and awareness-raising and education activities on maternal safety conducted throughout the country, especially in priority areas;
- Good pregnancy and postpartum monitoring services are being provided. Such monitoring involves more than simply raising the awareness of and educating mothers, in order to ensure that their health returns to normal, and urging them to continue breastfeeding.

304. The final results of the 2018 national multiple indicator cluster surveys show that 84.1 per cent of women aged 15–49 nationwide had four medical appointments with either a doctor or paramedical health-care provider during the last portion of their pregnancy. Of that group, 88.5 per cent lived in urban areas and 76.6 per cent in rural areas. The surveys also show that 26.4 per cent of women were examined by either a doctor or paramedical health-care provider in the first week after birth, while 58.6 per cent of women were not examined at all. The examination rate for newborns was 96.1 per cent on the day of birth. By comparison, 34.7 per cent were examined in the first week after birth, while 40.6 per cent were not examined at all.

305. As mentioned earlier, coverage for health-care services, including maternal and neonatal health, has reached a significant level. Nonetheless, maternal mortality had increased to 44.8 cases per 100,000 births by 2019.

306. The national neonatal mortality rate was 9 deaths per 1,000 live births, 14 deaths per 1,000 at infancy and 17.6 deaths per 1,000 live births for children under five years of age.

307. The national strategy for maternal and neonatal health 2020–2024 has been updated. The strategy is to be implemented over five years at a cost of approximately 32 million dinars. The aim is to reduce maternal and infant morbidity and mortality

in response to the associated challenges and demands facing the health-care system, as well as to provide all mothers and children with high-quality health-care services that are available to all groups and regions on an equitable basis.

308. The strategy consists of five components: facilitating access to health-care services for all groups in all regions on an ongoing basis, improving the quality of services, improving governance, improving the use of resources and improving accountability. In addition, the strategy is designed to support community participation and the participation of civil society in order to promote maternal and neonatal health and support monitoring and evaluation systems.

309. With regard to the adoption of a gender-sensitive national health policy, despite the results that have been achieved and the accomplishments made in the decades prior to the launch of the National Reproductive Health and Family Planning Programme, many challenges remain, particularly in respect of the ability to respond and provide reproductive health services to citizens without distinction, on the one hand, and the ability to curb certain social problems, such as late marriage, high celibacy rates and risky behaviour among young people, including engaging in unprotected sex, smoking and addiction, on the other hand.

310. Regional statistics from recent years point to an across-the-board decline in the use of medical and reproductive health education services. There are a number of reasons for that decline, including the lack of human resources, in particular medical and paramedical staff, in most regions, obsolete infrastructure at reproductive health centres requiring repair and maintenance and the addition of new clinics to meet demand, and a limited transportation fleet.

311. Work continues, within the framework of the health-care programme, to respond to those challenges and reform the health-care system, taking into account the disparity in health indicators between women and men and among all social groups, which are reflected in performance measurement targets and indicators.

312. As part of the effort to achieve equality between women and men, the authorities will conduct awareness-raising campaigns to reduce the smoking rate among women and entice them to attend smoking cessation clinics. The campaigns will be tailored to the needs and requirements of this group.

313. In the period 2012–2017, the European Union funded a project to reduce social inequalities and promote primary and intermediate health-care services for disadvantaged regions (PAZD). A gender-based approach was adopted in the assessment of that programme, in order to generate data that could be used as a point of reference for examining inequality or discrimination between the sexes. The results of that evaluation showed that there was no gender-based discrimination in respect of access to health-care services and no discrimination between men and women with regard to equal access to health-care services.

314. With regard to women's health during the COVID-19 pandemic, special measures have been taken to protect vulnerable groups who are considered most at risk of infection or harm. In that connection, Government Order No. 208 (2020), issued on 2 May 2020, sets out the targeted quarantine measures by which certain groups were kept under total quarantine, including pregnant women, mothers with children under the age of 15, persons with disabilities and persons with chronic diseases that are specified in the aforementioned Order.

315. Despite the closure of some medical and health-care facilities, the Ministry of Health took several measures to ensure that the sick were able to have access to the health care that they needed. Those measures include:

- The groups most affected by COVID-19 were identified, in order to meet their special health needs and protect them, thereby reducing the number of critical cases and deaths;
- An exceptional effort was made to ensure constant availability of medications, especially those used for treatment of chronic diseases, as well as personal protective equipment and health-care supplies, and to ensure that the movement of vulnerable persons for the purpose of receiving treatment was avoided, in order to keep them safe;
- Efforts were made to ensure that persons with chronic illnesses and those who received treatment at hospitals had priority access to medical clinics, owing to the disruption of services at hospital medical clinics and in transportation;
- Efforts were made to ensure uninterrupted delivery of vital or urgent health-care services, such as vaccination services, health-care services for pregnant women and mothers, reproductive health services, health-care services for such vulnerable groups as children, women and the elderly, nutrition clinics and emergency dental services.

316. In March 2019, some 15 newborns died in University Hospital in Tunis and, in July 2019, another six newborns died in a hospital in Nabeul. In addition to the legal prosecution of various officials, the Ministry has taken several measures to avoid the repetition of such incidents.

317. The short-term measures include:

- Increasing the staffing levels of the medical, paramedical and pharmaceutical teams and appointing a dedicated staff that is responsible for preparing intravenous solutions, along with technicians and pharmacists to supervise the unit.
- Renovating the facility where solutions are prepared (at a cost of 80,000 dinars) and securing training from the competent office;
- Renovating the neonatal section;
- Allocating funds for the acquisition of medical equipment and supplies (an estimated 350,000 dinars will be required to equip units in the department of infant medicine and the sterilization room) and 10 infant incubators, and strengthening the institution's capacity by introducing nine additional incubators and a ventilator.

318. In addition to those measures, all light and single-use supplies and consumables will be made available on an ongoing basis, in order to ensure the safety of infants and intravenous solutions bags, and a system for monitoring and laboratory analysis of intravenous bags before use will be put into place at an estimated annual cost of 300,000 dinars.

319. The medium-term measures include:

- Developing plans for the establishment of central units for the preparation of intravenous solutions in the northern and central parts of the country, conducting site studies of engineering models and allocating funds for that purpose;
- Establishing a national technical committee to monitor the establishment and equipping of intravenous solution preparation units.

320. With regard to child and teenage pregnancy and abortion, the National Office of Family and Population, in cooperation with UNFPA, conducted a study on fertility behaviours and access to sexual, reproductive health and family planning services.

This study is divided into two parts, the first of which is an evaluation of sexual, reproductive health and family planning services in various health centres.

321. The first phase of that activity, namely, the concept paper, the working methods and the research tools, has been completed. Field work will be done in the second half of 2020. The second part of the study, to be conducted in 2020, will be a national survey on fertility behaviours.

322. The National Office provided reproductive health services 468,588 times in 2019, compared with 461,667 times in 2018, an increase of 1.5 per cent.

323. Some 159,754 women benefitted from early breast cancer screening in 2019, compared with 148,898 in 2018, an increase of 7.3 per cent. A total of 7,074 women were given mammograms, with 251 cases of cancer detected nationwide.

Cervical cancer screening services declined by 13.1 per cent (22,376 cervical smears in 2019). A total of 110 colposcopies were conducted, resulting in the early detection of 223 cases of cancer.

324. Although article 214 of the Criminal Code establishes in principle that abortion as well as all efforts to facilitate an abortion are prohibited, an exception is made when an abortion is carried out in the first three months of pregnancy, and thereafter when the mother's health or psychological state may be compromised by the continuation of the pregnancy or when it is believed that the unborn child suffers from a serious illness or disability.

325. To promote sexual and reproductive health, especially among teenagers and other young people, the National Office of Family and Population has enhanced its provision of services in that area with a view to preventing unprotected sex and repeated abortions. The Office has also made it easy to have access to health services, in order to entrench the right of all individuals to sexual and reproductive health-care services; it carries out more than 60,000 services in that area every year.

326. Women in rural areas have also benefitted from the provision of enhanced health-care services, which has been achieved, in particular, by enhancing accessibility to those services through the expansion of the network of primary health-care centres. Reproductive health and family planning clinics provide services to rural women free of charge and on a non-discriminatory basis among regions.

327. To address the challenges faced by some married and single women in rural areas that impede their access to abortion services, the Ministry of Health has developed a plan of action to promote family planning and reproductive health services and to address the various self-imposed and external risks and obstacles that may undermine the right of rural women to access those services. Contraceptives and educational and medical services are provided free of charge in 36 centres located throughout the country, while 32 mobile teams and two mobile clinics also provide such services, particularly for women in isolated areas.

328. The total number of abortion services in 2019 increased by 229 per cent (164,414 in 2019, compared to 13,351 in 2018).

329. In 2019, some 718 surgical abortions were performed, compared to 1,176 in 2018, a decrease of 38.9 per cent. The number of drug-induced abortions was 15,696 in 2019, compared with 12,175 in 2018, an increase of 28.9 per cent.

Economic empowerment of women

330. Women's access to banking services: gender differences remain with respect to ownership and access to finance, despite high levels of education and skill among

women, especially young women, and even though women make significant contributions to necessary family expenses. Women's ownership of property, particularly land, real estate, inheritance or other resources, remains very low and they do not have access to traditional financial banking services on an equal basis with men.

331. Certain classes of women, particularly in rural areas, are therefore sidelined from funding networks. That is because they do not have the collateral needed for loans. As a result, women and other low-income groups have turned to microfinance or microcredit, which do not require real estate as security.

332. The State has put in place some mechanisms to extend microcredit, such as the creation of the Tunisian Solidarity Bank, where more than one third of enterprises funded are women-run. It has also put measures in place to encourage other institutions to provide loans to and developed a strategy that has since 2012 applied a new law on microfinance. These measures are incorporated into anti-poverty policies and programmes, particularly in rural areas and within national and sectoral programmes, such as the 2012–2016 and 2016–2020 economic and social development strategies; integrated development projects; and mentoring programmes for rural women.

333. Measures taken to promote women's economic empowerment: many measures have been developed to strengthen training and support programmes before and after an enterprise is created. Mechanisms for financing the creation of microenterprises and medium-sized enterprises have also been supported following the creation of the Tunisian Solidarity Bank and the Small and Medium Enterprise Financing Bank.

334. In order to facilitate the creation of small enterprises, the Ministry of Vocational Training and Employment is seeking to develop social and solidarity institutions to support joint initiatives by young entrepreneurs, particularly those with advanced degrees, and vocational training graduates.

335. Despite all efforts, women are still relatively underrepresented in the ranks of business owners or self-employed professionals. To address that issue, a programme of action was developed in 2012 to limit the feminization of poverty and to increase the capacity of rural women by developing their technical skills in the area of creating and operating small agricultural enterprises, fostering self-employment and integrating women into the economy in line with regional specificities.

336. For its part, the Ministry of Women's Affairs has been implementing the economic support programme for women heads of households by financing small enterprises. The programme ensures a decent life and financial independence for its beneficiaries and fosters their active partnership in local and national development. Areas of intervention were identified in the 14 priority Governorates of Kef, Zaghuan, Kairouan, Kasserine, Médenine, Gafsa, Tozeur, Tataouine, Kébili, Sidi Bouzid, Siliana, Jendouba, Béja and Manouba, and more than 20 women from each governorate benefited from the programme.

337. In 2014, the Ministry concluded a partnership agreement with the Ministry of Vocational Training and Employment that aimed to increase women's employment, support their economic integration and enhance their contribution to development, as well as strengthen the capacities of job seekers, especially holders of advanced degrees, by giving them the necessary tools to invest in children and the elderly.

338. In cooperation with the Tunisian Solidarity Bank, the Ministry of Women's Affairs is also implementing the women's economic initiative programme, Raida, as part of national efforts to reduce unemployment rates, especially among holders of advanced degrees, targeting those wishing to start small and medium-sized enterprises.

339. The programme is based mainly on supporting, advising and training women entrepreneurs in the preparation and study of the enterprise, as well as developing a line of financing through concessional loans to finance microenterprises and small and medium-sized enterprises, and then, at the final stage, following up and supporting creators until the enterprise is stable.

340. Approximately 2,300 enterprises are currently being funded under the Raida programme, with a total investment in 2018 of up to 17 million Tunisian dinars.

341. The Governorate of Tataouine, with 188 enterprises, leads, followed by the Kébili, with 183, then the Jendouba in third place, with 177, and Tozeur in fourth, with 152. This is in line with article 12 of the Constitution, which provides that the State shall seek to achieve social justice, sustainable development and balance between regions based on development indicators and the principle of positive discrimination.

342. The Ministry of Women's Affairs, in order to increase the geographical coverage of early childhood services, particularly in the interior regions, was able through the Raida programme to fund 217 institutions, including 193 kindergartens and 18 nurseries, as well as 6 children's recreational and cultural institutions.

343. For its part, the Ministry of Vocational Training and Employment has strived to:

- Develop a clear action plan at the national level to foster women's self-employment and entrepreneurship;
- Encourage the creation of new types of business for the cooperative social economy, by combining multiple female skill sets and competencies in promising business sectors that are related to regional specificities;
- Encourage investment in technologically advanced manufacturing sectors and in cutting-edge technologies that enable the processing of agricultural materials and other primary resources produced in the north, centre and south-west regions;
- Increase investment in infrastructure and equipment in order to encourage young women entrepreneurs to be self-supporting, whether at small private individual or collective businesses;
- Provide special incentives to women creators of small and medium-sized businesses;
- Diversify women's traditional businesses and crafts.

344. In an effort to promote innovation in modern technology, Act 20 No. (2018) of 17 April 2018⁴⁶ on start-ups was enacted as part of an integrated Government programme called "Emerging Tunisia". The aim of that Act is to stimulate the creation and development of start-ups through innovation, modern technologies and the realization of high added value and competitiveness at the national and international levels.

The Act provides men and women entrepreneurs, especially among youth, with tangible advantages and benefits by supporting them and offering them the logistical and financial solutions needed to encourage them to start and develop businesses.

345. Following the effects of the COVID-19 pandemic on women-run economic institutions, the Ministry of Women's Affairs, in partnership with the Tunisian Solidarity Bank, has worked to provide women entrepreneurs with credits in the form of interest-free financing for enterprises. In various governorates, 70 approvals were

⁴⁶ <http://www.legislation.tn/sites/default/files/news/ta2018201.pdf>.

granted worth 350,000 Tunisian dinars as an initial payment to assist women entrepreneurs and children's institutions affected by the COVID-19 pandemic in paying operational and maintenance expenses. It is to be repaid over a period of 24 months, including a six-month grace period.

Economic and social empowerment of rural women

346. Based on several studies examining the conditions of rural women and girls, most notably a comprehensive field study on the conditions of women in rural areas and their access to public services and another on the labour and access to social protection of rural women, the Ministry of Women's Affairs in 2017 developed the National Strategy and Action Plan for the Economic and Social Empowerment of Rural Women and Girls (2017–2020). The Strategy and its Action Plan are based on the five components outlined in paragraph 97 of the present report.

347. They were approved by two mini-cabinets convened for that purpose (on 8 March 2017 and 11 August 2017). In addition, a steering committee was established to follow up on the implementation of the Action Plan, coordinate between the relevant parties, establish regional follow-up committees and allocate annual funds for its implementation.

348. In July 2018, a cooperation protocol was signed between the Ministry of Women's Affairs and the Spanish Agency for International Development Cooperation on support for the implementation of the National Strategy and to prepare regional implementation programmes for the areas of intervention (Jendouba, Mahdiah and Sfax).

349. Social security coverage: In implementation of the action plan and the ministerial recommendations related to social security coverage for rural working women by harmonizing the legislation in force; and given the nature and special characteristics of their labour, especially in the agricultural sector; and in order to establish a special system to enable rural women labourers to access social security coverage, a framework agreement was concluded in October 2018 between the Ministry of Women's Affairs, the Family, Children and the Elderly, the Ministry of Social Affairs and the Ministry Agriculture, under which special mechanisms were established to enable rural women working in the agricultural sector to benefit from social security coverage within the "Ahmini" system.

The decrees and decisions taken to that end are set out in annex XIV.

350. In addition to paragraphs 97–98 of the present report on the National Strategy for Economic and Social Empowerment of Rural Women and Girls, the Ministry of Women's Affairs has developed a project to value and manufacture agricultural products and to create small agricultural enterprises in order to foster self-employment, training and support of rural women by helping them to obtain funding and means of production. Women from the Governorates of Gabès, Kasserine, Médenine, Gafsa, Kairouan, Zaghuan, Sidi Bouzid and Siliana have benefited from the training courses.

351. Since the Seventh Tunisia Plan (1986–1992), the Ministry of Agriculture has attached special importance to the advancement of rural women, in the light of their role in the development of the agricultural sector as producers, subsistence farmers or agricultural workers, through integrated development projects that include a special component on the advancement of rural women and collective development. In some projects, the proportion of the appropriations allocated to that component reaches 5 per cent of total funds allocated.

352. The Committee on Rural Development, Gender and Women was established under the 2016–2020 Development Plan and is tasked with formulating programmes aimed at further promoting the economic and social empowerment of women. The Ministry’s Rural Women Support Office has also been set up and given significant powers.

353. In connection with rural development, gender and women agricultural workers, the 2016–2020 plan period was marked by the adoption of several measures, including the provision of funding, beginning with the 2017 budget, for the project on economic empowerment and women’s development in rural areas and the release of the Minister of Agriculture’s circular No. 266 of 2016 on the allocation of space for the exhibition and sale of rural women’s products in all regions. In addition, a framework agreement was signed between the Ministry of Women’s Affairs and the Ministry of Agriculture to foster cooperation in combating unemployment and supporting self-employment of women in rural areas.

Several projects have been implemented to economically empower rural women and families, as shown in annex XV.

Disadvantaged groups of women

354. CREDIF attaches importance to studying the situations of women with special needs and socially and economically marginalized women. The final results of a study on domestic workers, livelihoods, pathways and social positioning were presented in March 2020 and the Ministry of Women’s Affairs adopted the study’s recommendations on the development of a legislative framework for regulating domestic work as a profession.

355. It also completed a study, in press, on violence against adolescent girls. CREDIF will also complete two studies on migrant women and on vulnerable classes of women and means of integration.

356. Combating school attrition among rural girls: in 2015, the Ministry of Women’s Affairs launched an integrated project to combat school attrition, especially among rural girls, in partnership with the Ministries of Education, Transport, the Interior and Cultural Affairs and with the association Almadanya. This is central to the National Strategy and Action Plan for the Economic and Social Empowerment of Rural Women and Girls.

In that regard, the following measures have been taken:

- Preparing multi-purpose spaces to accommodate students between classes at educational institutions (including the Governorates of Kairouan, Jendouba, Bizerte, Sidi Bouzid, Siliana, Zaghuan, Kasserine and Kef until 2019, which had on average five educational institutions with high attrition numbers);
- Economically empowering mothers of students at risk of dropout in 15 interior governorates through income-generating microenterprises as well as the creation of approximately 160 income-generating projects (as at the end of 2019);
- Allocating funds for rural school transport with the partner association Almadanya in several governorates by reducing student transportation fares and securing the cooperation of transportation companies. As a result, students using rural transportation rose from 416 during the 2015–16 school year to 8,134 during the 2017–18 school year.
- Since March 2011, Almadanya has been working to help students in isolated rural areas (living at least 3 km away from educational institutions) access

transportation to get to school. Since the beginning of 2019, the School Services Department, under the supervision of the Ministry of Education, has overseen rural school transport in cooperation with Almadanya.

357. Children's centres, which exist in most areas, including rural areas, buttress national efforts to combat school dropouts, serving a significant number of children from low-income families. In 2018, a total of 4,430 children benefited from the welfare services, which include clothing, lunches, school supplies, school follow-up, educational services and social activities, offered at such centres.

358. The 2016–2020 educational sector plan includes the stand-alone goal of addressing academic failure. The Ministry of Education established the “second-chance” system in coordination with the Ministry of Vocational Training and Employment and the Ministry of Social Affairs, with support from financial and technical partners and in partnership with civil society organizations.

359. In 2019, the Ministries of Education, Social Affairs and Health, in cooperation with UNICEF, began implementation of a four-dimensional pilot programme to address school attrition. It aims to create pedagogical mechanisms and communicate with educational institutions to reduce school dropouts, particularly in rural areas where that rate is high.

360. Women from religious and ethnic minorities: the Constitution enshrines the principle of equality and non-discrimination in all its forms. This is enshrined in article 2 of Organic Act 50 No. (2018) on the elimination of all forms of racial discrimination (see paragraph 59 of the present report).

361. In addition, victims of racial discrimination are entitled to psychosocial counselling, legal protection and fair and adequate judicial redress.

362. In July 2020, a circular was issued by the Ministry of Local Affairs guaranteeing the freedom to name newborns, which will help prevent the problems faced by Amazigh families in registering their newborns in the Civil Registry with Amazigh names.

363. A government decree establishing a national committee to combat racial discrimination was approved by the Cabinet on 21 July 2020.

This provides the legal and institutional frameworks necessary for combatting any discrimination against women from religious, racial or ethnic minorities.

364. Refugee and migrant women: as there is no national legal framework governing asylum, all asylum procedures and claims are examined by the Office of the United Nations High Commissioner for Refugees.

365. Annex XVI contains relevant statistics issued by the Office of the United Nations High Commissioner for Refugees.

366. Within the framework of its international obligations, Tunisia is working to support these groups, especially women and children, as there are a number of refugee camps on Tunisian soil. Work is being done in partnership with relevant international bodies to raise the level of services it provides to these groups pending the identification of practical solutions.

367. For migrant women, the National Office of Family and Population has continued to implement a cooperation programme with IOM, which aims to facilitate migrants' access to the reproductive health services provided by the Office. In 2019, several informational and education activities were carried out to identify and meet the needs of migrants. They included regional training courses on investigative techniques, counselling and support for trafficking victims, and a training course for 30 regional staff on the creation of an orientation system for migrants coming to Office centres.

Field visits were also organized for model units in several governorates to follow up on the implementation of the trial stage of the data collection register for reproductive health services for migrants.

368. The Ministry of Health has also taken a number of measures, such as the release of Circular No. 10 (2019), which regulates reception of and communication with migrants at public health agencies and the training of staff responsible for assisting women and girl victims of violence in vulnerable situations including migration and conflict.

369. In response to the COVID-19 pandemic, a committee was set up under the Ministry of Human Rights to monitor the situation of migrants and asylum seekers and to develop an action plan aimed at coordinating the efforts of various parties and identifying actions and mechanisms for the distribution of aid to such vulnerable groups, both men and women.

370. A digital platform has been set up for contactless processing of donations and assistance. It receives requests for assistance from foreign students, refugees and asylum seekers or their representatives, regardless of their legal status, and accepts material assistance and donations from individuals and businesses/institutions wishing to support those groups.

371. The platform received 787 assistance requests for 1,342 persons, and 403 packages have been distributed. Gender-disaggregated data are not available, however.

372. Women with disabilities: Act No. 58 (2017) on the elimination of violence against women expressly refers to women with disabilities in its definition of discrimination against women and considers disability a vulnerable situation.

373. According to statistics from the 2014 Census of Housing and Population, of a total 241,240 persons with disabilities in possession of a disability card, 119,160 (or 49 per cent) were women.

374. Women with disabilities also benefit from the following protection measures:

- Free or reduced-cost treatment at public health-care facilities;
- A fixed monthly allowance for women in poverty and ad hoc assistance for children in school and for religious festivals;
- Financial support to help women with disabilities establish a source of income;
- Assistive devices that facilitate integration;
- Placement with foster families in exchange for a monthly allowance;
- Shelter in social institutions for women who are destitute or lack family support; provision of care, education and training in specialized educational centres.

375. Article 4 of Outline Act No. 80 (2002) on school education and school teaching policy provides that the State shall guarantee the right to free education in public educational institutions for all children of school age and shall give all pupils an equal opportunity to exercise that right. It also provides that the State shall also take steps to provide appropriate conditions to enable children with special needs to enjoy the right to education.

In addition to this are the provisions of Act No. 83 (2005), dated 15 August 2005, on the advancement and protection of persons with disabilities.

376. The Office of the Prime Minister coordinates with the Ministry of Finance to develop plans relative to the recruitment of persons with disabilities, in the light of overall annual recruitment estimates. Since 2013, the Ministry of Social Affairs has

been responsible for overseeing the national committee responsible for holding competitions for the recruitment of persons with disabilities. The provisions of the Outline Act on the advancement of persons with disabilities enshrine the right of persons with disabilities not to be excluded from employment or appointment to public positions because of disability. A quota has been set for the employment of persons with disabilities in the public service and private sector. Concessions have also been granted to private sector institutions to encourage them to recruit persons with disabilities.

377. Organic Act No. 16 (2014) on elections and referendums stipulates that persons with disabilities must be included in candidate rosters. Many women participated in the 2018 municipal elections and in the 2019 legislative elections.

378. Supporting single mothers: there are prevention and awareness-raising measures to help them to keep their children instead of giving them up and to avoid recurrence.

379. To that end, since 2012, the Ministry of Women's Affairs has concluded partnership agreements with relevant agencies and associations for reproductive health training and awareness courses, for the operation of residential units for single mothers and their children and for training of women in several areas to facilitate their economic and social integration.

380. The programme to support imprisoned and released women: In application of the cooperation agreement concluded between the Ministry of Women's Affairs and the Ministry of Justice on the rehabilitation and integration of women prisoners, a programme to support imprisoned and released women was developed in 2016 to support those groups by preventing recidivism, rehabilitating them and facilitating their social and economic reintegration after they have served their sentences.

Marriage and family relations

381. Article 23, paragraph 4 of the Personal Status Code provides that the husband, as head of the family, shall provide for the needs of his wife and children to the best of his ability and in accordance with their status in respect of household needs. It further provides that the wife shall contribute to the family's upkeep if she has the resources. Accordingly, the husband's role as head of the family is not enshrined in Tunisian law except with respect to spending.

382. The legislative system and discriminatory laws are currently being reviewed for conformity with the Constitution and international standards.

383. With respect to the inheritance system in Tunisia, it should be recalled that male and female citizens have the same rights and duties under Constitution. In 2018, at the proposal of the Commission on Equality and Individual Freedoms, the Presidency of the Republic submitted a legislative initiative to the Assembly of the Representatives of the People aimed at revising some of the provisions on inheritance to ensure that sisters and brothers inherited equal shares.

384. With respect to custody, article 58 of the Personal Status Code sets a number of general and special conditions required of both men and women and sets each one's status when custody is awarded; said conditions and status are not reserved specifically for men or women. If that set of conditions is not met, the mother may request sole custody. In addition, the article does not merely stipulate that those conditions must be met, but rather ensures that they are in the best interests of the child, in line with article 47 of the Constitution and article 4 of the Child Protection Code on the best interests of the child. Thus, the judge must endeavour to uphold the best interests of the child and is not compelled to revoke the mother's custody if she marries anyone other than a relative in a decree of consanguinity that precludes

marriage (*maharam*). Therefore, there are few circumstances in which a mother may lose custody simply because she has remarried.

385. Tunisian law does not establish a special system of property ownership between spouses; each owns his or her property without the other having any right to it. However, after numerous cases wherein a wife was unable to argue that she had contributed to the acquisition of the marital home and was therefore forced to leave it as a result of divorce, particularly where no minor children were involved, Act No. 94 (1998) of 9 November 1998 was passed. It allows spouses to choose a property-sharing scheme wherein one or more properties may be shared between them for family use with the express stipulation that neither property acquired before marriage nor through inheritance or gift fall under that scheme.
