



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the combined second and third periodic reports of Tunisia*

I. Introduction

1. The Committee considered the combined second and third periodic reports of Tunisia¹ at its 632nd and 633rd meetings,² held on 13 and 14 March 2023. It adopted the present concluding observations at its 645th meeting, held on 22 March 2023.
2. The Committee welcomes the combined second and third periodic reports of Tunisia, which were prepared in accordance with the Committee's reporting guidelines and in response to the list of issues prior to reporting prepared by the Committee.³
3. The Committee appreciates the fruitful and sincere dialogue held with the State party's delegation, which was multisectoral and included representatives of the relevant government ministries.

II. Positive aspects

4. The Committee welcomes the measures taken by the State party to implement the Convention following the recommendations of the Committee contained in its concluding observations on the initial report of the State party,⁴ in particular the following:
 - (a) The establishment by the Ministry of Social Affairs of a committee to follow up on the concluding observations adopted by the Committee on the Rights of Persons with Disabilities, in 2011;
 - (b) The establishment of the Council of Peers for Equality and Equal Opportunities of Women and Men, by Government Decree No. 626 (2016);
 - (c) The establishment of the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights, established pursuant to Government Order No. 1593 (2015), as amended by Government Order No. 663 (2016);
 - (d) The establishment of the Parliamentary Committee for the Affairs of Persons with Disabilities and Vulnerable Categories;
 - (e) The adoption of Law No. 41 (2016) providing for the employment of persons with disabilities in both the public and private sectors.

* Adopted by the Committee at its twenty-eighth session (6–24 March 2023).

¹ [CRPD/C/TUN/2-3](#).

² See [CRPD/C/SR.632](#) and [CRPD/C/SR.633](#).

³ [CRPD/C/TUN/QPR/2-3](#).

⁴ [CRPD/C/TUN/CO/1](#).



III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

5. The Committee is concerned about the following:

(a) The absence of action to align the definition of disability in domestic legislation with the Convention;

(b) The absence of a clear mechanism to enforce the recommendations of the Parliamentary Committee for the Affairs of Persons with Disabilities and Vulnerable Categories, in the absence of evidence-based information about any action taken by the Ministry of Social Affairs and other public entities in this regard, including the lack of coordination by the Ministry of Social Affairs with other ministries;

(c) The fact that no information has been made available regarding the status of the package of legal amendments submitted to the Ministry of Social Affairs by the subcommittee on legislation to be introduced into relevant laws other than Act No. 41 (2016), which introduced amendments to Act No. 83 (2005), with respect to persons with disabilities and access to employment;

(d) The lack of information and accurate statistics concerning the participation of persons with disabilities through their representative organizations, including those representing women, girls and boys with disabilities, at the governorate and national levels;

(e) The lack of adequate measures to ensure that all persons with disabilities, including those with sensory and intellectual disabilities, have access to information about the Committee's concluding observations on the initial report of the State party, including through the digital dissemination thereof;

(f) The lingering obstacles to obtain Disability Cards, despite the amendments made to Order No. 1859 (2006);

(g) The limited action taken by the committee of the Ministry of Social Affairs and the Centre for Research and Social Studies, tasked to draft the necessary amendments to bring Order No. 3086 (2005) fully into line with the Convention on the Rights of Persons with Disabilities.

6. **The Committee recommends that the State party:**

(a) **Take action to align the definition of disability in domestic law, including in Order No. 3086 (2005), with the Convention and ensure that it reflects the human right model of disability;**

(b) **Establish a clear mechanism to enforce the recommendations of the Parliamentary Committee for the Affairs of Persons with Disabilities and Vulnerable Categories and ensure that the Ministry of Social Affairs and other public entities take action, without further delay, on the recommendations made by the Committee, including those included in its report of 2016;**

(c) **Take immediate steps to adopt the package of legal amendments presented to the Ministry of Social Affairs by the subcommittee on legislation into the relevant legislation affecting persons with disabilities;**

(d) **Develop strategies to strengthen commitment across all government portfolio areas to ensure that disability is recognized as a cross-cutting issue, that meaningful partnerships are developed with organizations of persons with disabilities to ensure close consultation and active participation in legislative and policy processes to implement the Convention, including in the design, implementation and evaluation, and that organizations of persons with disabilities are appropriately resourced to build capacity to participate in partnerships across government portfolio areas;**

(e) **Take measures to remove all obstacles in the process of obtaining a Disability Card by all persons with disabilities and ensure that the work of the**

committee tasked with drafting amendments to Order No. 3086 (2005) to bring this into effect finalizes its work;

(f) **Make information on the implementation of the Convention, including the concluding observations of the Committee on the Rights of Persons with Disabilities available to all persons with disabilities, using accessible means of communication, including Braille, sign language and Easy Read, as well as other augmentative means of communication, including inclusive digital communication.**

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

7. The Committee is concerned that discrimination against persons with disabilities still persists, in particular in the areas of education and employment. It is also concerned that the State party maintains segregated programmes for persons with disabilities, which are discriminatory. It is further concerned that no specific actions have been taken to ensure that denial of reasonable accommodation is fully recognized as discrimination, in line with the Convention.

8. **The Committee, recalling its general comment No. 6 (2018) on equality and non-discrimination, as well as Sustainable Development Goal 10, to reduce inequality within and among countries, recommends that the State party:**

(a) **Strengthen the anti-discrimination legislation on persons with disabilities and ensure that it is complied with in all situations;**

(b) **Develop an inclusive programme in replacement of segregationist policies, by meaningfully involving persons with disabilities in the design, implementation and monitoring of all programmes that affect them, and ensure that they are included in all development programmes on equal basis with others;**

(c) **Include the denial of reasonable accommodation in anti-discrimination legislation, as a form of discrimination on the grounds of disability, and ensure that it is complied with in all settings;**

(d) **Provide an accessible mechanism for reporting discrimination cases against persons with disabilities and means for appropriate redress.**

Women with disabilities (art. 6)

9. The Committee is concerned that:

(a) Law No. 58 (2017) on the elimination of violence against women does not include specific provisions for procedural accommodation and that there is a lack of adequate training for professionals in contact with women and girls with disabilities, which hinders access for women with disabilities to justice and protection measures, and a lack of access to health, education and training.

(b) There are very limited statistics available on cases of violence against women and girls with disabilities, which significantly limits any follow up on such cases.

(c) Women and girls with disabilities are not represented in the Council of Peers for Equality and Equal Opportunity between Men and Women and that the representation of women with disabilities in economic initiatives, and their participation in political life and public administration, is scarce, at best.

10. **The Committee, in line with its general comment No. 3 (2016) on women and girls with disabilities, recommends that the State party:**

(a) **Put in place specific regulations and mechanisms that include procedural accommodations to enable women with disabilities to report abuse and facilitate their access to justice;**

(b) **Organize training programmes for agents responsible for receiving, listening to and accompanying women and girls with disabilities who are victims of violence, so that they have the capacity to address the problems faced by them, and provide adequate care to the victims, including impartial investigations and prosecutions and proportionate sanctions and redress;**

(c) **Gather statistical information on cases of violence against women and girls with disabilities and organize the information to enable the monitoring of and follow-up on such cases;**

(d) **Put in place measures to include the representation of women and girls with disabilities on all platforms where issues of women are discussed, in particular in the Council of Peers for Equality and Equal Opportunity between Men and Women;**

(e) **Ensure the participation of women with disabilities in economic initiatives, political life and public administration.**

Children with disabilities (art. 7)

11. The Committee is concerned that inadequate consideration has been given by the State party to children with disabilities, notably regarding the following:

(a) The lack of specific practical measures to raise awareness of their rights vis-à-vis other children, their parents and other family members and the staff and trained professionals working with and for children;

(b) The absence of specific mechanisms and channels available to children with disabilities for expressing their views on all matters concerning them and ways to ensure that their views are taken into consideration;

(c) The absence of measures taken to ensure that they fully participate on an equal basis with other children in any decision affecting them;

(d) The report before the Committee on cases of abuse of children with disabilities in various settings, including in families and in learning institutions;

(e) The outdated data on the household conditions and demographic situation of children with disabilities.

12. **The Committee, recalling the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities, of 2022, recommends that the State party:**

(a) **Develop practical measures to strengthen awareness and enable the recognition of the rights of children with disabilities in all settings;**

(b) **Take appropriate measures to address, identify and remove all forms of discrimination faced by children with disabilities in their day-to-day life;**

(c) **Provide channels for children with disabilities to express their views on all matters concerning them and ensure that their views are taken into consideration and that they participate in all activities on an equal basis with other children;**

(d) **Put in place all necessary measures to prevent violations of the rights of children with disabilities, including corporal punishment, abuse and violence;**

(e) **Update and make available data on the household conditions and demographic situation of children with disabilities.**

Awareness-raising (art. 8)

13. The Committee is concerned that persons with disabilities, through their representative organizations, have not been meaningfully involved in the design, implementation and monitoring of the awareness-raising programmes run by the State party, as they have not been involved in the development of related national policies and action plans. It is also concerned that, whereas the State party has indicated that the Convention has

been produced in simplified format for different levels of education and different age groups for persons with disabilities, the materials have yet to reach most of the intended target groups.

14. The Committee, in accordance with the Convention and its general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, recommends that the State party:

(a) **Take the steps necessary, without further delay, to ensure that persons with disabilities, including women and children, through their representative organizations, are effectively and meaningfully involved in the development of policies and the design, implementation and monitoring of awareness-raising programmes and action plans in accordance with the Convention and as elaborated in the Committee's general comment No. 7 (2018);**

(b) **Take immediate measures to enhance the dissemination of the Convention and the production of awareness-raising materials and meaningfully involve persons with disabilities, through their representative organizations, in the development and distribution process, and to ensure that the simplified formats of the Convention reach the intended target groups, within a reasonable time frame, and issue public reports and data about them.**

Accessibility (art. 9)

15. The Committee is concerned that the majority of public buildings do not meet the national accessibility standards of the State party, as set out in the normative specifications of the annex to Decree No. 1467 (2006). It is also concerned that access to information for persons with hearing and visual disabilities, as well as intellectual disabilities, has been described as inadequate by those groups, and that the websites of the majority of public and private institutions are not accessible and do not meet digital accessibility standards. Although public transport is free or offered at reduced rates for people with disabilities, it is not accessible for all types of disabilities. The Committee is concerned that no statistics or studies on accessibility have been carried out to assess and monitor the situation of accessibility.

16. Recalling its general comment No. 2 (2014) on accessibility and target 11.2, to provide access to safe, affordable, accessible and sustainable transport systems for all, and target 11.7, to provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities, of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Put in place strong measures to ensure the enforcement of the provisions of accessibility laws, in particular Decree No. 1467 (2006), and impose sanctions for non-compliance;**

(b) **Promote awareness-raising and training for professionals in the construction sectors about the accessibility barriers faced by persons with disabilities and the adequate measures to remove them;**

(c) **Promote active participation and close consultation and dialogue with persons with disabilities, through their representative organizations, in assessing the implementation of accessibility laws, such as Decree No. 1467 (2006), and the technical standards adopted;**

(d) **Establish accessibility standards for information and communication media and technologies, as well as websites, in line with universal standards and include digital accessibility in the various accessibility and digital transformation action plans;**

(e) **Review the public procurement of transport facilities and ensure that the specifications include accessibility criteria;**

(f) **Carry out regular national accessibility studies and surveys, in close consultation with and with the active participation of persons with disabilities, through**

their representative organizations, to assess the situation of accessibility, including by identifying gaps and making recommendations to overcome them.

Situations of risk and humanitarian emergencies (art. 11)

17. The Committee is concerned that there is no specific legislation or policies in place to ensure the inclusiveness and accessibility of preparedness and disaster risk reduction measures for the protection of persons with all types of impairments. It is also concerned that persons with disabilities, through their representative organizations, are not involved in disaster preparedness and responses.

18. The Committee recommends that the State party:

(a) **Put in place strategies and policies to ensure the inclusiveness and accessibility of preparedness and disaster risk reduction measures and management strategies, including in the context of needs assessment, emergency evacuation procedures, early public warning systems and recovery strategies, and to guarantee that information on risk situations reach all members of the community, including persons with disabilities, in particular persons who are deaf or hard of hearing or deafblind and persons with visual impairments, and that they are developed in accessible formats and languages;**

(b) **Ensure that persons with disabilities and their representative organizations, including organizations of women and girls with disabilities, are meaningfully consulted and actively participate in all steps relating to comprehensive strategies, plans and protocols in disaster risk reduction and humanitarian emergencies, including those related to armed conflict and extreme climate conditions, namely, in the design, implementation, monitoring and evaluation and the systematic collection of disability-disaggregated data;**

(c) **Take measures to regularly and effectively train rescue and emergency personnel on the inclusion of an age and a disability perspective based on human rights.**

Equal recognition before the law (art. 12)

19. The Committee is concerned that the State party continues to uphold guardianship and substituted decision-making for persons with disabilities, including persons with intellectual disabilities and persons with psychosocial disabilities, contrary to the Convention, which recommends supported decision-making. It is also concerned that the State party continues to uphold Law No. 66 (2008), on the facilitation of transactions for persons with motor disabilities, which allows financial institutions, such as banks, to limit access for persons with disabilities, including deaf persons and blind persons, to their own finances, when they are not accompanied by a witness; in such cases, if they go to the bank counter alone, they are denied the right to withdraw their own money. In some reported cases, the bank has even required that the witness be designated by a court decision.

20. The Committee, recalling its general comment No. 1 (2014) on equal recognition before the law, recommends that the State party:

(a) **Review all laws, including article 106 of the Code of Obligations and Contracts and articles 160, 162 and 163 of the Personal Status Code, that uphold guardianship and substituted decision-making and replace such provisions with ones that uphold supported decision-making and individual autonomy, in accordance with the Convention;**

(b) **Repeal Law No. 66 (2008) and replace it with a law that establishes the principles of autonomy, privacy and independence of persons with disabilities in their administrative and financial transactions.**

Access to justice (art. 13)

21. The Committee is concerned about the lack of knowledge about the rights of persons with disabilities among law enforcement and judicial officers, as well as the insufficient number of interpreters to support the cases of persons with disabilities, in particular persons

who are deaf or hard of hearing or deafblind, which leads the courts to ask professional interpreters or family members to interpret, and therefore be involved in the cases, or to postpone the hearings. It is also concerned about the fact that the legal support provided to persons with disabilities is only provided for those who have the Disability Card, which is conditional on not exceeding a certain financial threshold.

22. **The Committee recommends that the State party:**

(a) **Set up training courses for police officers, prison personnel and court officials on a human rights-based approach to disability, taking into account gender and age, to implement in their interactions with persons with disabilities;**

(b) **Provide procedural accommodation for persons with disabilities, such as free or affordable legal assistance, sign language interpretation for persons who are deaf, hard of hearing or deafblind, or the provision of documents in accessible format, including in Easy Read, in civil, administrative and penal cases, regardless of whether the persons concerned meet the requirements for the Disability Card.**

Liberty and security of person (art. 14)

23. The Committee is concerned that persons with psychosocial disabilities are involuntarily admitted to psychiatric hospitals under judicial order or at the request of a third party, often their guardians, where they are at times subjected to violent treatment. It is also concerned that Law No. 40 (2004), which authorizes psychiatrists to commit patients to a psychiatric facility without the consent, will or preference of the person concerned, is still in place.

24. **The Committee, recalling the guidelines on deinstitutionalization, including in emergencies,⁵ recommends that the State party:**

(a) **Repeal any legislation, including Order No. 83 (1992) on the mental health and the conditions of hospitalization in the hospital due to mental disorders, and its amending Law No. 40 (2004) and other mental health laws, to eradicate policies and practices that allow for the deprivation of liberty of persons with disabilities on the basis of actual or perceived impairments, or their presumed dangerousness to themselves or to third parties, in particular persons with psychosocial impairments;**

(b) **Ensure reasonable accommodation facilities within prisons and detention centres, considering the requirements of various disabilities in a manner consistent with the Convention.**

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

25. The Committee is concerned that coercive treatment and chemical and/or mechanical restraints, in particular for persons with psychosocial disabilities, which amounts to torture, especially in psychiatric facilities, is still allowed and therefore in practice.

26. **The Committee recommends that the State party:**

(a) **Ensure the protection in law and in practice of persons with disabilities, in particular persons with psychosocial disabilities, from all forms of torture, including coercive treatment, chemical and/or mechanical restraints of any type, both at home and in psychiatric facilities;**

(b) **Establish an accessible mechanism to protect persons with disabilities and their families from torture and to provide effective redress for victims.**

Freedom from exploitation, violence and abuse (art. 16)

27. The Committee is concerned about the omission of provisions on the elimination of violence against women with disabilities, including the omission of conjugal violence, in Law No. 58 (2017), on the elimination of violence against women. It is also concerned about

⁵ CRPD/C/5.

the absence of accessible data on the number of complaints and cases of violence against women with disabilities. It is also concerned that the hotline to report cases of violence against women provided by the Ministry of Family, Women and Children is not accessible to women who are deaf or hard of hearing or deafblind and that the staff who respond to calls to the hotline are not trained to work with women with disabilities.

28. The Committee recommends that the State party, with the meaningful involvement and active participation of persons with disabilities and their representative organizations:

(a) **Amend Law No. 58 (2008) to include provisions on the elimination of violence against women with disabilities, notably in the section on spousal abuse;**

(b) **Ensure the collection of data on persons with disabilities who are victims of violence, especially women and children, disaggregated by disability status and type of disability;**

(c) **Establish a reporting mechanism for cases of violence against women with disabilities;**

(d) **Set up, without delay, training courses for all professionals involved in addressing cases of violence against women, to work with persons with disabilities, in particular about their rights and the specific care that they need.**

Protecting the integrity of the person (art. 17)

29. The Committee is deeply concerned about women with disabilities who are under guardianship and who could allegedly be subjected to forced sterilization at the request of third parties, including trusted persons, family members or guardians, without their free will or informed consent. The Committee is also concerned about the lack of public and objective debate on the issue and the absence of awareness-raising campaigns to increase understanding that persons with disabilities should have access to sexual and reproductive health training and be empowered to make their own decisions.

30. The Committee recommends that the State party:

(a) **Take immediate measures, including legislative measures, to prohibit and eliminate the practice of forced sterilization, especially of women with disabilities;**

(b) **Establish awareness-raising campaigns on the rights of persons with disabilities to sexual and reproductive health, directed at medical personnel involved in sexual and reproductive health care and to persons with disabilities, in particular women with disabilities.**

Liberty of movement and nationality (art. 18)

31. The Committee is concerned that some persons with disabilities, in particular persons with psychosocial disabilities, are excluded from some services provided to other persons with disabilities by the State party, such as reduced fares on public transport, due to obstacles that they face in obtaining identity cards.

32. The Committee recommends that the State party:

(a) **Review Decree No. 1477 (2006) to simplify and facilitate the procedures related to the enjoyment by travellers with disabilities of reduced fares for international transportation;**

(b) **Recognize persons with psychosocial disabilities in the law currently being drafted for the tax exemption of persons with disabilities to enhance freedom of movement.**

Living independently and being included in the community (art. 19)

33. The Committee is concerned that the State party continues to apply the Orientation Law No. 83 (2005), which provides for the placement of persons with disabilities in specialized accommodation and care facilities, thereby institutionalising them without their

consent to such living arrangements, where they may be admitted either through judicial authorization or by decision of their guardian and where they may remain for an indefinite period. It is also concerned about community services targeted at the general population which still fail to be inclusive and lack personal assistant services.

34. The Committee, in accordance with its general comment No. 5 (2017) on living independently and being included in the community, recommends that the State party:

(a) Put in place legal and policy measures for the deinstitutionalization of persons with disabilities and their effective inclusion in the community, in accordance with the guidelines on deinstitutionalization, including in emergencies;

(b) Take appropriate measures to recognize the right of persons with disabilities, irrespective of age, gender or impairment, to choose their place of residence and with whom they want to live and their right to have access to social support, including personal assistants and security based on their individual requirements;

(c) Ensure that services aimed at the general population in the community adopt an inclusive approach throughout the State party;

(d) Consult with persons with disabilities, through their representative organizations, to ensure the inclusiveness of services and to identify the adequate support services to be provided.

Personal mobility (art. 20)

35. The Committee is concerned about article 47 of Decree No. 79 (2022), related to the finance law for the year 2023, which may negatively affect persons with disabilities in need of motor vehicles specially adapted for their personal mobility, in contradiction to the Convention. It is also concerned about the alleged lack of facilities to ensure accessible transport for blind and visually impaired persons.

36. The Committee recommends that the State party:

(a) Review article 47 of Decree No. 79 (2022), related to the finance law for the year 2023, to ensure that all persons with disabilities, irrespective of the categories of their disabilities, have the right to be exempted from paying any fees and taxes on vehicles or medical and assistive devices and equipment;

(b) Provide all necessary mobility assistive devices, including prosthetics, for persons with disabilities and include them in the system of materials supported by the State party;

(c) Take measures to make public transportation accessible for persons with disabilities, especially persons with physical disabilities and visually impaired persons.

Freedom of expression and opinion, and access to information (art. 21)

37. The Committee is concerned that the use of sign language by the electronic media remains very limited, thereby depriving deaf persons of information provided through televisions. It is also concerned about the limited availability or lack of public information in Braille and other augmentative means of communication.

38. The Committee recommends that the State party:

(a) Urge the media to increase the presence of sign language interpretation in all television programmes;

(b) Provide important public information in Braille, Easy Read and other augmentative means of communication.

Respect for privacy (art. 22)

39. The Committee is concerned about the lack of information related to the laws on data protection and the lack of awareness on the part of persons with disabilities about their rights to data protection and privacy.

40. **The Committee recommends that the State party:**

- (a) **Adopt measures to train and sensitize persons with disabilities and their families with regard to the legislation on the protection of personal data;**
- (b) **Raise awareness among persons with disabilities, and their representative organizations, as well as their families, on the respect for privacy and data protection;**
- (c) **Set up a national strategy, in close consultation with, and the meaningful involvement of, persons with disabilities and their representative organizations, to ensure the respect for their privacy and the protection of their personal data as well as of their families.**

Respect for home and the family (art. 23)

41. The Committee is concerned about the legislation and the practice that allows for a judge to remove the parenthood from a parent with disability, while granting the responsibility to relatives away from close family or to a social affairs centre, which is contrary to the provisions of the Convention that no child is to be separated from his or her parents on the grounds of either their disability or that of the parent.

42. **The Committee recommends that the State party:**

- (a) **Repeal any legislation that allows for a judge to remove the parenthood from a parent with a disability and to place the child concerned away from close family;**
- (b) **Strengthen the mechanisms of protection and support for families, especially where a member has intellectual or psychosocial disabilities, to protect parents and children against abuse and parents against the deprivation of their parenthood.**

Education (art. 24)

43. The Committee is concerned that limited progress has been made in the field of education for children with disabilities over the decade since the review of the State party's previous report, in particular the continuous application of old legislation which supports segregated education. It is also concerned that the budget for inclusive education remains very low. It is further concerned that children with disabilities are only allowed in an inclusive setting after assessing their abilities, while reasonable accommodation in inclusive settings is not provided.

44. **The Committee, recalling its general comment No. 4 (2016) on the right to inclusive education, and Sustainable Development Goal 4, to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all, recommends that the State party:**

- (a) **Amend the current laws governing the education of children with disabilities to recognize the right to inclusive education and to remove all environmental barriers to educational inclusion, in accordance to the Convention and the Committee's general comment No. 4 (2016);**
- (b) **Adopt unified programmes with specific goals and time frames in order to promote access for persons with disabilities to inclusive schools, ensuring that children with disabilities can seek individualized support and are provided with reasonable accommodation;**
- (c) **Increase the budget for educational inclusion and recognize the duty of the State party to provide reasonable accommodation in the education sector and put in place procedures for requesting and granting the service;**
- (d) **Modify the role of the local disability commission to make it responsible for the identification and the provision of the personalized support necessary for the inclusion of children with disabilities in addition to their assessment role;**
- (e) **Transform the specialized centres progressively to make them resource centres for inclusion, instead of providing segregated education.**

Health (art. 25)

45. The Committee is concerned that, for persons with disabilities to benefit from either free health care or reduced rates, they must obtain a Disability Card and be affiliated with the social security system, conditions which constitute a barrier that limits the enjoyment of those benefits by persons with disabilities. It is also concerned that the preference and will of persons with disabilities with regard to health service provision is not observed, in particular for persons with psychosocial or intellectual disabilities, as article 103 of the code of medical ethics authorizes the health professional to have the agreement of the guardian or legal representative to make a decision without the consent of the person concerned. It is further concerned that specialized medical services are only available in the major cities, hindering access to these services for persons with disabilities from rural and remote areas, further complicated by the absence of safe public transport outside urban areas.

46. **The Committee recommends that the State party:**

(a) **Simplify the administrative measures for obtaining the Disability Card and for becoming affiliated with the social security system;**

(b) **Put in place measures, including by amending Decree No. 93 of the code of medical ethics to align it with the Convention, to ensure that health services and treatments, in particular sexual and reproductive health services, are provided to persons with disabilities, including persons with psychosocial or intellectual disabilities, on the basis of their free will and informed consent;**

(c) **Train doctors and other health professionals on the rights of persons with disabilities, throughout the territory of the State party, including in rural areas;**

(d) **Take all appropriate measures to ensure that all persons with disabilities, in particular women and girls with disabilities, have access to the full variety of health and rehabilitation services in their own communities, including in rural areas, to avoid their having to travel far to urban centres for such services.**

Work and employment (art. 27)

47. The Committee is concerned about the lack of compliance with the laws on the employment of persons with disabilities, in particular Law No. 83 (2005), which provides for the quota system as well as entry into a competitive job market. It is also concerned that the majority of persons with disabilities who have any form of employment are in the informal sector, where they are subjected to precarious working conditions, such as underemployment, low wages and no social protection. It is further concerned that unemployment of persons with disabilities has also been allegedly associated with inequalities in access to education and training, negatively affecting persons with disabilities.

48. **The Committee, recalling its general comment No. 8 (2022) on the right of persons with disabilities to work and employment, and Sustainable Development Goal 8, to promote sustained, inclusive, and sustainable economic growth, full and productive employment and decent work for all, recommends that the State party:**

(a) **Take appropriate measures to enforce compliance with the laws on the employment of persons with disabilities, in particular Law No. 83 (2005), including more effective sanctions for employers who violate those laws in the recruitment, hiring and retention of persons with disabilities and through denial of reasonable accommodation in their establishments;**

(b) **Adopt measures to secure, through constructive dialogue with the active participation of and in consultation with organizations of persons with disabilities, the development of efficient policies and programmes for the inclusion of persons with disabilities on the open labour market;**

(c) **Adopt protection measures for persons with disabilities from employers in the informal sector, where they are subjected to precarious and unlawful working conditions;**

(d) **Adopt legislative and policy measures to improve access and accessibility to assistive technical and vocational guidance and training for persons with disabilities to increase their employability on equal basis with other persons.**

Adequate standard of living and social protection (art. 28)

49. The Committee is concerned that, despite the social protection legislative and policy measures, which have included grants to set up small businesses for persons with disabilities, among others, the measures have not been effective enough in reducing social inequalities, given the difficulties of inclusion in the world of work and the increased costs often linked to disabilities. It is also concerned that persons with disabilities face economic insecurity, and this vulnerability is even more evident for the large number of women and girls with disabilities who live in rural areas, where acquiring access to basic public services is even more difficult.

50. **The Committee recommends that the State party:**

(a) **Set up an effective system of social protection, which ensures minimum levels of economic security and access to basic support services, including disability-related costs;**

(b) **Put practical measures in place to ensure that persons with disabilities, in particular women and children with disabilities, including those living in rural areas, have access to appropriate, accessible and affordable mainstream social programmes and services, including adequate food, clothing and housing;**

(c) **Mainstream disability into poverty reduction strategies that also include specific measures for persons with disabilities, in particular for women, girls and older persons with disabilities.**

Participation in political and public life (art. 29)

51. The Committee is concerned that the incentive given under the electoral law adopted by the Assembly of the Representatives of the People, which requires the reimbursement of campaign expenses by the Independent High Authority for Elections for the presence of a person with disabilities in the first 10 candidates on the electoral lists in municipal elections, and which has produced very good result in terms of inclusion, does not apply to the election to Parliament, where representation of persons with disabilities is not guaranteed. It is also concerned that the political conflict experienced since July 2022 has been a threat to the participation of persons with disabilities in political participation. It is further concerned that the elections of 17 December 2022 reflect retrogression in the gains made in previous elections with regard to the implementation of accessibility provisions.

52. **The Committee recommends that the State party:**

(a) **Extend the incentives to include persons with disabilities, which are currently limited to municipal elections, to all elections, in particular parliamentary elections;**

(b) **Refrain from losing previous gains in the area of accessibility, and rather build on them to progress towards the full accessibility of voting procedures, facilities and materials, ensuring accessibility provisions at polling stations and access to political information;**

(c) **Facilitate and ensure the participation of persons with disabilities, through their representative organizations, at all levels of decision-making, planning, implementing and monitoring with regard to elections and their inclusion in other forms of public affairs.**

Participation in cultural life, recreation, leisure and sport (art. 30)

53. The Committee is concerned that the implementation of part 8 of Policy Law No. 38 (2005) on free access to public, cultural, sports and entertainment spaces has not been effective, and it is little known among persons with disabilities and their representative organizations. It is also concerned that the Ministry of Culture does not meaningfully involve

persons with disabilities, through their representative organizations, in its awareness-raising programmes on the importance of organizing cultural activities for persons with disabilities. It is particularly concerned that they are involved neither in the design, planning, implementation and follow-up with regard to the organized programmes, nor in the assessment of accessibility to monuments, theatres and other recreational and leisure places. Indeed, many persons with disabilities are not even aware of such programmes,

54. The Committee recommends that the State party:

(a) **Ensure the effective implementation and raise awareness of part 8 of Policy Law No. 38 (2005) on free access to public, cultural, sports and entertainment spaces, to ensure free access by all persons with disabilities to such places and to facilitate such access;**

(b) **Adopt measures to ensure that information on cultural activities, cultural materials and content is accessible to persons with disabilities, including through the use of information and communications technologies;**

(c) **Take measures to ensure close consultation with and the active participation of persons with disabilities, through their representative organizations, in its awareness-raising programmes on the importance of organizing cultural activities for persons with disabilities and, in particular, ensure that they are involved in the design, planning, implementation and follow-up with regard to the organized programmes;**

(d) **Carry out regular assessments of accessibility to monuments, theatres and other recreational and leisure places with the active participation of and in close consultation with persons with disabilities, through their representative organizations;**

(e) **Support artistic, cultural and sports productions developed by persons with disabilities and disseminate them to the public.**

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

55. The Committee is concerned that up-to-date, accurate and disaggregated data on persons with disabilities is not available. Neither the Ministry of Social Affairs or the National Statistics Office database have been updated in a long time. It is also concerned that, although the national census conducted in 2014 used the Washington Group short set of questions on functioning, it is clear that its results did not reflect the actual situation on the ground, given the low figures it produced, and that this may be attributed to the inadequate training of the enumerators.

56. Recalling target 17.18 of the Sustainable Development Goals, to enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data, disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographical location and other characteristics relevant in national contexts, the Committee recommends that the State party:

(a) **Develop a national system for the systematic collection of updated statistical and research data, including indicators, disaggregated by age, sex, type of impairment and other relevant factors, which reflects the situation of persons with disabilities for the purpose of formulating and implementing policies to give effect to the Convention;**

(b) **Facilitate and ensure the full and meaningful participation of the representative organizations of persons with disabilities in the development, measurement and monitoring of data collection and research, as well as in the training of enumerators.**

International cooperation (art. 32)

57. The Committee is concerned about credible reports before it, alleging that persons with disabilities, through their representative organizations, were neither consulted during the negotiation, nor during the implementation, of the partnership cooperation agreement signed between Tunisia and Italy for the implementation of the Convention. It is also concerned that this project has recently been rolled out without the involvement of persons with disabilities.

58. **The Committee recommends to the State party to take immediate steps to ensure the following:**

(a) **Meaningful involvement of, and close consultation with, persons with disabilities and their representative organizations at all the stages of the implementation and monitoring of partnership cooperation agreements on the implementation of the Convention, such as the one signed between the Governments of Tunisia and Italy that included the development of the national strategy on disability;**

(b) **Mainstreaming disability into programmes and projects developed in international cooperation efforts, especially those that have disability components;**

(c) **Establishing a monitoring and accountability framework with appropriate disability budget lines in general programmes and projects to implement and monitor the 2030 development agenda and its impact or effectiveness on persons with disabilities.**

National implementation and monitoring (art. 33)

59. The Committee is concerned that there is still no clearly designated focal point for the implementation of the Convention in the State party. It is also concerned that the National Human Rights Commission, which is expected to follow up on the implementation and monitoring of the Convention, is not an independent mechanism. It is further concerned that no clear strategies have been put in place for the participation of persons with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, as required under the Convention.

60. **The Committee recommends that the State party:**

(a) **Clearly designate one or more focal points within the Government with the sufficient authority, human resources and budget allocations to carry out their mandate for ensuring that disability is mainstreamed across all policies and programmes;**

(b) **Ensure that the National Human Rights Commission has a strong mandate to promote and protect the rights of persons with disabilities, and adopt measures to promote, protect and monitor the implementation of the Convention, taking into account the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), by paying particular attention to its independence and autonomy and allocating an appropriate budget and human resources for it to carry out its work;**

(c) **Adopt measures to fully involve civil society, in particular persons with disabilities, and their representative organizations, including in particular those of women and girls with disabilities, to ensure the integration of a gender perspective in the monitoring and implementation process and the preparation of reports in compliance with the State party's obligations under ratified international human rights treaties.**

IV. Follow-up**Dissemination of information**

61. **The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that**

must be taken, the Committee would like to draw the State party's attention to the recommendations contained in paragraph 14, on awareness-raising (art. 8), paragraph 20, on equal recognition before the law (art. 12), and paragraph 52, on participation in political and public life (art. 29).

62. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and Parliament, officials in relevant ministries and local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

63. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic reports.

64. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the government website on human rights.

Next periodic report

65. The Committee requests the State party to submit its combined fourth, fifth and sixth periodic reports by 2 May 2030 and to include therein information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.
