



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
6 March 2023

Original: English

Committee on the Elimination of Discrimination against Women Eighty-fourth session

Summary record of the 1957th meeting

Held at the Palais des Nations, Geneva, on Friday, 17 February 2023, at 10 a.m.

Chair: Ms. Peláez Narváez

Contents

Consideration of reports submitted by States parties under article 18 of the Convention
(continued)

Seventh periodic report of Tunisia (continued)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.



Please recycle A small recycling symbol consisting of three chasing arrows forming a triangle.

The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

*Seventh periodic report of Tunisia (continued) (CEDAW/C/TUN/7;
CEDAW/C/TUN/QPR/7)*

1. *At the invitation of the Chair, the delegation of Tunisia joined the meeting via video link.*

Articles 1–6

2. **Ms. Tisheva**, noting that patriarchal attitudes, gender stereotypes and attacks on women's rights and freedoms remained widespread in the State party, said that she would like to hear about any comprehensive measures taken or envisaged to challenge such attitudes and stereotypes and counter such attacks.

3. The Committee acknowledged the steps taken by the State party to address violence against women, such as the adoption by five ministries of multisectoral standard operating procedures for the protection of women victims of violence and the signing in 2018 of a joint agreement between non-governmental organizations (NGOs) and relevant ministries aimed at coordinating action in the area. She would appreciate information on the concrete outcomes achieved through the adoption of the standard operating procedures, on whether the agreement with NGOs had been updated since 2018 and on the activities and objectives envisaged under the agreement for the next two years.

4. While provisions prohibiting domestic violence had been incorporated into the State party's laws, they were poorly enforced and domestic violence remained a serious problem. For example, in May 2021, a woman in Kef was murdered by her husband, who served as an officer in the National Guard. The victim had filed a domestic violence complaint in the days before her death, yet it was alleged that the on-duty deputy prosecutor of Kef had opted not to arrest the perpetrator because he was a security officer. In the light of that case, she would be interested to know what measures had been taken to ensure that women could report domestic violence at any time and to educate police officers and chiefs on the need for a timely response based on a solid risk assessment. The delegation might also indicate how it guaranteed women victims access to shelters in remote areas and shelters adapted to the needs of vulnerable groups, such as women with disabilities, migrant and asylum-seeking women and lesbian, bisexual and transgender women and intersex persons. She would like to know whether the new shelters built in 2022 mentioned by the delegation were now operational.

5. Noting that draft provisions for the criminalization of marital rape under Organic Act No. 58 (2017) on the elimination of violence against women had not been adopted by the parliament, she wished to know whether the State party was considering amending the law to ensure that marital rape was treated as a criminal offence. It would also be useful to know whether child marriage was criminalized under the Criminal Code and, if not, when measures for its criminalization would be taken.

6. She wished to know whether the Truth and Dignity Commission had already paid compensation to women victims of the conflict-related human rights violations that had occurred in the country and would be interested in learning about any new developments in that transitional justice mechanism's work.

7. **Ms. Belhaj** (Tunisia) said that, while the country had numerous measures in place to protect women against violence, the time frames involved in the application of such measures in practice meant that they came too late for some. Accordingly, in March 2022, various ministries, including her own, the Ministry for Women, Family, Children and Older Persons, published a circular reducing from 15 days to 48 hours the time frame within which, following an assault, women victims needed to be issued with a medical certificate attesting to their injuries, with a view to ensuring that protective measures were taken as quickly as possible.

8. In 2022, the Government had opened 8 shelters for women victims of violence and their children, bringing the total number to 10, and an additional 14 were planned to ensure

coverage of all 24 of the country's governorates. Twelve centres offering counselling and assistance had been set up and each governorate had its own coordination body playing a key role in the protection of women. Furthermore, from 25 November 2022, the operating hours of a hotline for women victims of violence had been extended from 18 to 24 hours a day, with a multidisciplinary team providing a listening service through which victims could report cases of domestic violence.

9. **A representative of Tunisia** said that, in response to the events in Kef, the Ministry of Justice intended to enhance its support for judges to improve their ability to assess the risk level in cases reported to them and determine any steps required to prevent femicide. It was also working to provide a range of measures that could be implemented at the discretion of judges to combat violence against women and guarantee their protection, such as moving victims and their children to alternative accommodation.

10. Over 7,000 cases involving women in need of protection had been handled since the entry into force of Organic Act No. 58 (2017), which was fully compliant with international standards. Nonetheless, the Act needed to be reviewed and updated to ensure optimal implementation of its provisions and fulfilment of its objectives.

11. With regard to child marriage, persons under the age of 18 were authorized to marry only under specific exceptional circumstances and where the marriage was considered to be in their best interests, as ruled by a judge and approved by the child's mother and guardian.

12. **A representative of Tunisia** said that, in the case of femicide in Kef, the victim's husband had been charged with intentional homicide. The Ministry of the Interior had established an internal system for receiving complaints about its employees, with a view to increasing transparency in the security sector and combating impunity. To that same end, an investigation unit reporting directly to the Minister of the Interior had been set up and was tasked with investigating complaints concerning abuse of power and gross misconduct by security officers. In 2022, it handled 979 cases that led to disciplinary measures.

13. The Ministry was working with the United Nations Development Programme to enhance accountability in the security sector and ensure the follow-up of complaints and protection of complainants' rights. It had also cooperated with the International Committee of the Red Cross in the training of security officers. A code of conduct for those officers, based on the principles of the rule of law and respect for human rights and fundamental freedoms, had been drawn up with the aim of providing for supervision, ensuring transparency in the handling of complaints against security officials and tackling corruption. It would be officially adopted upon publication in the Official Gazette.

14. **A representative of Tunisia** said that courses had been run to train around 600 judges and prosecutors on matters concerning women. The Ministry of the Interior had also organized 27 training courses on procedures to be followed in cases of cybercrime against women and crime against children, from which 400 staff members had benefitted.

15. **A representative of Tunisia** said that, while marital rape was not explicitly mentioned in Organic Act No. 58 (2017), it could be considered a criminal offence according to certain interpretations of the Act's provisions and had been treated as such in numerous court rulings. Women who had been subjected to abuse had the right to receive compensation for the moral and physical harm sustained and that right had been upheld by the courts on multiple occasions. With respect to compensation for women through the Truth and Dignity Commission, the matter remained under discussion and legal rulings providing for such compensation had not yet been handed down.

16. **A representative of Tunisia** said that the special needs of women with disabilities were taken into account in shelters for abused women and their children. The Government had decided to combat gender-based violence by promoting women's economic empowerment. It had established a programme for women entrepreneurs and a line of low-interest credit for priority groups of women, including victims of violence. In early March 2023, the Ministry of Women's Affairs would launch an economic empowerment programme specifically for women victims of spousal violence in response to a rise in cases.

Articles 7–9

17. **Ms. Stott Despoja** said that she would appreciate a description of any measures planned to remedy the underrepresentation of women in the legislature, including lesbian, bisexual and transgender women, Amazigh women and women with disabilities. In that connection, she would be interested to hear if the State party would consider reinstating the gender parity provisions scrapped by the President in 2022 and applying them in all local and federal elections.

18. She would be grateful for information on the implementation of Organic Act No. 58 (2017) on the elimination of violence against women, on steps taken to prevent political violence against women and on the results achieved in that regard. In particular, she wished to know whether the State party intended to criminalize the non-consensual sharing of images or videos as a form of political intimidation and whether it would enact policies to prohibit political violence against women in the parliamentary system.

19. Lastly, she would welcome updated statistics on women's representation in diplomacy and details of how the State party planned to boost that representation and the number of women in senior judicial positions.

20. **A representative of Tunisia** said that the Government was in the process of collecting and compiling up-to-date statistics on women in high-ranking positions, including in the political sphere. The National Observatory to Combat Violence against Women had appointed a woman director.

21. **A representative of Tunisia** said that the Electoral Act of September 2022 did not discriminate between women and men. The Government would consider reviewing the Act in the light of its impact on the ground, taking further legal measures to encourage women to stand as political candidates and restoring the gender parity principle in elections.

22. Tunisian law explicitly prohibited all forms of violence against women and provided for the rights of women to engage in political life without being silenced or subjected to psychological pressure, file complaints of violence or intimidation, stand in elections, participate in demonstrations and become members of political parties.

23. **A representative of Tunisia** said that a hotline had been set up to facilitate the reporting of violence against women. Only 0.6 per cent of the calls received to date had concerned women activists. The Government had condemned violence against such women in a ministerial declaration that was available online.

24. **A representative of Tunisia** said that units had been created to investigate cases of cyberviolence and provide victims with redress. In 2021, the units had received 520 complaints, 0.7 per cent of which had been lodged by women or girls. Cases of violence, including cyberviolence, were analysed using gender-sensitive indicators.

25. **A representative of Tunisia** said that, as part of efforts to combat cyberviolence, the Centre for Research, Documentation and Information on Women had organized capacity-building workshops and had endeavoured to identify the needs of women and girls in cooperation with national bodies to prevent gender-based violence. In 2022, the Centre had hosted workshops to raise awareness of online safety issues for 9,473 children, including more than 4,000 girls.

26. **A representative of Tunisia** said that 45 of the 80 diplomats appointed in 2022 were women and that there were plans to increase the number of women heads of diplomatic missions. Diplomats were chosen on the basis of citizenship and merit, without discrimination as to sex, sexual orientation or religious beliefs.

27. **Ms. Stott Despoja** said that, in seeking to ensure non-discrimination, the State party should not overlook the benefits of positive discrimination. She would be grateful for confirmation of whether consideration was already being given to reviewing women's participation in the Assembly of the Representatives of the People and restoring the gender parity principle in elections.

28. **Ms. de Silva de Alwis** said that the Committee would welcome clarification as to the implications of certain provisions on transmission of nationality in the Nationality Code. For

example, the Code provided that a foreign woman married to a Tunisian man must wait for two years before applying for citizenship while a foreign man married to a Tunisian woman could apply for citizenship immediately, so long as he resided in the State party. She wondered whether that rule might have negative consequences for foreign women in abusive relationships who were forced to remain in the marriage for the sake of obtaining nationality. Similarly, a foreign man was required to demonstrate knowledge of the Arabic language in order to marry a Tunisian woman, whereas a foreign woman wishing to marry a Tunisian man was required only to make a declaration by submitting a simple application. Clarification as to the purpose of that provision and its impact on the right of women to transmit their nationality would also be appreciated.

29. There were other pieces of legislation affecting the rights of women that were reportedly not being implemented in practice. For example, the Committee had received reports indicating that, despite the repeal of Circular No. 85 of 1965, mayors and municipal officials had continued to deny the civil registration of newborns with an Amazigh or other non-Arabic first name. Moreover, it was reportedly difficult and costly for Tunisian women to transmit their nationality to their children, even though they were entitled to do so in the circumstances specified in the Nationality Code. She would therefore be interested to know what measures the State party intended to take to reduce the gap between practice and the law in those areas.

30. **A representative of Tunisia** said that, in accordance with Act No. 55 (2010) amending the Nationality Code, Tunisian mothers had the right to transmit their nationality to their children at birth. Furthermore, children who had been born to Tunisian mothers before the enactment of that law were entitled to apply for citizenship when they turned 18. The Government was taking the necessary steps to identify any areas where the Nationality Code was having a discriminatory impact on women. A parliamentary commission had been appointed to study the legislation and formulate recommendations designed to address any shortcomings in that regard.

Articles 10–14

31. **Ms. Xia** said that she would appreciate an update on the implementation of the Women's Social Development Programme mentioned in paragraph 266 of the periodic report, an indication of whether the illiteracy rate had fallen in priority areas since 2016 and, if not, why not. She also wished to know what policies were in place to promote the education of girls from disadvantaged groups, including girls with disabilities and those living in poverty or in rural areas, what results had been achieved in that respect, what topics were covered in the sex education curriculum introduced in 2019, how the curriculum was implemented and whether it met the requirements of the Convention.

32. **Ms. Haidar** said that she wished to know what was being done to encourage women's participation in the labour market, particularly in skilled and decision-making positions, whether laws would be adopted to protect domestic workers, including by ensuring that they had a written contract and were paid a minimum wage, what steps were being taken to combat negative gender stereotypes, particularly with regard to family care responsibilities, and whether the State party had made efforts to facilitate women's reconciliation of work and family life, for example by promoting access to childcare and reviewing domestic legislation on paternity leave. A description of the measures in place to encourage women's entrepreneurship would also be appreciated.

33. **A representative of Tunisia** said that the measures adopted to provide job opportunities to women had succeeded in reducing the unemployment rate among them from 24 per cent to 20 per cent. Through a project intended to increase women's entrepreneurship, which had recently benefited from a significant increase in funding, women who wished to launch businesses could obtain credit of up to 300,000 dinars, which could be repaid up to five years later. In December 2022 alone, more than 1,000 women had benefited from 10 million dinars in Government funding to launch business projects.

34. The rights of domestic workers were promoted by means of specific legislation, and work had been done to create model contracts that promoted their rights, for example by affording them social protection and annual leave. There were also plans to establish a

committee involving several ministries that would monitor the implementation of those contracts. Although the Government took a positive view of paternity leave for workers in the public sector, some stakeholders were advocating for the extension of maternity leave instead so as to promote extended breastfeeding and, ultimately, benefit families as a whole. Discrimination against women was addressed through legislation, economic empowerment and awareness-raising campaigns, including text messaging. Work was also under way to ensure that school curricula did not reinforce gender stereotypes.

35. **A representative of Tunisia** said that human rights-based sex education was provided in schools with the aim of raising students' awareness of violence, abuse and discrimination. There were two curricula: one adapted to children aged between 9 and 12 years, and another for children aged between 12 and 16 years. Outline Act No. 80 (2002) on school education and school teaching policy provided for equal opportunities in education for children with disabilities, and students with disabilities of all types could access schools thanks to modifications of infrastructure, curricula and services.

36. **A representative of Tunisia** said that the illiteracy rate stood at almost 18 per cent overall, and around 28.5 per cent in rural areas. A national policy had been introduced with the aim of bringing the rate to below 10 per cent, with particular focus on young women.

37. **A representative of Tunisia** said that the school enrolment rate was more than 99 per cent, and boys were more likely to drop out than girls. Most girls who did drop out had not had access to preschool education, which was why a programme to provide free pre-primary education for both boys and girls had been launched. Citizens of all ages had access to vocational training. Educational programmes were in place to protect children from sexual abuse, along with an initiative run in partnership with Association Sawn to raise awareness of the sexual abuse of children.

38. **Ms. Reddock**, noting women's low participation in the labour force in Tunisia, said that it would be useful to know what measures were in place to address structural inequalities in the labour sector and whether there were incentives for public and private organizations to increase women's employment and participation in the formal sector. The arrangement between Tunisia and International Monetary Fund for the period 2016–2020 had reportedly worsened the economic situation of women, and she would welcome information on any special support provided to women farmers, craftswomen and self-employed women to enhance their access to markets and affordable credit, facilitate technological developments and improve production. She wished to know whether the State party planned to establish a social security system for self-employed and low-wage workers and to what extent the recommendations made following an assessment of women's entrepreneurship had been implemented.

39. **Ms. Haidar** said that she wished to know how labour inspectors enforced legislation on domestic workers and whether employment opportunities for educated women would be increased.

40. **Ms. Morsy** said that she would welcome information on the steps taken towards adopting a gender-sensitive approach to promote entrepreneurship among rural women, women with disabilities and marginalized women and improve their economic situation. She asked what strategies and plans existed to give rural women access to formal banking services and to support them in marketing their products, how projects aimed at rural women were supervised and regulated and what strategies for communicating with them were in place. More information on the step taken to ensure that rural women are provided with safe transport would be welcome, along with details of measures to protect women with disabilities.

41. **A representative of Tunisia** said that article 48 of the Constitution provided for the duty of the State to protect persons with disabilities from all forms of discrimination and to take the necessary measures to ensure their full integration into society. In that regard, the Government provided a range of care and support services and afforded priority attention to women with disabilities. Specific State-funded initiatives for persons with disabilities had been put in place to increase access to culture and entertainment, strengthen political participation and promote economic empowerment. To date, a total of 472,530 disability cards had been issued.

42. In the 2021/22 academic year, more women than men had graduated from Tunisian universities. Women had also accounted for 61 per cent of all university graduates in sciences.

43. The Government had been working on a series of measures to implement the new law on domestic workers, which had been passed in 2021. An announcement would be made in the coming days on new rules guaranteeing improved social protection for female domestic workers and their right to weekly rest periods and annual leave.

44. **A representative of Tunisia** said that the Ministry of Agriculture had set up a Rural Women Support Office to coordinate its efforts to strengthen the empowerment of women and girls in rural areas. In addition to providing female farmers with training and technical assistance, specific measures had been taken to improve their access to public transport systems and bring their produce to the market in all areas of the country. The Ministry had led 24 workshops for women in rural areas. The first steps to provide social security coverage for female labourers in rural areas dated back to 2014 and, in 2019, a decree had been passed to extend that coverage to even more female agricultural and non-agricultural labourers.

45. **A representative of Tunisia** said that approximately 500,000 women working in agriculture had benefited from the additional social coverage provided by the Ministry of Social Affairs. However, only around 6 per cent of women farmers currently ran their own business. The Government had therefore pledged to help more women obtain the funding and develop the means of production necessary for new farming projects. It was in the process of finalizing the public funding that would be made available for that purpose. The Government also intended to take measures to raise awareness of Act No. 51 (2019), which was designed to improve the conditions of and access to transport services for farm workers.

Articles 15 and 16

46. **Ms. Mikko** said that the Committee would welcome further information on the time frame for the adoption of new legislation that would guarantee equal inheritance rights for men and women. It would also be useful to hear more about the status of single mothers in the State party. She wished to know how many single mothers there were in Tunisia and what specific measures had been taken by the Government to improve their situation. Lastly, she would appreciate further information on the implementation of article 18 of the Personal Status Code prohibiting polygamy. Could the delegation confirm that the practice of polygamous marriage had been fully eradicated from society?

47. **A representative of Tunisia** said that polygamy had been explicitly criminalized under national law and was no longer an issue in Tunisian society. On the other hand, many families in her country were indeed headed by a single mother or a widowed or divorced woman. Those women were entitled to the same social benefits as male heads of household.

48. **Ms. Boudén** (Tunisia) said that she wished to thank all members of the Committee for their questions. Her country was committed to taking further steps to pass legislation of a progressive nature in order to change attitudes towards women and to consolidate the development of a rights-based society. She looked forward to receiving the Committee's recommendations, which would provide a new opportunity for the State to overcome the challenges that it faced in cooperation with civil society.

The meeting rose at 12.05 p.m.