



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

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

### Summary record of the 1948th meeting\*

Held at the Palais des Nations, Geneva, on Friday, 10 February 2023, at 3 p.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*

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\* No summary record was issued for the 1947th meeting.

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*The meeting was called to order at 3 p.m.*

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

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

1. **The Chair**, welcoming the Permanent Representative of Tunisia to the meeting, explained that other members of the delegation would be participating via video link.
2. **Ms. Boudéen** (Tunisia), introducing her country's seventh periodic report (CEDAW/C/TUN/7), said that Tunisia was convinced that combating discrimination against women was a concern for all, rather just women themselves. The country had undergone major political, economic and social changes in the years since its previous dialogue with the Committee in 2010, with women assuming a place at the forefront of movements leading to a democratic transition, the strengthening of freedoms and human rights for all, the consolidation of gains made by women and achievement of progress towards development. Its report covering those years was therefore of particular importance and had been prepared by the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights following a participatory approach, with key input from civil society organizations and regional and international partners.
3. Tunisia had acceded to all international conventions for the promotion of women's rights and was one of the leaders of the Action Coalition on Technology and Innovation for Gender Equality of the Generation Equality Forum, which sought to ensure equal access for women, particularly those in rural areas, to digital tools and safe digital spaces. The country had withdrawn its reservations to the Convention following the December 2010–January 2011 revolution, thereby recognizing the key role of women in building democracy and consolidating social peace. Its accession to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa had been ratified in 2018 and, in 2019, the country had submitted a request to accede to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, the ratification of which was still pending parliamentary approval. Furthermore, a committee working to harmonize national human rights-related laws with international standards had been established in 2019. It was tasked with studying all relevant texts in order to identify any discriminatory laws requiring revision and ensure their harmonization with the Constitution and the obligations of Tunisia under the international treaties to which it was party.
4. At the national level, the new Constitution of 25 July 2022 provided that men and women should have equal opportunities to assume responsibilities in all spheres, introducing an obligation under article 51 for the State to protect, promote and further develop the rights acquired by women. Laws had been enacted to strengthen the protection of women, such as Organic Act No. 61 (2016) on preventing and combating human trafficking, which was particularly important given the constant flow into Tunisia of migrant, asylum-seeking and refugee women and girls, thousands of whom were present in the country and required special care and protection against human trafficking. Moreover, Act No. 37 (2021) had been adopted to prevent the economic exploitation and preserve the dignity of domestic workers by regulating the relationship between employer and employee and guaranteeing the right of such workers to social security coverage and decent working conditions. To that end, a committee established to implement the provisions of the Act had begun to draft a model employment contract for domestic workers.
5. The Government was continuing efforts to mainstream a gender perspective in general State policies and in the planning, evaluation, drafting and implementation of budgets for local, regional and national programmes. It had therefore enacted a law on gender-sensitive budgeting, whose implementation would be monitored by the Peer Council for Equality and Equal Opportunities between Women and Men, established in 2016, using indicators developed to that end. The Council was also responsible for approving sectoral plans for the mainstreaming of the gender dimension.
6. Tunisia considered that the right to a high-quality and inclusive education was a fundamental right for all, without exception, and the Higher Council on Education had been established under the Constitution of 2022 to ensure its observance in practice. Recent figures

showed that Tunisian women accounted for 60 per cent of students, 66 per cent of those with a university degree and 69 per cent of those with a doctorate. In addition, according to statistics from the United Nations Educational, Scientific and Cultural Organization, 55 per cent of scientific research posts in Tunisia were occupied by women, with the country ranking as one of the top performers among African and Arab countries. Tunisian women were highly skilled and able to enter all professions, thereby contributing to the creation of national wealth at the economic, social, scientific and cultural levels.

7. Tunisian women had played an important role in tackling the coronavirus disease (COVID-19) pandemic, whether doing so directly in research laboratories and hospitals or indirectly within their family, social and professional circles. Nonetheless, the pandemic had had an adverse impact on women and girls in Tunisia, resulting, as in many countries, in an unprecedented rise in violence against them and an increase in female unemployment and poverty. Reproductive health services had also been hit. Despite the difficult economic, social and political situation, the Government had successfully implemented measures to protect vulnerable groups, including women, and mitigate the impact of the health crisis. Such measures included the provision of temporary shelters for women victims of violence and their children, the creation of hotlines offering psychological support for children and families, the roll-out of a programme with a dedicated budget line providing loans and payments to preschool and childcare facilities to help them overcome the crisis and the facilitation of access to vaccines, social services and emergency care for irregular migrant and asylum-seeking women and girls. At the international level, Tunisia had been a sponsor of Security Council resolution 2532 (2020), which called for specific measures to limit the effects of the pandemic and ensure the full and effective participation of women in drafting and implementing a suitable and lasting response plan.

8. Tunisia shared international concerns about climate change, which was a threat to the rights of the most vulnerable. It had therefore opted to incorporate new data on the repercussions of climate change on vulnerable groups, including women and girls, into its national climate policy guidelines to ensure that they took the gender perspective into account. Work was also under way to develop a national plan on women and climate change that would set out holistic, lasting and human rights-based measures to lessen the effects of climate change on women and enhance their capacity to withstand and tackle its impact.

9. Tunisia had sought to promote a culture that rejected all forms of extremism, violence, hate speech and discrimination, with combating violence against women being a key concern. It was therefore vital to ensure full implementation of Organic Act No. 58 (2017) on the elimination of violence against women and the National Strategy for Combating Violence against Women and Girls of All Ages. The National Observatory to Combat Violence against Women had been established during the reporting period and was finally up and running after a slow start due to insufficient resources. Specific efforts to prevent violence against women included capacity-building for stakeholders on the ground, the drafting of a guide to raise awareness among women victims of violence and the development of indicators on violence against women. Ten new shelters for women victims had been built in 2022, with a further 14 planned for 2023–2024 to ensure coverage of the entire country. Lastly, a State-funded programme had been implemented to encourage the economic empowerment and financial independence of women victims of violence.

10. It was vital to increase women's participation in decision-making and ensure their political empowerment. A strategy had therefore been drawn up to boost the participation of women in elections both as candidates and voters and was particularly pertinent given the disappointing rate of female participation in the most recent elections. Capacity-building and skills development were also required so that women could play an active role in managing public affairs.

11. The economic empowerment of women was an essential prior condition for sustainable development, women's independence and the consolidation of progress made. To that end, a pilot programme had been established to mark the 2022 edition of International Women's Day, under which approximately 50 million dinars had been earmarked to support the establishment of women-led projects in sectors including agriculture and the green, blue, social and participatory economies. The programme was open to all women, including those who were victims of violence, and it was hoped that some 3,000 projects would be created

as a result. A digital platform had been established under the programme to provide women and girls in remote areas with the technological tools required to overcome the issues they faced.

12. The National Strategy for Economic and Social Empowerment of Rural Women and Girls sought to reduce unemployment and school dropout among girls in rural areas, while other measures aimed to improve their lives, for example by enhancing the safety of the means of transport used by female agricultural workers to travel to and from the fields in order to prevent road traffic accidents.

13. Older women were another key focus and a multisectoral strategy covering the period 2022–2030 had been drawn up to enhance the protection of that group. Based on the principles of equal treatment and non-discrimination, the strategy sought to raise awareness among families of the need to better support older relatives on the basis of solidarity between generations; ensure access to high-quality health services; promote their participation in economic, cultural, recreational and local life; adopt policies for their protection against poverty and vulnerability; and guarantee their right to live in a healthy and decent environment.

14. In 2023, 15 million dinars had been earmarked to provide assistance to institutions caring for older persons and the Government had hired 26 psychological specialists to work at health institutions.

15. The dialogue with the Committee presented a unique opportunity to address shortcomings in domestic efforts to guarantee human rights, to ensure that women would play an active role in the country's future sustainable development and to provide girls with educational opportunities so that they could take part in the green and blue economies. The Government would be working to combat all forms of violence against women, including in the digital world, in accordance with the new Constitution and introducing the necessary amendments to the national legislation to overcome the existing obstacles to the overall empowerment of women.

16. **Ms. Ameline** said that the Committee was particularly appreciative of the fact that, in her role as Prime Minister, the head of delegation also presided over the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights. The Government's response to the issues raised in the Committee's concluding observations and recommendations would thus fall within her sphere of activities. The State party had already demonstrated a commitment to international human rights instruments and had made significant progress in adopting the necessary legislation.

17. While welcoming the withdrawal by Tunisia of the reservations to the Convention, she noted that the general declaration relating to sharia law had remained in place. She would therefore appreciate clarification regarding the status of the Convention in Tunisian law. Noting that the new Constitution established gender equality and parity in elections, she pointed out that Decree-Law No. 55 of 2022 amending the electoral system made no mention of such principles and that the level of women's political participation had remained generally low. The Committee would like to know how the authorities planned to strengthen the protection of women's rights in the newly elected parliament, for example by establishing a specific body for equality or ensuring that equality was at the top of the legislative agenda.

18. It would be of interest to the Committee to learn whether members of minorities, including Amazigh women, were included in efforts to combat discrimination and whether the mandate of the National Commission to Harmonize Human Rights Legislation with the Constitution and Ratified International Instruments would include a review of the remaining discriminatory legal provisions. The Committee would like to find out what legislative initiatives would be taken to address the level of violence in the country and the economic situation. She would appreciate a description of the way in which the justice system was being reorganized, of the training dispensed to judges on the application of international treaties and on women's rights, and clarification regarding the provision of legal aid. The Committee also would like to receive some reassurance of the independence of the judiciary.

19. **A representative of Tunisia** said that discrimination between women and men was prohibited under Decree-Law No. 55. Tunisian women had achieved progress and a level of political awareness that made it possible for them to take part in political life without the need for measures of positive discrimination.

20. **A representative of Tunisia** said that the harmonization of the domestic law with human rights instruments was based on Decree-Law No. 1196 of 2019, which had established the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights. The Commission included representatives of civil society and received feedback from various specialized institutions relating to the rights of women, persons with disabilities and non-citizens. It considered means of harmonizing existing law in the light of the Committee's and other treaty bodies' recommendations and concluding observations. The Commission's report was submitted to the President and was also addressed to the Office of the Prime Minister and the speaker of the parliament.

21. The National Commission to Combat Racial Discrimination had been established pursuant to a government decree issued in 2021. It had a mandate to collect and follow up on all data on racial discrimination and to propose solutions, strategies and plans to combat discrimination and stereotyping. The Commission included representatives of government ministries, the parliament, the Human Rights Commission, the media and civil society and endeavoured to ensure gender parity in its staffing.

22. **A representative of Tunisia** said that the new law governing elections recognized gender parity in terms of nominations. Combating gender discrimination required the adoption of laws regulating political participation and economic action in favour of women, but it also involved changing the national culture and mindsets, which took time. The fact that gender parity was now on the country's agenda was of extreme importance and should be recognized as such.

23. **A representative of Tunisia** said that the Ministry of Justice considered access to justice to be one of the most important themes under its competence. Under a law adopted in 2017, women victims of violence had the right to legal counselling, and a Ministry circular had been issued in 2021 on the provision of legal aid for them. Local legal aid offices had been set up under a project implemented in Médenine and Tataouine with foreign assistance, and the Ministry was continuing efforts, in particular with the United Nations Development Programme (UNDP), along the same lines in other places. Since the adoption of Organic Act No. 58 (2017) on the elimination of violence against women, nearly 3,000 orders had been issued for the provision of legal aid to women victims of violence. In courts in 10 locations, the Ministry had established safe spaces for women victims of violence and their children, and it was working to create more in other localities.

24. Regarding the training of personnel within the judicial system, human rights had been introduced as a subject in the curriculum of the Supreme Judicial Council. Eight workshops had been held as a follow-up to the adoption of Organic Act No. 58 (2017) to introduce its provisions to prosecutors and judges. A training workshop had also been held on gender equality, and the Ministry had plans to organize training events in the next two years for other court personnel on the reception of women victims of violence and their children.

25. **A representative of Tunisia** said that, in order to promote access to justice, training activities on violence against women had been held for some 600 judges and prosecutorial staff working in family courts at various levels.

26. **A representative of Tunisia** said that the Constitution of 2022 contained a chapter that guaranteed the independence of judges and the judiciary and referred to the powers of the Supreme Judicial Council, the career paths of judges and disciplinary measures applicable to judges at all levels. The Supreme Judicial Council included retired judges from the courts of cassation. Judges could not be transferred without their consent unless there was a situation of dire need, and even then, such transfers were valid for no more than a year.

27. **A representative of Tunisia** said that the incoming parliament would consider withdrawing the general declaration to the Convention. Amazigh people had the same rights and obligations as other Tunisian citizens. The Amazigh language would be taught as an

optional subject from the 2024/25 academic year. Amazigh associations had been consulted in the drafting of the periodic report. Domestic legislation prohibited intersectional discrimination, and several rulings had been issued recognizing the right to redress of women victims of discrimination on account of ethnicity or skin colour.

28. **Ms. Eghobamien-Mshelia** said that she would be grateful for information on the human, technical and financial resources made available to the Peer Council for Equality and Equal Opportunities between Women and Men, the budget allocated to monitoring compliance with the Council's recommendations, the results achieved by the Council in terms of regulatory reform and the policy governance tools used to bring about desired transformation. An indication of whether the Council was the body responsible for sector-wide coordination and a description of any standard operating procedures or protocols established to enhance coordination would also be appreciated.

29. Referring to paragraph 94 of the periodic report, she asked how Circular No. 27 of the Office of the Prime Minister was implemented in practice, whether an accompanying human resource policy had been put in place to ensure that knowledge application was linked to performance appraisal, career progression and budget appropriation and whether there were policies for public and private procurement.

30. She said that it would be interesting to hear details of the criteria for awarding the prize for the best initiative to promote gender equality mentioned in paragraph 96 of the report, an indication of whether the policy of providing areas where the children of employees of the Ministry of Women's Affairs could be looked after was applied to other ministries or departments and a description of how gender-sensitive budgeting was implemented.

31. **A representative of Tunisia** said that, since 2012, the Ministry of Women's Affairs had been implementing an economic support programme for women heads of household. To date, there had been some 2,500 beneficiaries. Furthermore, a microcredit programme had been launched in 2016 to promote women's entrepreneurship. On the back of the programme's success, a more ambitious programme had been rolled out on 8 March 2022 to provide financial support for small and medium-sized women-led projects. The programme had been developed because, while women accounted for around 60 per cent of the students enrolled in higher education in Tunisia, they represented only 10 per cent of entrepreneurs. Total funding for the programme currently stood at 70 million Tunisian dinars. Some 7,000 applications for funding had been received from women wishing to set up their own projects. On 22 December 2022, the Government had announced that it would provide financial support for 1,050 small and medium-sized women-led projects as part of its ongoing efforts to promote women's economic empowerment.

32. **Ms. de Silva de Alwis**, recalling that women had accounted for almost one third of parliamentarians in 2014, said that the election of only 25 women candidates in the 2022–2023 Tunisian parliamentary election was a staggering erosion of the gains made in women's representation since the 2010–2011 revolution. She was concerned that Decree No. 55 of 2022 created barriers for women candidates, for example by requiring endorsement by at least 400 registered voters and imposing a ban on public funding for political campaigns, which might indirectly favour better-connected male candidates. In 2022, the Independent Electoral Commission had approved only 122 women nominees, compared to 936 men. She wished to know why the State party had dismantled electoral quotas, how it implemented the 2 per cent quota for the employment of persons with disabilities, how it ensured that women with disabilities were included in that quota and what specific gender quotas and other special measures had been included in stimulus packages to build back better in a manner that realized the full potential of both women and men. It was her hope that Tunisia would live up to its role as a trailblazer in the Middle East and North Africa by reinstating special measures for women in politics and establishing them for women in business.

33. **Ms. Eghobamien-Mshelia** said that she wished to know what had been done to identify and prosecute human traffickers and their agents, whether a digital system had been created to detect and prevent trafficking activities, what legal provisions were in place to punish family members complicit in such activities, what tools and mechanisms had been developed to raise awareness of the dangers and indicators of trafficking in a systematic and structured manner, whether there was service offering emigration advice, whether domestic

and foreign trafficking destinations were mapped to guide citizens, what percentage of child victims of exploitation were girls, what legal protection was available for such victims and how national and international anti-trafficking agencies coordinated their work to enhance its effectiveness and minimize duplication.

34. **Ms. González Ferrer** said that it would be useful to know how an intersectional perspective had been applied in efforts to prevent human trafficking, whether campaigns had been launched to raise awareness of trafficking among women and girls, how effective any such campaigns had been in rural areas and among migrants and lesbian, bisexual and transgender women and intersex persons, what was being done to prevent trafficking in cyberspace, particularly in schools, what actions were being taken or were planned to protect children and adolescents from sexual exploitation, whether comprehensive, age-appropriate sex education was provided in schools, whether the Ministry of Justice's review of the Criminal Code and the Code of Criminal Procedure had been completed and what would be done to ensure that women in prostitution were not criminally prosecuted and that persons who exploited such women received harsher punishments.

35. She would be grateful for information on the impact of the training provided to judicial trainees from 2015 to 2018, which was mentioned in paragraph 189 of the periodic report, and on any training and capacity-building measures that had been taken since then. Lastly, she would appreciate details of the cooperation agreements concluded between the National Authority for Combating Trafficking in Persons and civil society organizations, including a description of the objectives of the agreements.

*Articles 10–14*

36. **Ms. Tisheva** asked what steps the State party had taken to address regional disparities in the provision of free, safe and quality health care, whether a national health policy had been adopted and reviewed, and how effective health insurance plans were in reducing patients' out-of-pocket expenditure, which was reportedly high.

37. She said that she would welcome information on how the State party ensured that, in cases of conscientious objection to abortion, women were referred to alternative health providers, in accordance with the Convention and the Committee's general recommendation No. 24 on women and health. She also wished to know how the State party guaranteed minors' right to safe and timely abortion and whether parental consent was required in that regard.

38. It would be interesting to know what measures had been taken to ensure the access of all women to high-quality modern contraceptives, why there had been an increase in unmet needs for family planning and what had been done to rectify the situation, and whether the State party intended to expand HIV testing and free antiretroviral therapy to all women, including those from vulnerable groups.

*The meeting rose at 5.05 p.m.*