



PALAIS DES NATIONS – 1211, GENEVA 10, SWITZERLAND

17 July 2023

Sir,

I have the honour to refer to the fourth cycle review of Tunisia by the Universal Periodic Review (UPR) Working Group at its 41st session in November 2022. The constructive engagement between your Government, my Office, and the UPR mechanism is warmly welcome. As the final outcome report on the review of Tunisia was recently adopted by the Human Rights Council at its 52nd session, I have also taken note of the efforts of your Government to implement specific recommendations since the previous review.

A matrix of thematically clustered recommendations, starting with those supported by your Government, is available at OHCHR's website (<https://www.ohchr.org/en/hr-bodies/upr/tn-index>), and should be considered as part of this letter. The matrix indicates the recommending State and links each recommendation to relevant Sustainable Development Goals (SDGs).

In annex, I have also attached my Office's observations in light of the outcome of the fourth cycle of the UPR. In line with previous practice, I will be sending similar observations to all Member States once their fourth cycle UPR outcome is adopted by the Human Rights Council, with a view to follow-up action in close cooperation with national entities and other stakeholders.

I take this opportunity to draw your attention to the support available through the Voluntary Fund for UPR Implementation, which may be activated at the request and with the consent of a concerned State, along with tools such as the "[UPR practical guidance](#)" and the "[UN good practices](#)" repository on how the UPR process supports sustainable development, with a view to facilitating efforts to implement UPR recommendations in line with the SDGs.

Please accept, Sir, the assurances of my highest consideration.

A handwritten signature in blue ink, appearing to be 'V. Türk'.

Volker Türk

His Excellency
Mr. Nabil Amar
Minister for Foreign Affairs, Migration
and Tunisians Abroad of Tunisia



Observations in light of the outcome of the fourth cycle of the Universal Periodic Review

The ratification of various instruments are welcome developments, including: the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse; as well as the declaration under article 34 (6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights accepting the competency of the Court to receive complaints submitted by individuals and non-governmental organizations.

The creation of the "National Commission on the harmonization of legislation in accordance with the Constitution and international conventions ratified by Tunisia" (Decree n° 2019-1196 of 24 Dec. 2019) is to be commended, with encouragement for its further strengthening. The establishment of the National Authority for the Prevention of Torture and the National Authority for Combating Trafficking in Persons are also welcome. The adoptions of the Organic Act No. 2017-58 of 11 August 2017 on the elimination of violence against women, and of the Organic Law 2018-50 regarding the elimination of all forms of discrimination on 9 October 2018 are also noteworthy.

Tunisia is encouraged to guarantee the separation of powers, in particular the independence of the judiciary, with a view to adequately protecting human rights and fundamental freedoms. In that context, the authorities are urged to guarantee that the rights to freedom of expression, assembly and peaceful association are in line with international standards, including under emergency measures, and to ensure a free and safe space for civil society. Tunisia is urged to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Tunisia's support to the recommendation to repeal the 1978 Decree on the state of emergency and the 1975 Decree establishing the responsibilities of the Ministry of the Interior is welcome, and the Office is available to provide technical assistance in this regard. Tunisia is encouraged to continue efforts to reduce overcrowding in prisons, including by increasing the implementation of alternative penalties.

Efforts to combat poverty are urged through the implementation of the national strategy to combat multidimensional poverty. Tunisian authorities are encouraged to strengthen efforts to promote gender equality, including enhancing women's representation in decision-making positions in the public sector, and to combat all forms of gender-based violence and hate crimes based on sexual orientation. Tunisia is also encouraged to step up efforts to upgrade the Authority for Human Rights to "A-status" under the Paris Principles.



Tunisia is further encouraged to continue the practice of developing an implementation plan in follow up to the UPR outcome, in close consultation and cooperation with all stakeholders, in particular the parliament, the judiciary, the national human rights institution, local and regional governments, and civil society organizations. In this regard, it is noted that during the UPR Working Group 41st session, the delegation of Tunisia announced that a follow-up work plan covering the accepted recommendations would be prepared in the coming months in consultation with independent bodies and civil society. The above-referenced matrix may be of use in the development of such an implementation plan. The Government is encouraged to explicitly link each UPR recommendation to corresponding recommendations of other international or regional human rights mechanisms and to the relevant SDG and its targets. This will, in turn, facilitate the creation of synergies between UPR implementation and SDG related actions and reporting within the context of the Voluntary National Review (VNR).

The Government is also encouraged to further strengthen the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights, with the aim of ensuring a coordinated and effective approach to reporting to international human rights mechanisms, and to implementing the recommendations, in line with the guidance provided by OHCHR following regional consultations and the High Commissioner's report to the Human Rights Council, [A/HRC/50/64](#).

Further, an important measure that can positively contribute to follow-up action is voluntary mid-term UPR reporting. All Member States are encouraged to submit a voluntary mid-term UPR report some two years after the adoption of the UPR outcome. In this regard, the Government of Tunisia is encouraged to consider submitting a mid-term report on follow-up to the fourth cycle UPR recommendations by 2025, detailing both implementation efforts as well as challenges to implementation, including the possible need for technical or capacity-building assistance.