

## EDITO

## WHEN HISTORY REPEATS ITSELF

There is no big difference between what happened in Sidi Bouzid, December 17th, 2010 when the street vendor Mohamed Bouazizi self-immolated after being harassed by some officials, inspiring wide protests all over Tunisia, mainly in deprived area and, what happened this January 2016 in Kasserine, five years after the Tunisian revolution, "the revolution of dignity". Protests were set off when an unemployed youth, Ridha Yahoui, deliberately climbed an electric pole and died electrocuted while taking part in a protest staged by a group of unemployed. And once again, social protests have been triggered, mainly by unemployed university undergraduates. And with the same slogans: employment, freedom and dignity.

What has changed in the last five years? Two years ago, the work of the Constituent Assembly ended with the adoption of a constitution that contains important human rights guarantees, stipulating, among other things, that "the State shall strive to achieve social justice, sustainable development and balance between different regions."

However, nothing much has changed on the ground. The social grievances that inspired the Tunisian revolution remain unsolved. Worse still, the gulf between the regions has widened, the unemployment problem has been aggravated, mainly among university graduates, who make up a third of the whole unemployed population (242,000 out of 620,000), with 60,000 new graduates every university year. One specific characteristic, though: most of those who are unemployed come from the underprivileged areas of Beja, Jendouba, Kasserine, Sidi Bouzid, Gabes, Mednine, Tataouine, Gafsa and Kebili.

In fact, during the last decades, higher education,



"Tunisia's pride" has suffered serious deficiencies: a decline in quality, lack of any strategic vision and absence of job opportunities after graduation. For instance, jobs created in the last few years have not absorbed more than 9% of the graduates, and most of them are working in small businesses along the coastal line, having a capacity of employment of no more than 120 workers.

Not only have successive governments fallen short in addressing unemployment, trying to put out the fire of social protests here and there like firefighters; without a long-term strategy, creating sometimes temporary low-waged jobs without any security or legal framework and without any significant productivity, but they have also continued with the same political orientations in line with the neoliberal policies of Ben Ali, ignoring the impact of such policies on poor and middle-classes and the constitutional social benefits enshrined in the new constitutions.

In fact, what really enrages these young protesters is the widening gap between the social urgencies of the revolution reflected later in the new constitution and the market-driven approach which has never been modified for

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decades, an approach that is based on unfettered liberalism, marginalization of inland regions, widespread corruption and patronage and cronyism whether in the public or private sector.

It is for these reasons that protests by unemployed youth were triggered in Kasserine and other deprived areas, repeating the same slogans chanted at the time of the revolution: as nothing has changed, these youths have nothing but continue to protest.

Adding insult to injury, the political situation is getting worse as leaders in the majority party are more engaged in a turf war about their personal ambitions than in trying to solve the acute social and economic problems, tarnishing not only their own image and that of their party, but also that of the State whose credibility and legitimate prestige are fading away and amplifying the feelings of despair and frustration.

Five years after a revolution with a social background, we, once again, insist on the need to

take concrete measures that take into consideration equities between different regions, address the rising demand of employment, limit the growing corruption and rethink the role of the State as a regulator in development, supervision and planning. Without this, protests will break out again, and they will probably grow more and more violent.

Tunisia, we think, is now at the crossroads: carry on down with the path of democracy, freedoms and human rights, the ideals for which so many people of different backgrounds laid down their lives and if so, we need to enhance a national dialogue on the economic and social situation with the participation of all actors: experts, political parties, civil society organizations, unions... so as to shape a long-term strategy or, carry on ignoring the urgent demands of poor populations with all the ensuing consequences, not the least of which putting the whole transitional process and the democratic assets in jeopardy.

## PRIDE AND SHAME

“I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.”

**Martin Luther King**

Despite the great impact of the Tunisian uprising on the region and the relative success of the transitional process, crowned with two important elections judged “democratic and transparent” both in 2011 and 2014 and despite a new constitution that has been considered “unique” in the region, guaranteeing the basic freedoms and rights, Tunisia suffers from a lack of adequate legislations that protect minorities’ rights without distinction.

Here is an example: On January 23, 1846, that is 170 years ago, Ahmed Bey, the then governor of Tunisia, issued a decree outlawing slavery in the country and Tunisians, now, are so proud of this historical event that it had predated the United

States slave abolition by nearly 20 years.

Unfortunately, “when pride comes, disgrace follows.” Abolishing slavery has never meant getting rid of racial discrimination towards black people and de facto racism is a reality in Tunisia today. The reason? The abolition of slavery has never been followed by a change in social relations, and education and it has not challenged the deep-seated cultural reflexes, often referred to as “foundational beliefs”.

“Racial discrimination based on the color of the skin is a shameful reality in Tunisia today, it can be either latent or apparent and it is fueled by a collective painful memory that considers black-skinned Tunisians as descendants of

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Sub-Saharan slaves," says Business news (24-04-2015)

Take the village of Gosba, near the southern state of Mednine: there, inhabitants are divided into two communities: black and white. Like Alabama in the 1950's, there are buses for white and black students. Worse still, blacks have no right to bury their dead in the white's cemetery!! Their own, a bit far away, is called "the cemetery of slaves" (see the documentary film, slaves of Gbonton)

Racial separation has been reinforced in Gosba since the year 2000 when two young people, a white girl and a black boy fell in love and decided to get married without their parents consent. Ever since, racial division has been deep-rooted and black people suffer not only more humiliation and contempt, but also marginalization and poverty; a group of people connected by color and blood relations, living all their rituals and social activities inside the closed group.

In a letter addressed to the Assembly of People's Representatives, academic and researcher Maha Abdelhamid said that racism is not peculiar to Gosba. "It is seen in every town, village and district... It develops in the open air in the plain view of everybody." (Lettre de Maha Abdelhamid aux deputes tunisiens, Février 2015)

Sometimes, racism may not be so overt and explicit. But that does not preclude its existence everywhere you go, from public transports to schools and universities, to the streets of Tunis.

Also, media does perpetrate racism. Because of her firm position in defending the freedom of the press, former President of the Journalists' Union, Nejiba Hamrouni, was a victim of a smear campaign in 2013, had her photo distorted on the front page of a newspaper and insulted with reference to her dark skin. That neither provoked reactions on the part of the State, nor was it denounced by large parts of civil society.

But not only black Tunisians are victims of



racism, sub-Saharan students living in Tunisia face the same stigma. They were, for instance, a target of a spate of violence by football fans following the defeat of Tunisia in the African Cup of Nations (February 2015)

"Sub-Saharan students here are living in fear right now," Rania Ramdhane, a spokesperson for Mnmeti (My Dream), an anti-racism association, told Al Jazeera English (6 February 2015). A Malian student said that he was beaten and insulted by a group of Tunisia. "While beating me, they kept saying "go back to your country, the country of monkeys" And when I complained to the police, they refused to register my complaint." (Business news, 21 April 2015)

In a long powerful letter, Mariam Touré, a Malian student wrote about her deception when she arrived in Tunisia. «When I left my country, I was passionate about Tunisia, the Paris of Africa, the country of freedom and tolerance. She was disappointed when she "discovered another facet" where the country is no different from other racist countries. "Take my words as a cry of a lost sister who does not understand why the color of the skin would be the object of derision and mockery," (Equal Times 8 March 2015)

Today, while we are commemorating the anti-racism Bey decree, we have also to remember that Tunisia has ratified the International Convention on the Elimination of All Forms of Racial Discrimination that stipulates that

countries guarantee the right of everyone, without distinction as to race, color or national origin." And the Convention urges for legislations to protect minorities, through criminalizing incitement of racial hatred and "ensuring judicial remedies for acts of racial discrimination."

While we are proud of the success of our transition, of our nascent democracy, it is worth recalling that some 10% of the population is often considered as second class citizens, simply because they happen to have a darker skin.

## 1- The Tunisian Association of Democratic Women holds its 11th Congress

On 23 January 2016, the Tunisian Association of Democratic Women (ATFD), known by its French acronym ATFD, held its eleventh congress with an important presence of civil society representatives. During the opening session, representatives focused on issues affecting Tunisian women. Among those, women's poverty due, according to a majority of speakers, to social relations within an "ultra-macho society" based on discriminations against women.

Saida Rached, outgoing president of the association, said that the last elections (2014) spawned a majority coalition government that has failed to keep the social promises they made during their campaign. As a result, the social situation has steadily worsened and so has marginalized interior regions, fuelling more protests. And while the unemployment rate is continuously on the increase, that of women remains higher (22% to 15.6%). Furthermore, speakers were unanimous to call on the Assembly of People's Representatives to adopt a comprehensive law on violence against women.

For her part, Samira Marii, the minister of women, family and children, announced that the law put forward by her ministry to stop violence against women is ready and it is going to be



presented to the ministerial council for approval before it is forwarded to the Assembly of People's Representatives.

## 2- Freedom of thought and blasphemy

After the first general elections, October 2011, and in the midst of the ongoing laxity, there was the proliferation of an extremist speech accusing artists, writers and academics of heresy. We all remember what happened during the artistic exhibition in Marsa (June 2012) when a group of extremists destroyed artworks because of their content "offensive to Islam". Or when philosopher and anthropologist, Youssef Seddik, was forced to leave the prestigious Mosque of Zeitouna, because he has a different understanding of Islam. The climate of growing extremist violence culminated with the death threat that targeted islamologist and scholar, Mohamed Talbi.

Nowadays, although the Tunisian Constitution guarantees the freedom of conscience and belief and academic freedom, the same old reflexes that led to accuse Ibn Rochd and Ibn Moqafaa of heresy are still active, threatening intellectual creativity.

On 6 January 2016, Dr. Amel Grami was physically assaulted, following a campaign led by some groups related to Islamists, among them a "Zeitouna Chanel" presenter who initiated the

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threatening slogan of “I raise my sword against those who insult the prophet.” Previously, Dr. Grami was accused of mocking the prophet, Mohamed.

Salwa Charfi, a researcher, called after the assault, for “the protection of the intellectuals, writers and artists....as terrorism usually starts with hate speech, incitement and ends up with the assassinations.” (Maghreb, 14 January 2016)

### 3- One in four Tunisians takes drugs:

According to the ministry of justice (published in “Essarih”, 15 January 2016) the amendment of law 52 concerning the consumption of drugs is an important legislative step and it was expected by thousands of youths and their families as the severe law has harmed thousands of moderate drug consumers and sent them to prison with heavy sentences, often plunging them into the criminal mire, as once convicted, the young person would often find himself/herself with hardened criminal inmates.

The draft law tries to join therapy to punishment. It abolishes prison terms for first-time and second-time drug users in cases of possession for

personal use. The project law, also, maintains the option of prison sentences and a fine between 2,000 TND (1000 USD) and 5000 TND (2,500 USD).

According to the same newspaper, Essarih, the Center of Legal Justice Studies published a report stating that 57% of teens, aged 13 to 18 take drugs and one in four Tunisians (a third of them women) consume cannabis.

### 4- Shams association defending LGBT suspended

The Tunisian association working on sexual minorities asked the Tunisian government to reconsider its decision of suspending it for thirty days. The secretary general of the government, on the other hand, said that the association deviated from its stated aim and started defending “homosexuals.”

On its part, the association considered that what’s been stated in its statute as the support of “sexual minorities” means no more than “supporting all the LGBT” and there is no other explanations to that. It is worth noting that it is the third time that the head of state litigation decided the



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suspension of the activities of Shams.

The Committee for the Respect of Liberties and Human Rights, which supports the association, denounced in communiqué published on January 7th, 2016 the harassment of Shams and considers them as a violation of national and international laws

## **5- Internet: censorship, pornography and extremism**

In the aftermath of Ben Aly's exit, Tunisian internet users could breathe a sigh of relief when seeing that "Ammar 404", the funny name given to the internet filter that censored all the sites that "threaten the security of Tunisia and its stability," in other words, any criticism of the official policy, has gone. Tunisians could now enjoy fully open internet.

"Le Temps" a French language newspaper said that a big number of Tunisians surf the net and visit, not only political and cultural sites, but also porno-sites. According to the newspaper, one million Tunisians, 24% of them women, visited these sites monthly in 2013. (Le temps, 14 January 2016)

And as Tunisia is "the country of paradoxes", since the end of Ben Aly's era, there's been a huge increase in the number of sites related to jihadism and extremism, i.e. a surge of the utilization of the internet to communicate, coordinate, raise funds and recruit youths for Jihad in Syria, Libya or Iraq. There's even what's been called "Media Jihad". Many of those who've been arrested, scores of them are women, admitted working via social media to encourage support for terrorist groups. And despite efforts to close down the recruitment networks, other sites are mushrooming. According to a spokesperson from the ministry of interior, there's an average of eighty young people recruited for jihad every day." (Essabeh weekly 12 January 2015)

## **6- Freedom of expression: under threat?**

During a consultative meeting held by the Tunisian National Union of Journalists (SNJT) on 15 January 2016, aimed at setting up a regional mechanism to observe and protect media freedom in the Arab region, Neji Bghouri, president of the Union, said that he is worried that the hard-earned press freedom is threatened, as there are constant calls for the revision of decrees 115 and 116, which replaced the restrictive press code under Ben Ali's regime and created an independent audiovisual regulatory authority. Mr. Bghouri added that there are two main problems facing the sector: the lobbies that dominate private media and the slow pace of change in public media.

On the other hand, new figures from Emrod Consulting survey showed that 61% of Tunisians feel that freedom of expression is threatened. This figure is the highest compared to two previous surveys in 2012 and 2014.

## **7- The Supreme Judicial Council: the difficult birth**

After being adopted by the Assembly of People's Representatives (APR) in May 2015 with an overwhelming majority, the Provisional Constitutional Authority declared that some of the articles related to the creation of the Supreme Judicial Council (SJC) are "unconstitutional".

The bureau of the APR has decided to send back the organic law establishing the Council to the Committee on General Legislation. Hassan Fathalli, spokesman for the presidency of the Assembly said that "the decisions of the Authority are binding" and the draft law on the establishment of the SJC shall be discussed anew by the Assembly.

Just a reminder that the SJC is a body meant to oversee the functioning of the judicial system and guarantee its independence from the executive.

## 8- Egypt: five years after the Tahrir square: dashed hopes

Five years ago, January 25th, was the “Day of Wrath” against dictatorship, unemployment, poverty and corruption. After demonstrations that toppled a three-decade regime, people expected their dreams to come true. But through these five years, hope has given way to disillusion and fear.

Before 25 January 2016, the military regime took stringent measures to ensure that no commemoration would take place and only government supporters could demonstrate in the streets of Cairo. According to the Associated Press, police raided 5,000 homes as a “precautionary measure” so that no Egyptians would return to the streets.

Le Monde newspaper said that commemorating the Tahrir Day has never been welcomed for the

last four years, whether it's been under the role of the military council, or that of Mohamed Morsi or under the current rule of Marshal Abdelfatteh Sissi (25-01-2016).

After seizing power in a military coup, the current regime intensified its crackdown on all forms of dissent, and hundreds of human rights defenders, activists and journalists are put behind bars. Hossam Bahghat , a continuously harassed journalist told the Guardian that “the level of repression now is significantly higher than that under the Mubarek regime.”

Ahead of the foreign affairs council of the European Union (March 2016), Euromed Rights launched a petition , urging foreign affairs ministers to raise “the systematic crackdown on dissent with the Egyptian president” and to pressure the Egyptian regime to no longer detain “human rights activists without proper trial.”



Alaa Abdelfattah