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## **Tunisia's constitution must stand test of time**

The Tunisian National Constituent Assembly must use the drafting of the new Constitution to prevent a repetition of the widespread abuses that took place under former President Zine El Abidine Ben Ali, Amnesty International said today in a new briefing.

In the 37-page [submission to the National Constituent Assembly](#), Amnesty International calls on members of the assembly to include a range of provisions in the new Constitution to safeguard human rights and ensure that Tunisia delivers its obligations under international treaties.

"There is a real chance for the Assembly to set out in the Constitution the vision for the new Tunisia, one based on human rights and the rule of law, and Tunisians' aspirations for freedom, dignity, equality, and social justice," said Hassiba Hadj Sahraoui, Deputy Director for the Middle East and North Africa Programme of Amnesty International.

"Continuing restrictions on freedom of expression and the police violence against peaceful protesters in recent days highlights the need for real ambition by those drafting the new Constitution to include language that will stand the test of time and make Tunisia a regional leader in the protection of human rights."

Scores of people were injured on Monday when security forces fired tear gas and used batons to disperse protesters as they sought to enter Bourguiba Avenue in central Tunis to mark Martyrs' Day, defying a 28 March decision by the Minister of Interior banning demonstrations in the area. Several journalists and political and civil society activists were also assaulted.

The National Constituent Assembly, elected in late 2011, is currently drafting a new constitution, while many Tunisians have held protests to try to influence the content of the document. Tunisia is the first in the region to draft a new constitution following the uprisings in 2011.

The previous constitution, which dated back to 1959, included some human rights provisions, but was amended several times under Ben Ali as a way for him to extend his power and to allow for cosmetic changes.

Amnesty International said that it was crucial that the new Constitution guarantees the separation of powers, non-discrimination, equality of all before the law, fundamental human rights safeguards such as protection against torture and arbitrary detention, judicial guarantees, and the independence of the judiciary.

The National Constituent Assembly also has the unique opportunity to respond to the demands of the millions of Tunisians who demonstrated in 2011 to demand dignity by guaranteeing economic, social and cultural rights in the Constitution, the organization said.

"We are under no illusions that a new constitution alone will fully prevent human rights violations. There

will need to be real political will to defend the rights articulated in the text of any constitution," said Hassiba Hadj Saharaoui.

"But a constitution that truly enshrines human rights and freedoms for Tunisians will be a powerful tool and a guiding instrument in preventing human rights violations."

**Notes for editors:**

- Amnesty International spokespeople are available for interview in Arabic, French or English on these issues.
- For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566 or email: [press@amnesty.org](mailto:press@amnesty.org)