

# TUNISIA

SUBMISSION TO THE UN COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION  
116<sup>TH</sup> SESSION, 17 NOVEMBER–5 DECEMBER 2025



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In this briefing to the UN Committee on the Elimination of Racial Discrimination, Amnesty International shares the results of an in-depth investigation into the experiences of predominantly Black refugees and migrants in Tunisia between February 2023 and June 2025, concluding that the Tunisian migration and asylum system has been used as a tool of racialized exclusion.

# 1. INTRODUCTION

Amnesty International submits this briefing to the UN Committee on the Elimination of Racial Discrimination (the Committee) in advance of the examination of Tunisia's combined twentieth to twenty-second periodic reports at its 116th session in November 2025. The Committee last reviewed Tunisia's implementation of the provisions of the UN Convention on the Elimination of All Forms of Racial Discrimination (the Convention) in 2009.

The briefing focuses on the situation of refugees, asylum seekers and migrants in Tunisia, while also highlighting issues relating to the implementation of the Convention in law and practice, including with regards to the implementation of Law 2018-50 penalizing racial discrimination; racist hate speech; and racial violence and discrimination including from security authorities. It is based on [research](#) conducted between February 2023 and June 2025, drawing on interviews with 120 refugees, asylum seekers and migrants (hereinafter, 'refugees and migrants'). All but seven were Black.

The submission outlines a dangerous shift in Tunisia's policies and practices on migration and asylum which began in 2023 with the public advocacy of racial hatred and xenophobia from Tunisian public officials and parliamentarians. This has had dire and discriminatory consequences especially for Black refugees and migrants, including racist violence from individuals and authorities and arbitrary detention based on racial profiling. The migration and asylum system is now characterized by racist policing and widespread human rights violations, and generally disregards the lives, safety and dignity of refugees and migrants, particularly those who are Black.

Since 2023 Tunisian officials have been routinely carrying out life-threatening collective expulsions in violation of the principle of non-refoulement, following often reckless sea interceptions or racially targeted arrests, frequently accompanied by torture and other ill-treatment, including dehumanizing sexual violence. Authorities suspended access to asylum without communicating it and cracked down on organisations supporting refugees and migrants and combatting racial discrimination.

Taken together, these patterns are evidence of a de facto policy of racialized exclusion. This is demonstrated by the public advocacy of racial hatred; the prevalence of racial profiling; the conduct of interceptions and disembarkations that reinforces the risk of racial discrimination; and the racial discriminatory impact of collective expulsions and torture and other ill-treatment perpetrated within the context of racial hatred and discrimination against Black people.

In parallel, European officials have celebrated a steep drop in sea arrivals from Tunisia after reinforcing cooperation on migration control without effective human rights safeguards, entrapping refugees and migrants in situations where their lives and rights are at risk.

## 2. RACIALIZED EXCLUSION OF MIGRANTS, REFUGEES, ASYLUM-SEEKERS (ARTICLES 2, 4, 5 AND 6)

Tunisian officials have taken a highly concerning shift in their policy and practices on migration and asylum, driven by the public advocacy of racial hatred and a climate of growing xenophobia and racism. The current migration and asylum system in Tunisia is characterized by widespread human rights violations marked by a disregard for the lives, safety and dignity of refugees and migrants, particularly Black people.

Within the wider context of anti-Black racism, the public advocacy of racial hatred, the racial discrimination and abuse, the racial profiling, and the difficulty for Black refugees and migrants to seek remedy for violations or abuse, these policies and practices, taken together, have disproportionately impacted Black foreign nationals and are therefore discriminatory.

While Tunisian migration legislation, policy and official communication might be race-neutral, authorities have implemented them in a discriminatory way because race and skin colour have been

used to make assumptions about individuals' migration-related behaviour, which, in turn, have fed into patterns of violence, arbitrary arrest, detention, interceptions, disembarkations and collective expulsions. Moreover, the failure by the state to seek and obtain data on race and racial bias exacerbates other harms – for example, the authorities' failure to safeguard against racial discrimination, which subsequently enhances the possibility for migration laws and policies to be racist in practice. In consequence, the Tunisian migration and asylum system, supported by the European Union (EU) and its member states, has been used as a tool of racialized exclusion.

These policy and practices seriously call into question the implementation of Law 2018-50 on the Elimination of All Forms of Racial Discrimination,<sup>1</sup> previously considered landmark legislation.

## 2.1 STATISTICS IN RELATION TO REFUGEES AND MIGRANTS

There are no official comprehensive statistics on foreign nationals in the country. Estimates over the past five years have placed the total between 30 and 60 thousand.<sup>2</sup> Yearly statistics from the Ministry of Higher Education indicate that close to 5,500 sub-Saharan migrants were studying in Tunisian universities in 2023-24, out of about 9,000 foreign students.<sup>3</sup> On 20 May 2024, Tunisian Member of Parliament Yassine Mami, cited former Minister of Interior Kamel Feki's estimate that 32,000 sub-Saharan African nationals from 27 different countries resided in Tunisia.<sup>4</sup>

As of August 2025, 10,683 refugees and asylum seekers were registered with the Office of the UN High Commissioner for Refugees (UNHCR) in Tunisia, half of them from Sudan.<sup>5</sup>

Before 2024, Tunisian authorities did not publicly share consistent and precise information regarding interceptions at sea, nor did the partial information they shared include disaggregated data by race or nationality. Authorities periodically mentioned the proportion of Tunisians intercepted compared to foreign or sub-Saharan African nationals. However, since June 2024, authorities have stopped sharing data on interceptions,<sup>6</sup> further hindering analysis of public policy and actions.

Tunisian authorities do not publish clear and comprehensive statistics on expulsions either, nor do they share data disaggregated by race or ethnicity.

Amnesty International is calling on the Tunisian authorities to:

- Collect and make public comprehensive data on foreign nationals disaggregated by race or ethnic origin, including in relation to interceptions and expulsions, with strict safeguards and in accordance with international human rights law.

## 2.2 RACIST AND XENOPHOBIC OFFICIAL DISCOURSE

From February 2023 onwards, Tunisia witnessed an escalation of anti-migrant and often racist rhetoric, notably by public officials. From the Tunisian president to other members of his government, to members of parliament with large social media following, racist and xenophobic rhetoric against predominantly Black refugees and migrants from sub-Saharan countries has continued to be repeated publicly, associating their presence with a security threat, with criminality and illegality, with an invasion, or with a conspiracy, with no action taken by the authorities to address racist or hate speech.

Although this rhetoric often appeared race-neutral, it implicitly associated nationality and race, manifested through stereotypes, assumptions and biases about migrant behaviours based on race

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<sup>1</sup> Tunisia, Loi organique 2018-50 relative à l'Élimination de Toutes les Formes de Discrimination Raciale [Organic Law 2018-50 of 23 October 2018 relating to the Elimination of All Forms of Racial Discrimination].

<sup>2</sup> National Institute of Statistics (INS) and National Migration Observatory (ONM), *Report of the National Survey on International Migration Tunisia-HIMS*, 7 December 2021, <https://www.ins.tn/publication/rapport-de-lenquete-nationale-sur-la-migration-internationale-tunisia-hims>, p. 59 (in French).

<sup>3</sup> Tunisian Ministry of Higher Education and Scientific Research, Higher Education and Scientific Research in Figures, [https://www.mes.tn/page.php?code\\_menu=13](https://www.mes.tn/page.php?code_menu=13) (in Arabic, accessed on 18 June 2025).

<sup>4</sup> Webdo, "Combien de migrants irréguliers y a-t-il en Tunisie?" ["How many irregular migrants are there in Tunisia?"], 21 May 2024, <https://www.webdo.tn/fr/actualite/national/combien-de-migrants-irreguliers-y-a-t-il-en-tunisie/214283> (in French).

<sup>5</sup> UNHCR, "UNHCR Tunisia Monthly Operational Update (August 2025)", 31 August 2025, <https://data.unhcr.org/fr/documents/details/118815>

<sup>6</sup> Tunisian Forum for Economic and Social Rights (FTDES), "Number and distribution of intercepts and operations arrested in Tunisia", 24 January 2025, <https://ftdes.net/en/la-migration-non-reglementaire-sur-les-cotes-tunisiennes/>

and national origin. These associations, a legacy of colonial racialized hierarchy,<sup>7</sup> have had dire and discriminatory consequences for Black refugees and migrants, including discrimination, hate crimes, racial profiling and arbitrary detention.

In 2023, irregular migration, often publicly associated with Black African migrants, became a more contentious political issue. From late 2022 onwards, the Tunisian Nationalist Party was more regularly invited to appear in the media. The party espouses “great replacement” ideology and considers the presence of sub-Saharan African migrants to be part of a European-backed “resettlement project”, which, in their view, constitutes an existential threat to Tunisia.<sup>8</sup> The party has shared revisionist accounts of Tunisian history that conflates Black African migrants with Black slaves in the 18<sup>th</sup> and 19<sup>th</sup> centuries.<sup>9</sup> In December 2022, the party launched a petition<sup>10</sup> calling for the expulsion of sub-Saharan “illegal migrants” and the repeal of Tunisian Law 2018-50 penalizing racial discrimination.

It was in this context that, on 21 February 2023, during a speech at a National Security Council meeting, President Saïed said that “hordes of irregular migrants from sub-Saharan Africa” had come to Tunisia, “with all the violence, crime, and unacceptable practices that entails”.<sup>11</sup> He stated that this was an “unnatural” situation part of a criminal plan designed to “change the demographic make-up” of Tunisia and that whoever was behind this phenomenon was “human trafficking and at the same time [claimed] to be defending human rights”.

On 23 February 2023, in response to the international outcry about his comments, President Saïed reiterated similar xenophobic and racist language while rejecting accusations of racism and claiming to “reassure Africans legally residing in Tunisia about their situation”.<sup>12</sup>

In an interview on 25 February 2023, former Minister of Foreign Affairs Nabil Ammar described irregular migration as “a massive presence... subject to suspicious criminal operations, encouraged by several diverse parties with diverse mercantile and other objectives”, which can only have “considerable consequences on the stability of the country”.<sup>13</sup>

On 5 March 2023, the presidency again rejected claims of racism and expressed “astonishment at this campaign whose originators are known”<sup>14</sup> It announced measures to facilitate the legal residency of foreigners, as well as a process of repatriation for those wishing to voluntarily leave the country. However, the Tunisian president along with the ministers of interior and foreign affairs continued to make discriminatory and hateful remarks against sub-Saharan migrants and irregular migrants.

On 26 June 2023, the presidency described sub-Saharan African migrants as people who “insult [the state], establish their own courts, brandish weapons, and terrorize Tunisian citizens”.<sup>15</sup> Their presence was said to be “unnatural” and part of a premeditated plan targeting Tunisia’s security.

<sup>7</sup> Leila Tayeb, “What is whiteness in North Africa?”, 2021, *Lateral*, Volume 10, Issue 1, <https://doi.org/10.25158/L10.1.20>

<sup>8</sup> Tunisian Nationalist Party, “إزالة تونس من الوجود. تقرير مشروع الإستيطان الأجنبي و إزالة تونس من الوجود. [Report on the Sub-Saharan African Settlement Project and the Elimination of Tunisia from Existence], 3 February 2023, <https://www.tnp.tn/ازالةتونس-و-ازالةالغرب-اfrican-settlement-project-and-the-elimination-of-tunisia-from-existence> (in Arabic).

<sup>9</sup> Huda Mzioudet, “Black Racial Politics and the Racialist Populist Backlash during Tunisia’s Democratic Transition”, May 2024, <https://pomeps.org/black-racial-politics-and-the-racialist-populist-backlash-during-tunisia-democratic-transition>

<sup>10</sup> Tunisian Nationalist Party, “عريضة التخلص من الإستيطان الأجنبي في تونس” [“Petition to eliminate the settlement of sub-Saharan Africans in Tunisia”], 28 December 2022, <https://www.tnp.tn/تونس-في-الاجسي-الخطر-من-التخلص-عريضة> (in Arabic).

<sup>11</sup> Tunisian Presidency, Facebook post: “عصر اليوم الثلاثاء 21 فيفري 2023 بقصر قرطاج، اجتماعا لمجلس الأمن القومي لخصص لإجراءات العاجلة” [“This afternoon, Tuesday 21 February 2023, at the Carthage Palace, the President of the Republic, Kais Saïed, chaired a meeting of the National Security Council devoted to the urgent measures that must be taken to address the phenomenon of the influx of large numbers of irregular migrants from sub-Saharan Africa to Tunisia”], 21 February 2023, <https://t.ly/6aBK3>

<sup>12</sup> Tunisian Presidency, Facebook post: “لقاء رئيس الجمهورية قيس سعيد مع السيد توفيق شرف الدين، وزير الداخلية” [“Meeting of the President of the Republic, Kais Saïed, with Mr. Tawfiq Charfeddine, Minister of the Interior”], 23 February 2023, <https://www.facebook.com/watch/?v=2747297918745203> (in Arabic).

<sup>13</sup> France 24, “Propos antimigrants de Kais Saïed : Nabil Ammar dénonce sur France 24 une ‘interprétation erronée’” [“Anti-migrant remarks by Kais Saïed: Nabil Ammar denounces on France 24 an ‘erroneous interpretation’”], 25 February 2023, <https://www.france24.com/fr/afrique/20230225-propos-antimigrants-de-kais-saied-nabil-ammard-nonce-sur-france-24-une-interpretation-erronee> (in French).

<sup>14</sup> Tunisian Presidency, Facebook post: “تعبر تونس عن استغرابها من هذه الحملة المعروفة بمصادرها والمتعلقة بالعنصرية” [“Tunisia expresses its astonishment at this campaign, whose sources are known, related to alleged racism in Tunisia”], 5 March 2023, <https://www.facebook.com/Presidence.tn/posts/pfbid09jqrhEKBZUMS3zDbR3GRoomHKzK2rPUCyXUKBJyTL62LUXPrKVAzjgItHcPJw5gl> (in Arabic).

<sup>15</sup> Tunisian Presidency, Facebook Post: “اجتمع رئيس الجمهورية قيس سعيد، صباح اليوم الإثنين 26 جوان 2023 بقصر قرطاج، بالسيد كمال القفي، وزير الداخلية، وبالسيدين مراد سعدان، المدير العام للحرس الوطني، المدير العام للأمن الوطني، وحسين الغربي، المدير العام أمر الحرس الوطني” [“The President of the Republic, Kais Saïed, met this morning, Monday 26 June 2023, at the Carthage Palace, with Mr. Kamal El-Feki, Minister of the Interior, and with Mr. Mourad Saïed, Director-General of National Security, and Hussein Gharbi, Director-General and Commander of the National Guard.”], 26 June 2023, [https://t.ly/5b4\\_-](https://t.ly/5b4_-) (in Arabic).

On 14 July 2023, commenting on the sum of remittances received from sub-Saharan African countries, President Saïd declared the number to be “shocking” and a sign that Tunisia was being “targeted” as part of a “displacement process led by criminal entities that traffic human beings and target the existence of countries and homelands.”<sup>16</sup>

In a September 2023 interview, former Minister of Interior Kamel El-Feki described current migration from sub-Saharan Africa as “inhumane and unnatural”.<sup>17</sup>

On 6 April 2025, President Kais Saïed commented on operations of forced evictions of migrants carried out in makeshift camps in the eastern region of Sfax, stating, “We have thwarted [the] plots [of criminal networks] like never before, so that those who plot against the state can see what the Tunisian people have been capable of in recent days”, while also reiterating his refusal of Tunisia being a country of transit or destination for irregular migrants.<sup>18</sup>

On 5 May 2025, the Tunisian president spoke again of a “prior criminal arrangement” behind the presence of irregular migrants in the region of Sfax.<sup>19</sup>

In a parliamentary hearing on 22 April 2025, Minister of Interior Khaled Nouri specifically rejected the presence of sub-Saharan irregular migrants, stating that Tunisia would never be a “land of settlement for irregular migrants from sub-Saharan Africa” and that authorities were prepared to “confront all plans to alter the demographic composition of the Tunisian population.”<sup>20</sup>

These views were often echoed by influential parliamentarians with large social media followings.<sup>21</sup>

For instance, on 26 July 2023, parliamentarian Manel Bdida declared in parliament: “Africans are planning to destroy the state through [the city of] Sfax.”<sup>22</sup> In a radio interview on 18 September 2023, parliamentarian Fatma Mseddi described the presence of sub-Saharan African migrants as “a big danger for our children’s security” and claimed: “The real problem is that [sub-Saharan migrants] must not be present in Tunisia... They must be expelled. Their only place is in their countries.”<sup>23</sup>

On 7 February 2025, parliamentarian Fatma Mseddi stated in an interview, using dehumanizing language, that the authorities “must find a radical solution to stop the haemorrhage of births among irregular migrant mothers”, describing this as a plot threatening Tunisian society,<sup>24</sup> a view echoed by parliamentarian Tarak Mahdi.<sup>25</sup> In the weeks following these statements, Tunisian social media users started sharing videos of themselves tracking down Black migrants and threatening violence and other abuse against them.<sup>26</sup> No action was taken by the authorities to halt or deter such racist hate speech.

<sup>16</sup> Tunisian Presidency, Facebook post: “اشرف رئيس الجمهورية قيس سعيد على اجتماع مجلس الأمن القومي” [“President Kais Saïed chairs the National Security Council meeting”], 14 July 2023, <https://www.facebook.com/watch/?v=989945538810411> (in Arabic).

<sup>17</sup> Deutsche Welle, “وزير الداخلية تونس لذيقتته فيله: مطلوب من الأوروبيين الوفاء بتعهداتهم” [“Tunisian Interior Minister to DW: The Europeans are required to fulfil their pledges”], 29 September 2023, <https://www.dw.com/ar/وزير-داخلىة-تونس-لذيقتته-فيله-مطلوب-من-الأوروبيين-الوفاء-بتعهداتهم> (in Arabic).

<sup>18</sup> Agenzia Nova, “Le président tunisien Saïed: ‘Complot déjoué et migrants rapatriés volontairement’” [“Tunisian President Saïed: ‘The plot is foiled and migrants are voluntarily repatriated’”], 6 April 2025, <https://www.agenzianova.com/fr/news/il-presidente-tunisino-saied-complotto-sventato-e-migranti-rimpatriati-volontariamente/> (in French).

<sup>19</sup> Tunisian Presidency, Facebook post: “استقبل رئيس الجمهورية قيس سعيد بعد ظهر يوم أمس، الخامس من شهر ماي الجاري بقصر قرطاج، السيدة أمي بوب” [“Amy Pope”] [“The president of the Republic of Tunisia, Kais Saïed, received Ms. Amy Pope, Director General of the International Organization for Migration, at Carthage Palace”], 6 May 2025, <https://www.facebook.com/Presidence.tn/posts/pfbid02XwaL37fKQHGsyFferYzGzKLQ4ZMndZRRuJjVJkz9xZNRyQD95Rqnnf7daMTqcFRMhI> (in Arabic).

<sup>20</sup> RT Arabic, “وزير الداخلية التونسي: بلادنا ليست أرض توطئ ولا حارسا للقضاء الأوروبي” [“Tunisian Interior Minister: Our country is neither a land of settlement nor a guardian of European territory”], 22 April 2025, <https://sa24.co/show771370227.html> (in Arabic).

<sup>21</sup> Business News, “A parliamentarian assures that members of Boko Haram are infiltrated among the migrants in Sfax” [“Un député assure que des membres de Boko Haram sont infiltrés parmi les migrants à Sfax!”], 4 July 2023, <https://www.businessnews.com.tn/un-depute-assure-que-des-membres-de-boko-haram-sont-infiltrés-parmi-les-migrants-a-sfax,520,130337,3> (in French).

<sup>22</sup> Member of the Tunisian Assembly of the Representatives of the People (ARP) Manel Bdida, Oral intervention during an exchange with the Ministry of Interior at the ARP, 26 July 2023, [https://arp.tn/en\\_US/deputy/details/852](https://arp.tn/en_US/deputy/details/852) (in Arabic).

<sup>23</sup> Business News, “Fatma Mseddi: les migrants subsahariens doivent être déportés” [“Fatma Mseddi: sub-Saharan migrants must be expelled”], 18 September 2023, <https://www.businessnews.com.tn/fatma-mseddi--les-migrants-subsahariens-doivent-etre-deportés,520,132051,3> (in French).

<sup>24</sup> The Independent Arabia, “أطفال المهاجرين في تونس ضحايا الحروب والفقر” [“Migrant children in Tunisia are victims of war and poverty”], 7 February 2025, <https://shorturl.at/ZzZKV> (in Arabic).

<sup>25</sup> Business News, “Tarak Mahdi : les migrants se propagent comme un cancer en métastase !” [“Tarak Mahdi: Migrants are spreading like a metastasizing cancer!”], 3 June 2025, <https://www.businessnews.com.tn/Tarak-Mahdi--les-migrants-se-propagent-comme-un-cancer-en-m%C3%A9tastase--!,520,148594,3> (in French).

<sup>26</sup> Wassim Wassim, Facebook post: “سليانة منذ قليل” [Siliana not long ago], 28 April 2025, <https://www.facebook.com/watch/?v=1918743685565993> (in Arabic); Wissem Apollo Khmiri, Facebook post: “لمن لا يعرف أهل فرقيما الشمال الغربي أهل الفمح” [“For those who do not know the people of northwestern Africa, the people of wheat”], 25 April 2025, <https://www.facebook.com/watch/?v=683987540874620> (in Arabic); Moncef Djebbi, Facebook post: “حماية الشمال” [The protection of northwestern regions], 17 March 2025, <https://www.facebook.com/reel/1149530826972797> (in Arabic).

In March 2023, UN experts expressed serious concern about reports of widespread racist violence and racial and xenophobic discrimination against sub-Saharan African migrants.<sup>27</sup>

Amnesty International is calling on the Tunisian authorities to:

- Cease the use of racist and xenophobic language and retract previous racist comments by public officials; address and condemn the public advocacy of racial hatred through judicial action or other sanctioning; ensure the effective implementation of Law 2018-50 penalizing racial discrimination; and conduct anti-discrimination campaigns.

## 2.3 RACIST VIOLENCE, ARRESTS AND CONSTRUCTIVE REFOULEMENT IN THE AFTERMATH OF FEBRUARY 2023

In a context in which irregular migration is criminalized and authorities frequently refer to undocumented migrants as “illegal migrants”, racist and xenophobic public discourse has rendered refugees and migrants more vulnerable to xenophobic and racist violence and arbitrary detention, while also making it more difficult for them to seek remedy for any violation of their rights.

The president’s discriminatory and hateful remarks in February 2023 triggered an upsurge in anti-Black racist violence over the following weeks. Mobs took to the streets across Tunisia, notably in the capital Tunis and the eastern city of Sfax, and attacked Black refugees and migrants, including students, while police officers detained and expelled scores of those facing such violence.<sup>28</sup>

Twenty Black refugees and migrants in Tunis interviewed in March 2023 had been attacked and assaulted by mobs.<sup>29</sup> In at least three cases, the police were present but failed to intervene. Those interviewed described how groups of Tunisian men, sometimes armed with batons and knives, took to the streets and attacked them or raided their houses. The discriminatory motive apparent in these cases indicates that they constitute racist hate crimes. In eight cases, mobs forced Black migrants and asylum seekers out of their homes and stole or destroyed their belongings.<sup>30</sup>

Ten told Amnesty International<sup>31</sup> that they had been evicted by their landlord within a week of a public announcement by the National Guard on 23 February 2023 that threatened to punish anyone hosting or employing irregular migrants.<sup>32</sup> Despite the seemingly race-neutral rhetoric of public officials, these practices only affected Black foreign nationals, including asylum seekers and students awaiting the renewal of their residency permit, showing that they are racially discriminatory.

Police also assaulted and/or arbitrarily arrested Black migrants based on racial targeting and profiling. Avocats Sans Frontières, a legal aid organisation, confirmed that at least 840 Black African migrants, foreign students and asylum seekers were rounded up in February 2023 in several cities.<sup>33</sup>

Meanwhile, hundreds of Black Africans were intimidated into returning to their countries, including regular and irregular migrants. For instance, facilitated by their respective embassies, at least 300 Malians and Ivorians were returned home on 4 March 2023 as part of what was described as a “voluntary evacuation.”<sup>34</sup> Racist discourse by officials, impunity for racist violence or eviction by Tunisian nationals, racial profiling, arbitrary and discriminatory arrests and indefinite detention call into question to what extent such returns can be based on consent. In such conditions, returns are not voluntary and constitute constructive refoulement, meaning people’s lives are made so difficult that they feel compelled to leave the country even if it means returning to a situation they fear.

<sup>27</sup> UN Special Procedures, Communication, 28 March 2023, Réf.: AL TUN 3/2023, p.5 (in French).

<sup>28</sup> Amnesty International, “Tunisia: President’s racist speech incites a wave of violence against Black Africans”, 10 March 2023, <https://www.amnesty.org/en/latest/news/2023/03/tunisia-presidents-racist-speech-incites-a-wave-of-violence-against-black-africans/>

<sup>29</sup> Interviews conducted separately in person with 20 Black migrants and asylum seekers, Tunis, 2-4 March 2023.

<sup>30</sup> Interviews conducted separately in person with eight Black migrants and asylum seekers, Tunis, 2-4 March 2023.

<sup>31</sup> Interviews conducted separately in person with 10 Black migrants and asylum seekers, Tunis, 2-4 March 2023.

<sup>32</sup> Attessia TV, Facebook post: سيتم إيقاف الأشخاص وجميع الأطراف التي تقوم بإيواء أو تشغيل المهاجرين غير النظاميين فيديو: “Al-Jebabli: Individuals and all parties that shelter or employ irregular migrants will be arrested (video)”, 23 February 2023, <https://www.facebook.com/watch/?v=1421110925361543> (in Arabic).

<sup>33</sup> Interview by video call with member of Avocats Sans Frontières (name withheld for security reasons), 2 March 2023.

<sup>34</sup> Africanews, “Hundreds of students fly home from Tunisia after attacks”, 6 March 2023, <https://www.africanews.com/2023/03/05/hundreds-of-students-fly-home-from-tunisia-after-attacks/>

Amnesty International is calling on the Tunisian authorities to:

- Investigate hate crimes and ensure that individuals who suffer racist abuse are able to safely seek effective remedy regardless of their migration status;
- Ensure that foreign nationals are not arbitrarily evicted from their homes, and that officials do not participate in unlawful evictions.

## 2.4 RACIAL PROFILING AND ARBITRARY DETENTION

Among the refugees and migrants interviewed, 60 had been arbitrarily arrested and detained, including three children.<sup>35</sup> Such arbitrary detention disproportionately impacted Black people due to the prevalence of racial profiling and the context of public advocacy of racial hatred and racial abuse.

Forty-one Black refugees and migrants related experiences of racial profiling from security authorities.<sup>36</sup> The Tunisian National Guard arrested 29 of them ahead of collective expulsions. Twelve others shared their experience of discriminatory police stops and identity checks in or around the cities of Tunis and Sfax, without it resulting in an expulsion.

The National Guard and police arrested or stopped them because of the colour of their skin or their assumed country of origin, in almost all cases without enquiring about their documentation. Most said the police or National Guard also seized their money and belongings without justification.

### THE Ouardia RECEPTION AND ORIENTATION CENTRE

Tunisian authorities have been using the Ouardia Reception and Orientation Centre (Ouardia), in Tunis, as an administrative detention facility where they have unlawfully detained asylum seekers and migrants indefinitely, before returning them to their country of origin or to another country. People are often brought to Ouardia after having served a prison sentence or after an identity check.

The centre has been operating as a detention facility for foreign nationals since 2011.<sup>37</sup> Tunisian authorities have continued to use it as such despite the Tunis Administrative Court's July 2020 ruling which considered the detention of 22 sub-Saharan African nationals to be unlawful.<sup>38</sup>

None of the 13 detainees interviewed had received any document confirming their detention, the reasons for it, nor were they granted access to a translator, a lawyer or brought before a competent judicial authority. Access to UNHCR services is restricted as it relies on the ability of the detainee to secure contact with the agency. From June 2024 onwards, access was further hindered due to the government's suspension of asylum procedures. Authorities also pressured detainees to return involuntarily to their countries of origin, presenting a return as their only exit option.

The indefinite nature of the detention, the lack of due process, the fact that people can be detained in Ouardia despite already having completed a first prison sentence and the discriminatory nature of such detention for Black foreign nationals render it arbitrary and unlawful. Consequently, the Ouardia centre functions as a parallel place of detention for Black foreign nationals, thus participating in and reinforcing their discriminatory treatment by law enforcement authorities.

On 2 August 2023, in response to a letter from Amnesty International sharing its findings on the Ouardia centre, the Ministry of Interior wrote:

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<sup>35</sup> Interviews conducted separately by voice call with 60 refugees and migrants, 15 March 2023-11 June 2025.

<sup>36</sup> Interviews conducted separately in person with five Black migrants, 29 September 2023, Sfax; Interviews conducted separately by voice call with 36 Black migrants and asylum seekers, 7 October 2023-11 June 2025.

<sup>37</sup> Libération, "Je vis dans un trou noir" : en Tunisie, un centre d'accueil de migrants transformé en véritable prison" ["I live in a black hole": in Tunisia, a migrant reception centre transformed into a real prison"], 29 March 2023, [https://www.liberation.fr/international/afrique/je-vis-dans-un-trou-noir-en-tunisie-un-centre-daccueil-de-migrants-transforme-en-veritable-prison-20230329\\_3066GQYJYFAMH05NTBYXOTU5XU/](https://www.liberation.fr/international/afrique/je-vis-dans-un-trou-noir-en-tunisie-un-centre-daccueil-de-migrants-transforme-en-veritable-prison-20230329_3066GQYJYFAMH05NTBYXOTU5XU/) (in French).

<sup>38</sup> InfoMigrants, "La justice tunisienne ordonne la libération de migrants en détention" ["Tunisian judiciary orders the release of detained migrants"], 17 July 2020, <https://www.infomigrants.net/fr/post/26085/la-justice-tunisienne-ordonne-la-liberation-de-migrants-en-detention> (in French); World Organisation against Torture (OMCT), *Note sur la Détection Arbitraire au Centre de Détection de Migrants d'El Ouardia*, 21 March 2023, <https://omct-tunisie.org/2023/03/21/note-sur-la-detention-arbitraire-au-centre-de-detention-de-migrants-del-ouardia/> (in French).

**“The number of foreigners currently staying at the Ouardia Reception and Orientation Centre is 15 foreigners, under the custody of the General Administration of Borders and Foreigners Police, based in particular on the provisions of Article 12 of Law 7 of 1968 relating to the situation of foreigners in Tunisia, which stipulates that a temporary resident foreigner must leave Tunisia when the validity of his residency card expires unless he obtains its renewal, in addition to the provisions of Article 19 of the same law, which stipulates that ‘the Secretary of State for the Interior shall determine the location where the expelled foreigner who is unable to leave Tunisia must reside.**

**“The General Administration of Borders and Foreigners Police is responsible for housing at the Ouardia Reception and Orientation Centre foreign nationals released from Tunisian prisons, who had previously been involved in criminal cases that would undermine public security, until they leave [Tunisia], while those who have obtained an “asylum seeker” card are handed over to the Tunisia office of UNHCR to sponsor them without housing them in [Ouardia]. If a foreign national is accommodated at the centre, their country’s representative in Tunisia will be informed... of their legal status in our country, the reason for their accommodation, and any legal case in which they are involved. Foreign nationals sheltered at the centre may contact lawyers and their diplomatic representatives.”<sup>39</sup>**

## **DETENTION AHEAD OF A COLLECTIVE EXPULSION**

The National Guard arbitrarily detained at least 32 refugees and migrants for up to five days,<sup>40</sup> together with groups of up to 100 people,<sup>41</sup> without any judicial oversight, individualized assessment or procedural safeguards, and without clarifying the legal basis of the detention. These detentions happened ahead of forcible and unlawful collective expulsions to Libya and Algeria, in a National Guard station, military post or other unidentified locations near the borders. Eighteen of them, including one refugee and two asylum seekers, were detained after an interception at sea.<sup>42</sup>

## **OTHER DETENTION WITHOUT LEGITIMATE GROUNDS**

Fifteen foreign nationals, including a refugee, two asylum seekers and three people with a valid visa were detained for up to three months solely for their alleged irregular status or for having received money from abroad.<sup>43</sup> Authorities detained them without informing them of the reason and duration of their detention and without giving them access to legal representation or a judicial authority to challenge their detention. Authorities failed to give refugees and asylum seekers access to UNHCR.

Law 68-7 relating to the Condition of Foreigners and Law 2004-6, amending Law 75-40 relating to Passports and Travel Documents, criminalise irregular migration for both Tunisian and foreign nationals, providing fines and imprisonment for those who enter, stay in or exit the country without valid documentation.<sup>44</sup> Tunisia permits 90-day visa-free travel for several African nationalities, but sub-Saharan African migrants face significant administrative challenges to obtain a residency permit.<sup>45</sup> On 6 May 2024, parliamentarians proposed amendments to strengthen penalties for irregular migrants and people aiding them.<sup>46</sup>

On 20 May 2024, as reported to the press, the government shared that Tunisian prisons held close to 1,100 sub-Saharan African nationals.<sup>47</sup>

<sup>39</sup> Tunisian Ministry of Interior, letter to Amnesty International, 2 August 2023, on file with Amnesty International.

<sup>40</sup> Interviews conducted separately by voice call with 32 Black refugees and migrants, 25 September 2023-11 June 2025.

<sup>41</sup> This number is based on estimations from interviewed individuals.

<sup>42</sup> Interviews conducted separately by voice call with 18 Black refugees and migrants, 25 September 2023-11 June 2025.

<sup>43</sup> Interviews conducted separately by voice call with 15 migrants and asylum seekers, 14 November 2023-11 June 2025.

<sup>44</sup> Tunisia, Loi 68-7 relative à la Condition des Étrangers en Tunisie [Law 68-7 relating to the Condition of Foreigners in Tunisia], 1968, Articles 23-24; Tunisia, Loi 75-40 relative aux Passeports et aux Documents de Voyage [Law 75-40 relating to Passports and Travel Documents], 1975, Articles 34-35, 38 and 41-43 (as amended by Law 2004-6 on 3 February 2004); UN Special Rapporteur on the Human Rights of Migrants, Report: Mission to Tunisia, 3 May 2013, UN Doc. A/HRC/23/46/Add.1, paras. 32-35.

<sup>45</sup> REACH and Mercy Corps, *Tunisia, Country of Destination and Transit for Sub-Saharan Africans*, October 2018, <https://t.ly/9Qglq>

<sup>46</sup> Tunisian Assembly of People’s Representatives (ARP), الأجناب بالبلاد التونسية مقترح قانون عدد 041/2024 يتعلق بتنقيح وإتمام القانون عدد 7 لسنة 1968 المؤرخ في 8 مارس 1968 المتعلق بحالة الأجانب بالبلاد التونسية [Draft Law 041/2024 amending and supplementing Law 7 of 1968 dated 8 March 1968 relating to the status of foreigners in Tunisia], 6 May 2024, [https://www.arp.tn/ar\\_SY/loi/project/4034](https://www.arp.tn/ar_SY/loi/project/4034) (in Arabic).

<sup>47</sup> Webdo, “Combien de migrants irréguliers y a-t-il en Tunisie?” [“How many irregular migrants are there in Tunisia?”], 21 May 2024, <https://www.webdo.tn/fr/actualite/national/combien-de-migrants-irreguliers-y-a-t-il-en-tunisie/214283> (in French).

Amnesty International is calling on the Tunisian authorities to:

- Integrate anti-racism programmes in the training of relevant security and judicial officials, including on consistent rules forbidding racial profiling;
- Amend Law 68-7 and Law 2004-6 to decriminalize irregular entry, stay and exit and ensure they are treated as administrative offences, to provide a presumption against migration-related detention, and to ensure it is limited to the minimum time necessary, based on a detailed individual assessment, only as a measure of last resort; and develop where necessary alternatives to detention;
- Release all people who remain arbitrarily detained including in Ouardia and ensure that anyone detained is informed of the length of their detention, the reason for it and how to appeal against it. At all times ensure that asylum seekers have access to UNHCR.

## 2.5 VIOLATIONS DURING INTERCEPTIONS AND DISEMBARKATION

Along with the rise in irregular maritime crossings from Tunisia, the numbers of interceptions and people intercepted at sea have considerably increased since 2019, jumping by over 300% in 2020.<sup>48</sup> The rate spiked dramatically following President Saïed's racist speech in February 2023,<sup>49</sup> along with an increase in migrant sea arrivals in Italy.<sup>50</sup> In September 2023, UNHCR assessed that: "[H]igh departure rates in Tunisia result from the perception of insecurity among refugee communities, following incidents of racially motivated attacks and hate speech, as well as collective expulsions."<sup>51</sup>

On 19 June 2024, the Tunisian government notified the International Maritime Organization (IMO) of the establishment of a Tunisian maritime search and rescue region (SRR),<sup>52</sup> a decision called for and supported by the EU which is expected to facilitate interceptions over a larger maritime zone.<sup>53</sup>

During interceptions at sea, the Tunisian Maritime National Guard (coastguard) has resorted to reckless, unlawful and violent actions that put peoples' lives at risk, rather than protecting peoples' lives and safety in vulnerable situations. These included high-speed manoeuvres creating large waves that threaten to capsize migrants' boats; slapping or hitting people with batons; firing tear gas at close range at the faces of people, including children; colliding with migrants' boats; and using threatening and insulting language. Twenty-five refugees and migrants described such unlawful behaviour in 24 interceptions.<sup>54</sup> Seventeen of these interceptions involved excessive use of force and ill-treatment that put lives at risk and in at least one instance caused deaths.

Refugees and migrants intercepted also described the lack of individualized protection assessment during disembarkation, including for children and for asylum seekers and refugees registered with UNHCR. Officers asked those intercepted to empty their pockets and carried out body searches, including violent and abusive strip searches. They confiscated items such as phones, money and identification documents, including UNHCR cards, and handcuffed people without justification. They often tore up identification documents. National Guard officers ignored or refused to recognize

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<sup>48</sup> FTDES, Social Observatory December 2022 Report, 15 January 2023, <https://ftdes.net/en/rapport-decembre-2022-des-mouvements-sociaux-suicides-violences-et-migrations/>; Global Initiative against Transnational Organized Crime (GI-TOC), *Losing Hope: Why Tunisians are Leading the Surge in Irregular Migration to Europe*, January 2022, <https://globalinitiative.net/analysis/tunisia-migration-europe/>

<sup>49</sup> Agenzia Nova, "Migrants: Landings boom from Tunisia, new arrivals from Libya increased by 152 percent", 29 March 2023, <https://shorturl.at/nuxN>

<sup>50</sup> Xinhuanews, "Tunisia: more than 75,000 clandestine migrants intercepted and prevented from crossing the Mediterranean in 2023" ["Tunisie: plus de 75.000 migrants clandestins interceptés et empêchés de traverser la Méditerranée en 2023"], 21 February 2024, <https://french.news.cn/20240222/f020b42f28bd4499a3972ea72d19dcaa/c.html>; FTDES, *Social Observatory 2023 Annual Report*, 13 February 2024, <https://ftdes.net/ar/le-rapport-annuel-de-lobservatoire-social-tunisien-2023/>

<sup>51</sup> Director of the New York Office of the UN High Commissioner for Refugees (UNHCR), Ruven Menikdiwela, Briefing to the UN Security Council, 23 September 2023, UN Doc. SC/15427.

<sup>52</sup> Agenzia Nova, "Tunisia establishes a search and rescue zone at sea", 19 June 2024, <https://www.agenzianova.com/en/news/Tunisia-establishes-a-search-and-rescue-zone-at-sea/>

<sup>53</sup> Amnesty International, Joint statement: Tunisia is not a place of safety for people rescued at sea, (Index: MDE 30/8593/2024), 4 October 2024, <https://www.amnesty.org/en/documents/mde30/8593/2024/en/>; SOS Méditerranée, "Humanitarian concerns over Tunisia's new search and rescue region", 26 July 2024, <https://www.sosmediterranee.org/humanitarian-concerns-over-tunisia-s-new-search-and-rescue-region/>

<sup>54</sup> Interviews conducted separately by voice call with 18 Black refugees and migrants, 20 September 2023-16 June 2025; Interviews conducted separately in person with five Guinean nationals, Sfax, 29 September 2023; Interviews conducted separately in person with two Sudanese asylum seekers, Tunis, 27 October 2023.

UNHCR cards presented as evidence of asylum seeker or refugee status. Five people recounted how officers searched, smashed or reset their phones in front of them.

In a context marked by the public advocacy of racial hatred and racial targeting by law enforcement authorities, interceptions and disembarkations have been conducted in ways that reinforce the risk of racial profiling and targeting, therefore disproportionately affecting Black refugees and migrants.

Amnesty International is calling on the Tunisian authorities to:

- At all times, especially in situations of vulnerability such as at sea, protect the non-derogable right to life of refugees and migrants and stop the unnecessary or disproportionate use of force or other practices that put migrants' lives at risk during interceptions;
- Ensure that practical and effective mechanisms are established to systematically assess the individual situation and protection needs of all people disembarked following interceptions or rescues at sea, through timely and effective screenings and referrals, in accordance with due process guarantees and international human rights standards.

## 2.6 COLLECTIVE AND SUMMARY EXPULSIONS

Collective expulsions of sub-Saharan African migrants, while not a new phenomenon, were relatively infrequent before 2023 and often involved pushbacks in border areas.<sup>55</sup> Since June 2023, they have become routine, involving larger groups of people expelled from the mainland and border areas in violation of the principle of non-refoulement. Between June 2023 and May 2025, authorities expelled at least 11,500 refugees and migrants across 70 separate collective expulsions.<sup>56</sup>

The Tunisian National Guard, military and police have collaborated to summarily expel groups of refugees and migrants to remote desert or border areas in Libyan, Algerian and Tunisian territory. Authorities confiscated phones, identification documents and money, leaving people vulnerable to death and criminal violence. Authorities have carried out these expulsions without fulfilling their duty to independently assess individual circumstances, risks incurred upon return and possible protection needs, outside of any judicial oversight, without clearly informing them that they were being expelled, and without giving them the opportunity to challenge the expulsion.

Authorities have been carrying out collective expulsions nearly systematically after interceptions at sea, which are conducted in a way that reinforces the risk of racial discrimination, or following racially motivated arrests and detention. Within the context of public advocacy of racial hatred, collective expulsions have disproportionately affected Black refugees and migrants and have had a racially discriminatory impact.

The first wave of collective expulsions took place between late June and early July 2023, against the background of an upsurge of racist violence, including assaults, arbitrary evictions and job terminations, as well as advocacy of racial hatred by Tunisian officials. On the night of 22-23 May 2023, a group of Tunisian men stabbed to death a man from Benin in a home in the eastern city of Sfax.<sup>57</sup> On 25 June 2023, several hundred people attended two anti-migrant demonstrations in Sfax calling for the expulsion of irregular migrants.<sup>58</sup> On 3 July 2023, also in Sfax, a Tunisian man was

<sup>55</sup> UN Special Procedures, "Tunisia and Libya: UN experts condemn collective expulsion and deplorable living conditions of migrants", 10 November 2021, <https://t.ly/NbiMn>; FTDES, "Serious concern from national and international organizations regarding the situation of 36 migrants on the Tunisian-Libyan border" ["Vives inquiétudes des organisations nationales et internationales face à la situation de 36 personnes migrantes à la frontière tuniso-libyenne"], 6 August 2019, <https://ftdes.net/vives-inquietudes-des-organisations-nationales-et-internationales-face-a-la-situation-de-36-personnes-migrantes-a-la-frontiere-tuniso-libyenne/> (in French); Hassen Boubakri and Sylvie Mazzella, "Tunisia between transit and immigration: migration policies and reception conditions of African migrants in Tunis" ["La Tunisie entre transit et immigration: politiques migratoires et conditions d'accueil des migrants africains à Tunis"], Autrepart, Issue 36, November 2005, <https://www.cairn.info/revue-autrepart-2005-4-page-149.htm>.

<sup>56</sup> Interviews conducted separately by voice call with 54 refugees and migrants, eight people who described the expulsion of their relatives or friends and four human rights activists who documented expulsions to Libya and Algeria, 20 September 2023-16 June 2025; Interviews conducted separately in person with three migrants and asylum seekers, Tunis, 27 October 2023; Interviews conducted separately in person with three Guinean migrants, 29 September 2023, Sfax; Interviews conducted in person with five Guinean migrants, Tunis, 1 March 2024; UN High Commissioner for Human Rights, "Global Update to the Fifty-Fourth Regular Session of the UN Human Rights Council (HRC)", 11 September 2023, <https://www.ohchr.org/en/news/2023/09/human-rights-council-opens-its-fifty-fourth-regular-session-hears-global-update-high>

<sup>57</sup> VOA Africa, "Tunisian arrested for migrant murder", 29 May 2023, <https://www.voaafrica.com/a/tunisians-arrested-for-migrant-murder/7113766.html>

<sup>58</sup> Middle East Monitor, "Tunisians protest against irregular migrants", 26 June 2023, <https://www.middleeastmonitor.com/20230626-tunisians-protest-against-irregular-migrants/>

fatally stabbed during clashes between Tunisians and Black foreign nationals,<sup>59</sup> contributing to a new wave of violence against Black people in the city.<sup>60</sup> On 5 July 2023, parliamentarian Moez Barkallah stated that authorities had expelled 1,200 sub-Saharan African migrants from Sfax to the Libyan and Algerian borders since Eid el-Adha (28 June 2023).<sup>61</sup>

On 18 July 2023, UN Experts urged the authorities to take urgent measures to stop collective expulsions and protect the human rights of all migrants.<sup>62</sup> According to UNHCR, following the first wave of expulsions to Libya, 28 migrants were found dead and over 80 were reported missing.<sup>63</sup>

Those expelled to Algeria have had to walk back to inhabited areas in Tunisia for days or weeks, with no food or water with them. Nine individuals told Amnesty International that criminal groups operating between the Algerian border and the city of Sfax kidnapped them for ransom following their expulsion.<sup>64</sup> Those expelled to Algeria also face the risk of chain refoulement to Niger by the Algerian authorities, as documented by civil society organisations and media since 2023.<sup>65</sup>

In contrast, refugees and migrants expelled to Libya were often directly handed to the Libyan Border Guard or other militias, who left them stranded in the desert or, in most cases, took them to detention centres. Refugees and migrants were held for ransoms without any due process in cruel and inhuman conditions. Amnesty International has long documented how refugees and migrants in Libya are subjected to widespread and systematic human rights violations and abuses in near total impunity.<sup>66</sup>

In response to media requests, the Tunisian authorities have on multiple occasions denied carrying out collective expulsions.<sup>67</sup> In August 2023, former Minister of Interior Kamel Feki conceded that small groups of people trying to enter Tunisia had been pushed back to the borders.<sup>68</sup>

Under Tunisian Law 68-7 and Law 2004-6, foreign nationals without valid documentation or whose presence constitutes “a threat to public order” can be expelled, including by an administrative order from the Ministry of Interior or at the initiative of security authorities.<sup>69</sup> The law does not clarify the expulsion process, nor does it provide for the possibility to challenge the expulsion order.

<sup>59</sup> France 24, “Tunisian stabbed to death in clash with African migrants”, 4 July 2023, <https://www.france24.com/en/live-news/20230704-tunisian-stabbed-to-death-in-clash-with-african-migrants>

<sup>60</sup> France 24, “Tunisian mobs target African migrants in Sfax to ‘avenge’ deadly stabbing”, 5 July 2023, <https://www.france24.com/en/africa/20230705-tunisians-target-african-migrants-after-deadly-stabbing>

<sup>61</sup> Business News, “Moez Barkallah: 1200 migrants ont été expulsés depuis l’Aid el Kebir” [“Moez Barkallah: 1,200 migrants have been expelled since Eid el Kebir”], 5 July 2023, <https://www.businessnews.com.tn/moez-barkallah--1200-migrants-ont-ete-expulses-depuis-laid-el-kebir,520,130375,3> (in French).

<sup>62</sup> UN Special Procedures, “UN experts urge Tunisia to act swiftly to uphold migrants’ rights”, 18 July 2023, <https://t.ly/Ao3mb>

<sup>63</sup> UNHCR, “UNHCR Update Libya (September 2023) [ENG/AR]”, 21 September 2023, available at: <https://reliefweb.int/report/libya/unhcr-update-libya-september-2023-enar>

<sup>64</sup> Interviews conducted separately by voice call with nine migrants and asylum seekers, 29 November 2023-28 April 2024.

<sup>65</sup> Doctors without Borders (Médecins sans Frontières, MSF), *Death, Despair and Destitution: The Human Costs of the EU’s Migration Policies*, 20 February 2024, <https://www.msf.org/death-despair-and-destitution-human-costs-eu-migration-policies>; Alarm Phone Sahara, “Assamaka: Testimonies of expulsions from Algeria”, 8 March 2025, <https://alarmphonesahara.info/en/news/assamaka-testimonies-of-expulsion-from-algeria>; Alarm Phone Sahara, “Testimonies of people being (several times) expelled: Cameroonian migrants report about the violence they have faced in several North African countries”, 6 June 2025, <https://alarmphonesahara.info/en/news/testimonies-of-people-being-several-times-expelled-cameroon-migrants-report-about-the-violence-they-have-faced-in-several-north-african-countries>; Inkyfada, “Expulsions de migrant es aux frontières : un système dissuasif et violent” [“Expulsions of migrants at the borders: a dissuasive and violent system”], 21 May 2024, <https://inkyfada.com/fr/2024/05/21/enquete-expulsions-migration-frontieres-tunisie/> (in French).

<sup>66</sup> Amnesty International, *Libya: ‘No One Will Look for You’* (previously cited); Amnesty International, *Libya: ‘Between Life and Death’: Refugees and Migrants Trapped in Libya’s Cycle of Abuse* (Index: MDE 19/3084/2020), 24 September 2020, <https://www.amnesty.org/en/documents/mde19/3084/2020/en/>

<sup>67</sup> France 24, “وزير الداخلية التونسي: الادعاءات حول عمليات طرد مهاجرين لا أساس لها من الصحة”, 3 August 2023, <https://tinyurl.com/3bhx8jue> (in Arabic); Ministry of Foreign Affairs, Immigration and Tunisians Abroad, Facebook post: <https://www.facebook.com/TunisieDiplo/posts/pfbid034pqgEWTrMrZdNaTyRYcC4TK9sxq21uhWuBinr2nN8aLz99NLHsHYKfHbZbUMBZTel> على إثر التقارير والبيانات الصادرة عن منظمات دولية وعدد من وسائل الاعلام بشأن تعامل السلطات التونسية في مواجهة تزايد التفتحات غير المسبوبة ووضع المهاجرين غير النظاميين، نيم وزارة الشؤون الخارجية والهجرة والتونسيين بالخارج أن توضح ما يلي [“Following reports and statements issued by international organizations and a number of media outlets regarding the Tunisian authorities’ response to the unprecedented increase in the flows of irregular migrants and their situation, it is important for the Ministry of Foreign Affairs, Immigration and Tunisians Abroad to clarify the following”], 4 August 2023, <https://t.ly/f2eCS> (in Arabic); Reuters, “Sudanese woman tells of ‘horrible’ desert journey after expulsion from Tunisia”, 9 August 2023, <https://www.reuters.com/world/africa/sudanese-woman-tells-horrible-desert-journey-after-expulsion-tunisia-2023-08-08/>; Infomigrants, “Migrants in Tunisia transferred to Libyan prisons”, 15 December 2023, <https://www.infomigrants.net/en/post/53906/migrants-in-tunisia-transferred-to-libyan-prisons>; Inkyfada, “Expulsions de migrant es aux frontières : un système dissuasif et violent” [“Expulsions of migrants at the borders: a dissuasive and violent system”], 21 May 2024, <https://inkyfada.com/fr/2024/05/21/enquete-expulsions-migration-frontieres-tunisie/> (in French); Tunisian Ministry of Foreign Affairs, Facebook post, 7 February 2025, <https://www.facebook.com/TunisieDiplo/posts/pfbid034pqgEWTrMrZdNaTyRYcC4TK9sxq21uhWuBinr2nN8aLz99NLHsHYKfHbZbUMBZTel>

<sup>68</sup> Associated Press, “Tunisian minister concedes ‘small groups’ of migrants were pushed back into desert no man’s land”, 3 August 2023, <https://apnews.com/article/tunisia-migrants-desert-interior-minister-pushback-81455ce286edc87d3da4eb9438a2609>

<sup>69</sup> Tunisia, Loi 68-7 relative à la Condition des Etrangers en Tunisie [Law 68-7 relating to the Condition of Foreigners in Tunisia], 1968, Article 18; Tunisia, Loi 75-40 relative aux Passeports et aux Documents de Voyage [Law 75-40 relating to Passports and Travel Documents], 1975, Article 34 and 50 (as amended by Law 2004-6 on 3 February 2004).

Although legislation such as Law 68-7 and Law 2004-6 governing the treatment of foreign nationals is seemingly race-neutral, authorities have implemented them in a discriminatory way because race and skin colour have been used to make assumptions about migration-related behaviour, which fed into patterns of arbitrary arrest, detention, interceptions, disembarkations and collective expulsions. This claim is reinforced by the lack of data on race and racial bias, which prevents authorities from safeguarding against racial discrimination and rendering migration laws and policies more likely to be racist in practice. The public advocacy of hatred and the racist violence that accompanied the start of collective expulsions further show that they have been used as tools for racialized exclusion.

## **DRAFT BASIC LAW 82/2024 ON EXPULSIONS**

On 20 December 2024, a group of parliamentarians proposed Draft Law 82/2024 Regulating the Expulsions of Irregular Migrants.<sup>70</sup> The draft was initiated against the backdrop of an increasing number of protests calling for expulsions of irregular migrants, often using xenophobic and racist language.<sup>71</sup> On 10 April 2025, the preliminary draft was submitted to the relevant parliamentary commissions but had not yet been tabled for examination at the time of writing.

Under this draft, the Ministry of Interior is tasked with notifying irregular migrants of their expulsion. Migrants can also face expulsion if they have otherwise violated Tunisian law, which may be discriminatory without providing for a specific individualized assessment. The draft provides for the possibility to appeal the expulsion order within 30 days of notification, but the appeal is not suspensive. The law appears to provide for the protection of refugees and asylum seekers and individuals facing a risk of human rights violations upon return by prohibiting their expulsion but only refers to the right to “political” asylum and does not clarify how refugees and asylum seekers would be protected without access to asylum procedures in the country. The draft also does not clarify whether an individualized assessment of risks will be carried out and by which authority. While some provisions mention respect for human rights, the draft does not clarify how irregular migrants who are criminalized would be able to obtain redress in practice and does not reference specific international conventions or standards. Lastly, the draft appears to provide for the detention of migrants in a “reception” facility but is unclear about its basis or whether it would be automatic and thus, arbitrary.

Amnesty International is calling on the Tunisian authorities to:

- Immediately end the practice of collective and summary expulsions of refugees and migrants to Algeria and Libya and put in place procedural safeguards, including the right of individualized protection assessment, legal assistance and suspensive appeal;
- At all times respect the principle of non-refoulement that prohibits the transfer of individuals to another country or jurisdiction where they would face a real risk of serious human rights violations or abuse or where there is a risk of onward transfer to a third country where the person will be at risk.

## **2.7 TORTURE AND OTHER ILL-TREATMENT**

Forty-one refugees and migrants said they had been tortured or otherwise ill-treated by Tunisian police, military or National Guard officers, notably following interceptions, during expulsions, or while in detention.<sup>72</sup> In most cases, they described unnecessary, severe and cruel physical violence by security officials, and/or being held in conditions that amounted to cruel, inhuman and degrading treatment, after an interception and/or during a collective expulsion. Overwhelmingly, those

<sup>70</sup> Tunisian House of People's Representatives, *مقترح قانون أساسي عدد 82/2024 يتعلق بتنظيم ترحيل المهاجرين غير النظاميين* [Draft Basic Law 82/2024 on Regulating the Expulsion of Irregular Migrants], [https://www.arp.tn/ar\\_SY/lot/project/4132](https://www.arp.tn/ar_SY/lot/project/4132) (accessed on 7 July 2025, in Arabic).

<sup>71</sup> Le Monde, “En Tunisie, une manifestation contre les migrants clandestins” [“In Tunisia, a demonstration against illegal migrants”], 26 June 2023, [https://www.lemonde.fr/afrique/article/2023/06/26/en-tunisie-une-manifestation-contre-les-migrants-clandestins\\_6179242\\_3212.html#:~:text=Des%20centaines%20de%20manifestants%20ont,le%20pays%20vers%20l%27Europe](https://www.lemonde.fr/afrique/article/2023/06/26/en-tunisie-une-manifestation-contre-les-migrants-clandestins_6179242_3212.html#:~:text=Des%20centaines%20de%20manifestants%20ont,le%20pays%20vers%20l%27Europe) (in French); AP News, “Tunisians stage anti-migrant protest as the number of stranded in transit to Europe grows”, 19 May 2024, <https://www.wjbf.com/news/ap-top-headlines/ap-tunisians-stage-anti-migrant-protest-as-the-number-of-stranded-in-transit-to-europe-grows/>

<sup>72</sup> Interviews conducted separately by voice call with 41 refugees and migrants, 25 September 2023-16 June 2025.

interviewed described the treatment they faced as discriminatory, based on their racialization as Black people or on explicitly discriminatory conduct by the authorities.

Twelve women and two men said they were raped or had witnessed rapes, or experienced other forms of sexual assault or harassment, by security officers in the context of interceptions, expulsions or under threat of expulsion.<sup>73</sup> Nine among them said that officers raped them during an expulsion.<sup>74</sup> In six cases, sexual abuse including rape took place in the context of violent and abusive body searches, with fondling or groping and with strong indications that the violence was used to humiliate and dehumanize the individuals on both gender and racial grounds.<sup>75</sup>

In light of previous findings regarding the public advocacy of racial hatred; the racial profiling and targeting of Black refugees and migrants; interceptions and disembarkations reinforcing racial discrimination; collective expulsions; as well as the considerable difficulty for Black refugees and migrants to seek remedy for violations of their rights, patterns of ill-treatment have also disproportionately impacted them.

Amnesty International is calling on the Tunisian authorities to:

- Protect refugees and migrants from torture and other ill-treatment and abuse, without discrimination based on their migration status, gender, race, skin colour or national origin;
- Open timely, independent and impartial investigations into all allegations of torture and other ill-treatment and abuse, including sexual harassment and violence, and ensure foreign nationals have access to an effective remedy, irrespective of their status.

## 2.8 DISRUPTING PROTECTION AND ASSISTANCE

### CRACKDOWN ON FREEDOM OF EXPRESSION IN RELATION TO RACISM AND XENOPHOBIA

More than three years after 25 July 2021, when Tunisian President Kais Saied dissolved the government, dismantled parliament and suspended chapters of the constitution, Tunisia has witnessed a significant human rights rollback.<sup>76</sup> The authorities have notably clamped down on freedom of expression using the draconian Decree-law 54 of 2022<sup>77</sup>.

In January 2024, a court of appeals sentenced an artist to two years in prison for painting graffiti denouncing President Saied's racist speech of 21 February 2023, on bogus charges of "committing an offensive act against the president" and "producing and promoting false news with the aim of infringing on the rights of others, harming public security or national defence, or spreading terror among the population" (Article 67 of the Penal Code and Article 24 of Decree-law 54).<sup>78</sup>

In July 2024, a Tunis court sentenced a media figure and lawyer to a one-year prison sentence, later reduced to eight months, over sarcastic comments made on TV questioning the claim that Black African migrants were seeking to settle over Tunisia.<sup>79</sup> In October 2024, the same court sentenced her to another two years in prison in a separate case for highlighting racist practices in Tunisia, later reduced to eighteen months.

<sup>73</sup> Interviews conducted separately by voice calls with nine refugees and migrants, 7 October 2023-9 June 2025; Interviews conducted in person with five migrant women, Tunis, 1 March 2024.

<sup>74</sup> Interviews conducted separately by voice call with five migrant women, 2 February-9 June 2025; Interviews conducted in person with five migrant women, Tunis, 1 March 2024.

<sup>75</sup> UN Special Rapporteur on Torture, Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *Report on Psychological Torture and Ill-treatment*, 20 March 2020, UN Doc. A/HRC/43/49, para. 36.

<sup>76</sup> Amnesty International, *Tunisia: A Year of Human Rights Regression since President's Power-Grab* (Index: MDE 30/5876/2022), 21 July 2022, <https://www.amnesty.org/en/documents/mde30/5876/2022/en/>; Amnesty International, "Tunisia: Human Rights Council should address rapidly growing rights crisis", 27 June 2023, <https://www.amnesty.org/en/latest/news/2023/06/tunisia-human-rights-council-should-address-rapidly-growing-rights-crisis/>

<sup>77</sup> Amnesty International, "Tunisia: Repeal draconian cybercrime decree" (Index: MDE 30/6290/2022), 12 December 2022, <https://www.amnesty.org/en/documents/mde30/6290/2022/en/>; Amnesty International, "Tunisia: Authorities escalate clampdown on media, freedom of expression", 30 May 2024, <https://www.amnesty.org/en/latest/news/2024/05/tunisia-authorities-escalate-clampdown-on-media-freedom-of-expression/>

<sup>78</sup> Amnesty International, "Tunisia: Artist jailed for criticizing president: Rached Tamboura" (Index: MDE 30/7893/2024), 28 March 2024, <https://www.amnesty.org/en/documents/mde30/7893/2024/en/>

<sup>79</sup> Amnesty International, "Tunisia: Further information: Unjustly jailed lawyer treated inhumanely: Sonia Dahmani" (Index: MDE 30/8851/2024), 16 December 2024, <https://www.amnesty.org/en/documents/mde30/8851/2024/en/>

## TARGETING OF ORGANIZATIONS ASSISTING REFUGEES AND MIGRANTS

In May 2024, the Tunisian authorities launched an unprecedented crackdown against civil society organizations providing assistance to vulnerable refugees and migrants and organisations combatting racial discrimination.<sup>80</sup> Over the following year, authorities arrested, detained and investigated the heads, former staff or members of at least 15 organizations.<sup>81</sup> They raided the offices of three NGOs, arresting and detaining at least eight human rights defenders and NGO workers, as well as two former local officials who supported their work. At least 40 individuals have been under investigation in relation to their legitimate NGO work to support refugees and migrants.

Authorities have used overly broad provisions criminalizing assistance to irregular migrants within Law 68-7 and Law 2004-6,<sup>82</sup> historically used to sanction human smugglers, to target civil society.

On 3 and 4 May 2024, police arrested the director and project manager of the Tunisian Council for Refugees (CTR) – a Tunisian NGO which worked with the UNHCR to pre-register asylum seekers and provide essential assistance to refugees and asylum seekers.<sup>83</sup> Authorities are prosecuting them for “assisting the clandestine entry” of foreign nationals and “providing [them] shelter”, solely based on their NGO work. On 25 March 2025, the judge investigating the case proclaimed in court: “You [the defendants] brought [*a racial and derogatory slur used to refer to Black people*] into Tunisia illegally and you feed and shelter them, Tunisian history and laws will make you pay for it.” While they remain in pretrial detention, their trial opened on 16 October 2025.

Between 7 and 13 May 2024, police arrested the former director, director and administrative and financial director of Terre d’asile Tunisie, the Tunisian branch of French NGO France Terre d’asile, which provided basic services to vulnerable refugees and migrants.<sup>84</sup> Authorities also arrested two former municipality officials, based on their collaboration with the NGO. Authorities have held them in pretrial detention and are prosecuting them on charges that include “sheltering individuals illegally entering or leaving the territory” and “facilitating the irregular entry, exit, movement or stay of a foreigner”, based on their provision of critical assistance to refugees and migrants. To support the charge, the investigative judge cited a “European-backed civil society plan to promote the social and economic integration of irregular migrants into Tunisia and their permanent settlement”.

Other organizations targeted include anti-racism organization Mnemty, which played a key role in the adoption of Law 2018-50 criminalizing racial discrimination – authorities arrested their president in May 2024 and nine of their staff and partners have been under investigation for financial crimes for which the authorities have yet to provide evidence – and the children’s rights NGO Children of the Moon of Medenine. Authorities have also detained the executive director of the Association for the Promotion of the Right to Difference, since 12 December 2024, pending investigation into the organization’s funding and activities.

Within the context of a wider smear campaign targeting civil society online and in the media for their alleged role in the “settlement” of sub-Saharan African migrants in Tunisia, President Saïed shared inflammatory remarks on 6 May 2024, in which he reiterated xenophobic rhetoric and described civil society organizations as “traitors and [foreign] agents”.<sup>85</sup> On at least seven instances between July

<sup>80</sup> Amnesty International, “Tunisia: Repressive crackdown on civil society organizations following months of escalating violence against migrants and refugees”, 16 May 2024, <https://www.amnesty.org/en/latest/news/2024/05/tunisia-repressive-crackdown-on-civil-society-organizations-following-months-of-escalating-violence-against-migrants-and-refugees/>

<sup>81</sup> Amnesty International, “Tunisia: Year-long arbitrary detention of human rights defenders working with refugees and migrants”, 7 May 2025, <https://www.amnesty.org/en/latest/news/2025/05/draft-tunisia-year-long-arbitrary-detention-of-human-rights-defenders-working-with-refugees-and-migrants/>

<sup>82</sup> Tunisia, Loi 68-7 relative à la Condition des Etrangers en Tunisie [Law 68-7 relating to the Condition of Foreigners in Tunisia], 1968, Article 25; Tunisia, Loi 75-40 relative aux Passeports et aux Documents de Voyage [Law 75-40 relating to Passports and Travel Documents], 1975, Article 38-44 (as amended by Law 2004-6 on 3 February 2004).

<sup>83</sup> Amnesty International, “Tunisia: Human rights defenders unjustly held – Mustapha Djemali and Abderrazek Krimi” (Index: MDE 30/9312/2025), 5 May 2025, <https://www.amnesty.org/en/documents/mde30/9312/2025/en/>

<sup>84</sup> Amnesty International, “Tunisia: Human rights defenders arbitrarily detained” (Index: MDE 30/9393/2025), 20 May 2025, <https://www.amnesty.org/en/documents/mde30/9393/2025/en/>

<sup>85</sup> Tunisian presidency, Facebook post: “كلمة رئيس الجمهورية قيس سعيد في افتتاح اجتماع مجلس الامن القومي” [“Speech of President Kais Saïed at the opening of the National Security Council meeting”], 6 May 2024, <https://www.facebook.com/watch/?v=3838758239713948> (in Arabic).

2023 and May 2024, the president criticized organizations working on migration, linking their work with dishonesty, false information, smearing of the state and collusion with foreign parties.<sup>86</sup>

This crackdown has significantly disrupted the provision of essential services to refugees and migrants including medical and legal aid and their access to asylum procedures, as highlighted by UNHCR.<sup>87</sup>

On 17 May 2024, a spokesperson of the UN High Commissioner for Human Rights expressed concern at the “increased targeting of migrants, mostly from south of the Sahara, and individuals and organizations working to assist them” and the rise in the use of “dehumanizing and racist rhetoric against Black migrants and Black Tunisians”.<sup>88</sup>

## SUSPENSION OF ASYLUM PROCEDURES

Despite having ratified the 1951 Refugee Convention and its 1967 Optional Protocol, Tunisia has yet to adopt an asylum law or establish a formal national system. Article 32 of the 2022 Tunisian Constitution simply states: “The right to political asylum is guaranteed in accordance with what is established by law; it is prohibited to extradite people who benefit from political asylum.”<sup>89</sup>

Since 2011, the Tunisian authorities delegated to UNHCR all responsibility for asylum seeker reception, registration and refugee status determination (RSD), although refugees and asylum seekers registered with UNHCR still had inadequate protection as the authorities did not systematically issue residency permits thus limiting access to formal employment.<sup>90</sup>

On 13 June 2024, the Tunisian authorities ordered UNHCR to suspend the registration of asylum seekers and refugee status determination (RSD) activities, without publicly communicating the decision.<sup>91</sup> This suspension, combined with the crackdown on refugee and migrant rights organizations, has had severe humanitarian consequences and contributed to a massive gap in the protection of refugees and asylum seekers, leaving them without essential safeguards.

Amnesty International is calling on the Tunisian authorities to:

- Adopt national asylum legislation implementing the 1951 Refugee Convention and its 1967 Protocol. Until then, immediately reverse the suspension of asylum seeker registration and RSD activities by UNHCR and allow the UN agency to work without hindrance;
- Halt the criminalization of individuals and organizations assisting refugees and migrants. Drop charges against human rights defenders and all those prosecuted for their legitimate support to refugees and migrants and release all those detainees. Ensure human rights defenders, civil society organizations and activists, journalists as well as refugees and migrants themselves can exercise their right to freedom of expression and association unhindered.

<sup>86</sup> Tunisian Presidency, Facebook post: “استقبل رئيس الجمهورية قيس سعيد ، عصر اليوم السبت 8 جويلية 2023 بقصر قرطاج، السيدة نجلاء بouden Romdhane، رئيسة الحكومة” [“The President of the Republic, Kais Saied, received, on this afternoon, Saturday 8 July 2023, at the Carthage Palace, Mrs. Najla Bouden Romdhane, Head of Government”], 8 July 2023, <https://shorturl.at/hnt56> (in Arabic); Tunisian Presidency, Facebook post: “استقبل رئيس الجمهورية قيس سعيد، صباح اليوم الإثنين 10 جويلية 2023 بقصر قرطاج، السيد روبرت أبيل، الوزير الأول المالطي” [“The President of the Republic, Kais Saied, received, this morning, Monday 10 July 2023, at the Carthage Palace, Mr. Robert Abela, prime minister of Malta”], 10 July 2023, <https://shorturl.at/gwCP3> (in Arabic); Business News, “Saied après la signature du mémorandum : nous faisons face à notre destin ensemble !” [“Saied after signing the memorandum: we face our destiny together!”], 16 July 2023, <https://www.businessnews.com.tn/saied-apres-la-signature-du-memorandum--nous-faisons-face-a-notre-destin-ensemble.520.130619.3> (in French); Tunisian Presidency, Facebook post: “استقبل رئيس الجمهورية قيس سعيد، صباح اليوم الإثنين 7 أوت 2023 بقصر قرطاج، السيد أحمد الحشاني، رئيس الحكومة” [“The President of the Republic, Kais Saied, received, this morning, Monday 7 August 2023, at the Carthage Palace, Mr. Ahmed El Hachani, Head of Government”], 7 August 2023, <https://shorturl.at/ADH23> (in Arabic); Tunisian Presidency, Facebook post: “استقبل رئيس الجمهورية قيس سعيد، ظهر اليوم الجمعة 12 أفريل 2024 بقصر قرطاج، السيد نبيل عزار، وزير الشؤون الخارجية والهجرة والتونسيين بالخارج” [“The President of the Republic, Kais Saied, received, this afternoon, Friday 12 April 2024, at the Carthage Palace, Mr. Nabil Ammar, minister of foreign affairs, migration, and Tunisians abroad”], 12 April 2024, <https://shorturl.at/fNOW1> (in Arabic); Tunisian presidency, Facebook post: “إشراف رئيس الجمهورية قيس سعيد على اجتماع مجلس الأمن القومي” [“The Tunisian president supervised a meeting of the National Security Council”], 15 April 2024, <https://shorturl.at/jzG02>, minute 5:40-10:40 (in Arabic); Tunisian presidency, Facebook post: “كلمة رئيس الجمهورية قيس سعيد في افتتاح اجتماع مجلس الأمن القومي” [“Speech of President Kais Saied at the opening of the National Security Council meeting”], 6 May 2024 (previously cited).

<sup>87</sup> UNHCR, “UNHCR Tunisia monthly operational update (May 2024)”, 31 May 2024, <https://data.unhcr.org/en/documents/details/109712>

<sup>88</sup> OHCHR, “Tunisia – Concern at increased targeting of migrants”, 17 May 2024, <https://www.ohchr.org/en/press-briefing-notes/2024/05/tunisia-concern-increased-targeting-migrants>

<sup>89</sup> Tunisia, Presidential Decree 2022-691 of 17 August 2022, promulgating the Constitution of the Tunisian Republic, 17 August 2022.

<sup>90</sup> UNHCR, *Submission to the Fourth Cycle of the Universal Periodic Review of the State of Tunisia*, February 2022, available at: <https://www.ohchr.org/en/hr-bodies/upr/tu-un-contributions-s41>

<sup>91</sup> Italian Ministry of Interior, “Regional Development and Protection Programme for North Africa (phase VI)”, December 2024, <https://rdppna.interno.gov.it/wp-content/uploads/2024/12/TUNISIA-phase-VI-SEPTEMBER-2024-1.pdf>

## 2.9 MEMORANDUM OF UNDERSTANDING WITH THE EUROPEAN UNION

On 16 July 2023, a Memorandum of Understanding (MoU) was signed between the European Commission and Tunisia outlining a strategic partnership on a range of issues, including migration.<sup>92</sup> The conclusion of this agreement was marred by a lack of transparency, parliamentary and public scrutiny, or consultations with civil society in either Tunisia or the European Union (EU).<sup>93</sup>

As of October 2025, the agreement continues to be implemented.<sup>94</sup> At least half of the EUR 105 million allocated to migration-related funding have been contracted, for projects relating to "border management, anti-smuggling and anti-trafficking, protection and return and reintegration", although a detailed breakdown is not publicly available. The agreement foresaw training and capacity building directly for the Tunisian coastguard and to a new maritime search-and-rescue coordination centre – including the provision and refitting of "search-and-rescue" vessels.<sup>95</sup>

Despite a mention that cooperation would be "based on respect for human rights", the agreement did not include necessary or effective safeguards for human rights, as evident by the lack of requirements to conduct human rights impact assessments, clear and transparent benchmarks, or independent monitoring, and no explicit suspensive clause in the event of rights abuses.

While the European Commission announced setting up an independent monitoring system for migration-related programmes in 2024,<sup>96</sup> and dedicated monitoring mechanisms had been "deployed" in 2025 "to further ensure adherence to human rights standards",<sup>97</sup> no other information is publicly available.

In addition to supporting security authorities who are committing serious violations, the MoU has led to more people including refugees and asylum seekers being contained in a country where they are exposed to widespread human rights violations and abuses, as it foresaw a larger number of interceptions and disembarkations in Tunisia.<sup>98</sup> The ongoing cooperation with the EU on migration control has thus contributed to human rights violations including against people seeking protection.

UN experts have on two instances raised concerns regarding the EU's contribution to human rights violations against refugees and migrants in Tunisia.<sup>99</sup>

Amnesty International is calling on the Tunisian authorities to:

- Ensure that policymaking on migration follow a consultative and participatory process with effective and meaningful representation of independent civil society, including refugees and migrants and their organizations, under the monitoring and oversight of independent judicial authorities, media, and independent institutions such as the national prevention mechanisms, in full respect of fundamental civil and political freedoms.

<sup>92</sup> European Commission, Memorandum of Understanding on a strategic and global partnership between the European Union and Tunisia, 16 July 2023, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_23\\_3887](https://ec.europa.eu/commission/presscorner/detail/en/ip_23_3887)

<sup>93</sup> Amnesty International, "EU/Tunisia: Agreement on migration 'makes EU complicit' in abuses against asylum seekers, refugees and migrants", 17 July 2023, <https://www.amnesty.org/en/latest/news/2023/07/eu-tunisia-agreement-on-migration-makes-eu-complicit-in-abuses-against-asylum-seekers-refugees-and-migrants/>

<sup>94</sup> Council of the European Union, *Update on the State of Play of External Cooperation in the Field of Migration Policy*, 21 January 2025, <https://www.statewatch.org/media/4715/eu-council-emwp-external-coop-update-5235-25.pdf>

<sup>95</sup> European Commission, Letter to the Chair of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE), 20 October 2023 (previously cited).

<sup>96</sup> European Parliament, Answer given by European Commissioner for Neighbourhood and Enlargement Olivér Várhelyi on behalf of the European Commission: Parliamentary question - E-000975/2024(ASW), 1 July 2024, [https://www.europarl.europa.eu/doceo/document/E-9-2024-000975-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2024-000975-ASW_EN.html)

<sup>97</sup> European Parliament, Answer given by European Commissioner for the Mediterranean Dubravka Šuica on behalf of the European Commission: Parliamentary question - E-000062/2025(ASW), 8 April 2025, [https://www.europarl.europa.eu/doceo/document/E-10-2025-000062-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-10-2025-000062-ASW_EN.html)

<sup>98</sup> Amnesty International, "In Tunisia, the EU is repeating an old and dangerous mistake", 21 September 2023, <https://www.amnesty.org/en/latest/news/2023/09/in-tunisia-the-eu-is-repeating-an-old-and-dangerous-mistake/>

<sup>99</sup> UN Special Procedures, Communication, Ref. AL OTH 98/2023, 17 August 2023, p. 7; UN Special Procedures, Communication, 1 October 2024, Ref. AL TUN 6/2024, p.9.

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