

Tunisia 2023 Human Rights Report

Executive Summary

There was a significant increase during the year in arrests, detentions, and investigations of opposition politicians, journalists and other media figures, lawyers, and other perceived critics of the government in Tunisia.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment by the government; arbitrary arrests or detentions; serious problems with the independence of the judiciary; political prisoners or detainees; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists, censorship, or enforcement of or threat to enforce criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions on the right to leave the country; refoulement of refugees to a country where they would face torture or persecution; serious and unreasonable restrictions on political participation; serious government corruption, both high-level and widespread; crimes involving violence or threats of violence against Black Tunisians and sub-Saharan Africans; laws criminalizing consensual same-sex sexual conduct

between adults and the enforcement of those laws; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and significant restrictions on workers' freedom of association.

The government took some credible steps to address impunity or reduce abuses, but human rights groups frequently asserted that investigations into abuses by police, security forces, and detention center officials lacked transparency and encountered long delays and procedural obstacles. High-profile investigations into former government officials, members of parliament, media figures, and businesspersons on corruption, conspiracy, and terrorism charges also lacked transparency.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year; however, prior criminal prosecutions of arbitrary killings continued.

On June 9, the Ben Arous Court of Appeals set a September 22 trial date to review the case of 12 police officers whom a lower court convicted of manslaughter and sentenced to two years in prison for the death of Omar

Laabidi, who drowned in 2018 allegedly due to police negligence. On September 22, the court postponed to December 8, at which point the court decided to schedule a new session to reexamine the medical report in addition to testimonies on February 16, 2024. Civil society and public reactions criticized the decision as insufficient and lacking police accountability and called the four-year delay in sentencing a sign of a dysfunctional judicial system.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The law prohibited such practices, but there were credible reports government officials employed them. The constitution prohibited “moral and physical torture,” and the penal code penalized the use of “violence” when used without just cause. Civil society organizations criticized the criminal code as insufficient to cover torture, asserting it was not in line with international standards.

The National Police reportedly subjected detainees to harsh physical treatment, such as beatings, burning with cigarettes, and prolonged solitary

confinement, according to firsthand accounts provided to national and international organizations. Several prominent local human rights activists decried the practice of what they referred to as torture, including electric shocks, mock executions, and suspension by the ankles in police stations and detention centers. The World Organization Against Torture (OMCT) reported 53 suspected cases of torture and ill-treatment in detention centers and prisons between January and June.

The Ministry of Interior had three inspector general offices (one for the National Police, one for the National Guard, and a central inspectorate general reporting directly to the minister) that conducted administrative investigations into the different ministry structures. The inspector general offices could hold security agents accountable for abuses and could issue administrative reprimands even before the courts announced a final verdict in abuse cases. The Ministry of Interior adopted a police accountability policy and code of conduct in April. Ministry of Interior officials reported that security forces found culpable of violations, particularly against migrants, had received disciplinary action that included dismissal, reassignment, and transfer. Human rights nongovernmental organizations (NGOs), however, criticized the government for failing to investigate abuse allegations and for the appearance of impunity for abusers.

Prison and Detention Center Conditions

Prison and detention center conditions did not meet international

standards, according to domestic and international observers such as the OMCT, principally due to gross overcrowding, poor infrastructure, and inadequate sanitary conditions.

Abusive Physical Conditions: Prisons were grossly overcrowded and had inadequate sanitary conditions.

Most prison buildings were originally constructed for industrial uses and converted later into detention facilities; as a result, they suffered from poor infrastructure, including substandard lighting, ventilation, sanitation, cooling, and heating. Health-care services available to inmates were inadequate. Very few prisons had an ambulance or medically equipped vehicle.

Administration: Authorities conducted some investigations into allegations of mistreatment. The Ministry of Justice frequently did not make public its findings, and its internal investigations into prisoner abuse often lasted several months, in some cases more than a year.

The government established a National Authority for the Prevention of Torture (INPT), an independent body, in 2013 to respond to allegations of torture and mistreatment. The INPT included 16 members who served staggered six-year terms and had the authority to visit any prison or detention center without prior notice and to document torture and mistreatment, request criminal and administrative investigations, and issue

recommendations for measures to eradicate abuse and mistreatment.

The INPT reported continued cooperation by government authorities and conducted several visits to civilians detained under the military and civilian courts' purviews in various prisons and detention centers. Nevertheless, the INPT reported that authorities of Borj Alamri prison denied it access to prisoners on December 7, which it stated was in contravention of the government's obligations under the Optional Protocol to the Convention against Torture.

Independent Monitoring: The government granted prison access to some independent nongovernmental observers, including local and international human rights groups, NGOs, the International Committee of the Red Cross, the UN Office of the High Commissioner for Human Rights, the UN Subcommittee on Prevention of Torture, the OMCT, the independent Tunisian Organization Against Torture, and the Tunisian Observatory of Freedoms. The Tunisian League of Human Rights could conduct unannounced prison visits and issue reports on conditions inside prisons. Other organizations were issued permits on a case-by-case basis, and the OMCT reported problems gaining access to prisoners for routine visits.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in

court, but there were reported incidents of arbitrary arrests and detentions, according to local and international rights groups. The country was under a state of emergency since a string of terrorist attacks in 2015, and human rights organizations expressed concern the government used its powers under a 1978 decree law on the state of emergency to place citizens under house arrest without providing these individuals access to the court orders that led to their arrest.

Arrest Procedures and Treatment of Detainees

The law required police to obtain a warrant to arrest a suspect unless a crime was in progress, or the arrest was for a felony. Arresting officers had to inform detainees of their rights, immediately notify detainees' families of the arrest, and make a complete record of the times and dates of such notifications. The maximum time of detention without charges for felonies was 48 hours, renewable once by a prosecutor's order, for a maximum of four days. For misdemeanor offenses, the time limit was 48 hours, although this could be extended for an additional 24 hours by a prosecutor's order. All extensions had to be justified in writing.

Detainees had the right to representation by counsel and to request medical assistance immediately upon detention. The judicial police had to inform the detainee's lawyer of all interrogations and interactions between the accused and witnesses or victims of the alleged offense. The judicial police had to allow the lawyer to be present unless the accused explicitly waived

the right to a lawyer, or the lawyer did not arrive at the prearranged time of questioning. The only exception was for terrorism suspects, who could be held without access to counsel for the first 48 hours. The counterterrorism law allowed authorities to hold a suspect without charges for 15 days, with a judicial review after each five-day period. Media and civil society reported police failed at times to follow these regulations and, on occasion, detained persons arbitrarily.

The government could assign a defense attorney in a criminal case even if the accused did not ask for one during the investigation. Legal representation was provided at government expense for indigent defendants if certain conditions were met. In felony cases, legal aid was also provided to citizens and foreigners. Legal aid was extended to administrative matters once a police investigation was completed, and the case went to court. The military code of justice gave detainees in military court the same right to legal counsel as described in the civilian penal code.

The law permitted authorities to release accused persons on monetary or nonmonetary bail; however, pretrial release was rarely implemented. The bail system was largely nonfunctional due to a systemic lack of capacity to track accused persons and remand them to custody should they violate the terms of their release. Due to this lack of capacity, many judges were unwilling to implement pretrial release.

Arbitrary Arrest: On February 1, President Saied extended the state of

emergency to the end of the year. The extension allowed the president to prohibit strikes or demonstrations deemed to threaten public order, place under house arrest anyone whose “activities are deemed to endanger security,” and suspend associations on suspicion of participation in harmful acts. The presidency renewed the state of emergency for periods of one to 10 months continuously since 2015.

From February to the end of the year, authorities investigated at least 21 perceived critics of the government on accusations of conspiracy, with at least 12 of those individuals arrested and accused of “plotting to attack the state.”

Domestic and international organizations alleged that since July 2021, when President Saied suspended the 2014 constitution, at least 50 individuals were placed arbitrarily under house arrest, banned from travel, or both, including former government officials, a judge, and several former members of parliament. Authorities subsequently lifted travel bans on many of these individuals, but travel bans on those subject to formal judicial proceedings remained, according to media reports.

On September 2, authorities placed Abdelkarim Harouni, senior Nahda party leader and head of the Shura Council, the party’s highest-ranking body, under 40 days’ house arrest without filing any criminal charges. On September 5, authorities formally arrested Harouni on corruption allegations. Nahda and other opposition parties criticized this restriction in

the lead-up to Nahda's planned October party elections.

Pretrial Detention: The length of pretrial detention remained unpredictable and could last from one month to several years, principally due to lengthy criminal prosecution procedures, judicial inefficiency, and lack of capacity, according to local and international NGOs.

In cases involving crimes related to national security, or for which the prison sentence could exceed five years, pretrial detention could last from six months to, in some rare cases, up to several years. In cases involving crimes for which the sentence could not exceed five years, the court could extend the initial six-month pretrial detention by only three months.

e. Denial of Fair Public Trial

The law provided for an independent judiciary, but the government did not respect judicial independence and impartiality. Authorities referred one civilian case to a military court during the year, down from four referrals in 2022 and six in 2021. Military courts were presided over by civilian judges relying on the military code of justice.

As of the end of the year, the government had not reinstated 57 judges dismissed by the president in 2022, despite a 2022 Administrative Court ruling overruling 49 of the dismissals and finding the firings improper. On June 1, the Association of Tunisian Magistrates (ATM) organized a sit-in to protest the dismissals. On August 29, President Saied omitted the 49 judges

when reappointing more than 1,000 judges as part of an annual judicial rotation. On August 21, ATM President Anas Hamadi faced charges before the Kef First Instance Court of “obstruction to the freedom of work,” accusations linked to an ATM-organized strike and protest held in June 2022. Critics said the charges were intended to punish Hamadi for appealing the 2022 judicial dismissals. There were no further updates by year’s end.

Trial Procedures

The law provided for the right to a fair and public trial, but the judiciary did not always enforce this right, and local and international rights groups reported that authorities frequently did not follow the law on trial procedures. Defendants charged under the counterterrorism law were denied the right to be informed promptly of the charges against them and the right to a public trial, and in certain cases were denied the right to communicate with an attorney, according to international NGO reports. The counterterrorism law stated that in cases involving terrorism, judges could close hearings to the public, admit testimony from anonymous witnesses, and keep information on witnesses, victims, and any other relevant persons confidential, including from the accused and their legal counsel. In August, the African Court on Human and People’s Rights ordered the government to “eliminate all barriers” and allow four detained political prisoners access to their legal representatives and doctors and to inform the prisoners’ families and lawyers of the reasons for their detention, in response to a court case

filed with the African Union court in Tanzania on behalf of the family members of the detainees.

Military courts had authority to try cases involving members of the security or armed forces and civilians accused of national security crimes or of offenses such as insulting the president (as commander in chief of the armed forces) or other members of the military. Appeals of decisions made by the military courts involving civilians were heard by the Court of Cassation, the country's highest court of appeal, and part of the civilian judiciary system. In January, the International Commission of Jurists assessed the trial of civilians before military courts was "incompatible with international standards, which require that the jurisdiction of military courts be exclusively restricted to cases involving members of the armed forces."

On March 2, the Military Court of Appeals sentenced former Karama party parliamentarian Rached Khiari, whom authorities arrested in August 2022, to six months' imprisonment on charges of insulting the military and conspiracy against the state. Khiari was charged after he made allegations in April 2021 that the president received foreign funding to support his 2019 presidential election campaign. The court's March 2 verdict followed an appeal by prosecutors after a January 2022 military court ruling that dismissed the conspiracy charges for lack of jurisdiction.

Political Prisoners and Detainees

From February until the end of the year, authorities arrested and detained more than 30 opposition politicians, lawyers, media figures, business owners, and other perceived critics of the government on a variety of charges, which civil society groups criticized as politically motivated; the majority remained in detention as of the end of the year. Between February 11 and 25, the Ministry of Interior's counterterrorism brigade arrested 18 opposition politicians whom the government subsequently charged with "conspiracy against the state" under articles of the counterterrorism law and the penal code; charges included affiliation with a terrorist group, conspiracy against state security, and attempts to overthrow the government. Authorities released seven of the 18, including Chaima Issa and Lazhar Akremi, pending further investigation, while 11 of the 18, including Ghazi Chaouachi, Issam Chebbi, Abdelhamid Jelassi, Jaouhar Ben Mbarak, Khayam Turki, and Ridha Belhadj, remained in detention as of year's end.

In April, authorities arrested former Speaker of Parliament and opposition leader Rached Ghannouchi. He refused to be removed from his place of detention for questioning or attend trial, so on May 15 authorities sentenced him in absentia to one year in prison under Article 14 of the counterterrorism law, in connection with public remarks he made a year prior. The charges allegedly stemmed from a 2022 eulogy Ghannouchi

delivered for a party member in which he said the deceased “did not fear a ruler or tyrant, he only feared God.” On June 9 authorities issued a warrant for Ghannouchi’s arrest on separate charges related to alleged violations of “state secrets.” On October 30, authorities sentenced Ghannouchi to 15 months’ imprisonment for a speech he made in February in which he allegedly implied that law enforcement was complicit in terrorism. By year’s end, the government was investigating Ghannouchi after alleging he facilitated the travel of Tunisians to fight in foreign conflict zones, which Ghannouchi denied. In May, more than 150 academics and other public figures around the world called for the release of Ghannouchi and all political prisoners in Tunisia.

In September, detained opposition figure Jaouhar Ben Mbarak launched a 16-day hunger strike to protest his and other detentions and was subsequently joined by Ghannouchi. In October, Ghannouchi ended his three-day hunger strike while other detainees from across the opposition political spectrum joined the strike, according to media reports.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

Both the previous and existing constitution prohibited such actions; however, under the renewed state of emergency, government agencies were granted the ability to access electronic devices without a court order. Judicial warrants were required for authorities to enter, search, or monitor private property such as homes. Local and international rights groups, however, reported that security agencies searched persons, homes, and NGO workspaces without judicial authorization. Human Rights Watch reported that on April 17, plainclothes officers arrested Rached Ghannouchi at his home and did not show an arrest warrant, according to one of his lawyers. Ghannouchi and Chaima Issa claimed their phones were searched extralegally while they were held in detention, according to media reports. According to Freedom House's 2023 *Freedom on the Net* report, rights organizations documented a number of incidents in which citizens had their phones confiscated or searched by police without legal justifications.

Local rights group Inkyfada reported that authorities confiscated the phones of opposition activists and accessed private messages between the activists and diplomats on WhatsApp, Telegram, and Signal. According to these reports, these messages were used by authorities to justify the February arrests and detentions of opposition activists on conspiracy charges.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provided for freedom of expression, including for the press and other media, but the government did not always respect that right. Continued enforcement of President Saied's 2021 exceptional measures and decrees restricted freedom of expression. Journalists, activists, and politicians were sometimes prosecuted for speech critical of the president. NGOs noted an independent press and robust civil society contributed to an environment generally conducive to this freedom, but independent journalists raised increasing concerns about growing government restrictions on freedom of expression, including press freedom.

Freedom of Expression: Public speech considered offensive to “public morals” or “public decency,” terms undefined in the law, continued to be treated as criminal acts. NGOs stated the penal code and military justice codes were used to target journalists, lawyers, and civil society activists for criticism of the president, the government, or security forces. The codes also criminalized speech causing “harm to the public order or public morals,” defamation, false allegations against members of an administrative or judicial authority, and attacks against the “dignity, reputation, or morale of the army.”

On August 23, the Ministries of Justice, Interior, and Communication Technologies announced their intention to prosecute those found to have used online platforms to produce false news, rumors, or misleading information. The government continued to enforce a 2022 decree that criminalized the deliberate spread of “false or incorrect news” that could cause economic harm, punishable by a prison sentence of 10 years to life, and enforced a separate 2022 decree that regulated cybercrimes and misinformation. Civil society, international organizations, political figures, and independent journalists warned enforcement of both laws imperiled freedom of expression. According to the local rights NGO the Alliance for Security and Liberties, as of July, the government opened at least 20 criminal investigations under the cybercrime decree law, known as Decree Law 54, for conduct involving the exercise of freedom of expression.

During the year, authorities prosecuted several individuals, including bloggers and journalists, for statements published online that were critical of security forces or the government. On July 17, the International Commission of Jurists issued a report calling on authorities to repeal the decrees and end all proceedings initiated to enforce their provisions.

Activists expressed concern regarding government interference with media and the concentration of media ownership in the hands of a few political parties or families.

Violence and Harassment: Violence and harassment against journalists

continued, according to human rights organizations and independent journalists. Some individuals, including human rights and online activists, encountered online harassment, particularly for social media postings related to political matters or when mobilizing protests. In its annual report, issued in May, the National Union of Tunisian Journalists (SNJT) described the year as the most dangerous for journalists since the SNJT began reporting on this question in 2017. In July, Amnesty International reported more than 39 investigations or prosecutions of bloggers, journalists, and others on charges related to peaceful speech. A September SNJT report noted 295 verbal and physical attacks against journalists from May 2022 through August 2023.

On May 13, media reported two police officers physically assaulted Siwar Amaydia, a journalist and member of the SNJT, as she reported outside a hospital in Gafsa. In a statement, the SNJT accused the police of targeting Amaydia because she was a journalist. At year's end, there was no investigation into, or punishment for, this incident.

On May 17, an appeals court sentenced Radio Mosaïque FM journalist Khelifa Guesmi to five years' imprisonment for "participating in the intentional disclosure of information related to interception operations" in violation of antiterrorism laws. Guesmi had published a story on the dismantling of a terrorist group in Kairouan. On September 3, authorities arrested Guesmi to serve out his sentence.

On June 20, authorities detained radio journalist Zied Heni and transferred him to Aounina detention center for questioning, reportedly based on comments he made describing what actions would legally qualify as a crime against the president. Heni's defense lawyers told media on June 21 they were initially denied access to their client. Authorities released Heni without charges on June 22.

Censorship or Content Restrictions for Members of the Press and Other

Media, Including Online Media: The government imposed restrictions on media outlets and sought criminal penalties against members of the media who published items deemed to defame government officials or impact national security. In April, private and foreign media were prohibited from covering the first session of the new parliament. Following criticism, journalists were granted accreditations with restrictions on their presence. On June 17, a judge banned radio and television outlets, but not print media, from reporting on two cases involving prominent opposition figures accused of conspiring against state security.

On May 18, dozens of journalists gathered in front of the SNJT's headquarters to protest what they described as laws to repress journalistic freedom. The protest followed a Tunis Court of Appeals decision on May 17 to increase from one to five years a jail term handed to journalist Khelifa Guesmi for "publishing classified information about the dismantling of a terrorist cell."

As of September, the Tunis headquarters of the Qatari news organization Al Jazeera remained closed, and its journalism licenses had not been renewed after security forces entered their offices in July 2021 and ordered staff to vacate the premises. According to Al Jazeera reporting at the time, security forces stated they were carrying out judicial instructions. By year's end, Al Jazeera had not received a copy of the warrant or judicial instructions. Al Jazeera journalists continued to work from SNJT headquarters and reported on events across the country.

Libel/Slander Laws: Civil society organizations expressed concern regarding the use of criminal libel laws to stifle freedom of expression. Media actors and activists asserted the law did not go far enough to protect freedom of expression and of the press.

On March 31, judicial police questioned for a third time Monia Arfaoui, an editor for the daily newspaper *Assabah*, in relation to a complaint filed against her by the minister of religious affairs. Arfaoui criticized the minister for “mismanaging” public funds earmarked for facilitating participation in the annual pilgrimage to Mecca. In a statement, Arfaoui said authorities were attempting to intimidate her into silence and “spread a climate of fear” to deter journalistic criticism of government performance and state officials.

National Security: Authorities cited laws to protect national security to arrest or punish critics of the government.

On May 22, criminal investigators questioned and released Radio Mosaïque FM journalists Haythem El Mekki and Elyes Gharbi pending further investigation in response to a complaint filed May 17 by a member of a police union, which accused Mekki and Gharbi of “defamation and the spreading of rumors that affect internal security.” The police union’s complaint was reportedly due to Mekki’s May 15 radio remarks calling on security forces to improve their recruitment standards after a May 9 terrorist attack at a Djerba synagogue.

Internet Freedom

The government generally did not restrict or disrupt access to the internet, although there were some obstacles to access, limits on content, and abuses of user rights, according to Freedom House. The NGO reported government authorities and various other entities sometimes sought the removal of online content. Citizens continued to actively use social media platforms to organize social movements and peaceful protests; however, according to Freedom House, online self-censorship increased since July 2021, as both journalists and internet users sought to avoid retaliation for certain kinds of speech, particularly any criticism of the president, security forces, or government bodies.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provided for the freedoms of peaceful assembly

and association. The government limited freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law provided for the right of peaceful assembly and the government generally did respect it. Political opposition groups, rights organizations, unions, and other organizations held peaceful protests throughout the year. While security forces largely refrained from suppressing major antigovernment gatherings, the government invoked the state of emergency to allow the president to prohibit demonstrations deemed to threaten public order.

On March 5, approximately 500 protesters defied a protest ban and rallied in central Tunis to demonstrate against the president and demand the release of prominent opposition figures held in government detention. On March 2, authorities had denied their request to protest, stating some leaders of the group organizing the protest, the opposition National Salvation Front, were suspected of plotting against state security. Police warned the protesters that their march was not legal but did not stop them from breaking through police barriers and advancing on a central street.

Freedom of Association

The law provided for the right of freedom of association, but the government did not always respect it, particularly regarding restrictions on

political and religious associations (see section 3, Political Parties and Political Participation). Religious minority groups reported administrative delays and lack of government response regarding processing of association applications; some of the applications dated as far back as 2017.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government continued to enforce travel bans for certain individuals with pending legal cases against them.

Foreign Travel: The law required that authorities promptly inform those affected by travel bans or who had their passports seized of the reasons for these decisions. In addition, by law the affected individuals had the right to challenge the decision, and the law set a maximum of 14 months during which travel could be restricted before requiring another court order. Human rights groups noted authorities did not consistently apply the law and that security forces did not always respect court decisions to reverse

travel restrictions.

Civil society groups reported the Ministry of Interior continued to use an informal travel ban list known as the “S17 watch list” requiring additional screening at border checkpoints for certain individuals’ international travel. There were no official statistics on the number of names on the list. The government took no action to acknowledge 2018 and 2020 rulings by the Administrative Court of Tunis that the list had no legal basis.

Throughout the year, several former members of parliament and politicians publicly reported they were prevented from traveling abroad based on the president’s “exceptional measures,” despite the lack of a legal case against them. These included former member of parliament Zied Ghanney, who told media that he learned of a travel ban against him, without any legal justification, when he attempted to depart from the Tunis airport on July 9.

e. Protection of Refugees

The government sometimes cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees or asylum seekers, as well as other persons of concern. As of September, there were more than 9,000 refugees and asylum seekers registered with UNHCR in the country. On August 13, the government reported it had moved hundreds of migrants and asylum seekers to shelters in Tatouine and Medenine with the help of

the Tunisian Red Crescent.

Access to Asylum: The law did not provide for the granting of asylum or refugee status by the government, and there was no national asylum system in the country. Domestic and international organizations criticized the lack of resources and support provided to refugees and asylum seekers.

Authorities allowed UNHCR to conduct registration and international refugee status determinations. UNHCR reported the Ministry of Foreign Affairs and other ministries coordinated with it, despite the absence of a domestic legal framework. UNHCR received international asylum claims, registered asylum seekers, conducted refugee status determination, and provided documentation. Civil society groups reported that some individuals registered as international refugees or asylum seekers by UNHCR still faced government mistreatment, including detention and expulsion.

Refoulement: In July, human rights and international organizations reported Tunisian authorities forcibly detained, transported, and expelled hundreds of sub-Saharan migrants to the country's borders with Libya and Algeria with limited access to shelter, food, or water, introducing a risk of refoulement. Mixed migration flows in North Africa, including Tunisia, made distinguishing among economic migrants, refugees, and asylum seekers difficult absent individual screening, which did not happen, according to human rights groups and UN agencies. On July 6, the International Organization for Migration and UNHCR released a joint statement

expressing concern regarding the safety and well-being of migrants, refugees, and asylum seekers in the country. On July 18, UN experts urged Tunisian authorities to take urgent measures to stop collective expulsions and protect the human rights of all migrants, noting “deporting migrants, refugees, and asylum-seekers without conducting an individual and objective risk assessment of their exposure to human rights violations upon return amounts to refoulement, prohibited under international human rights law.”

Abuse of Refugees and Asylum Seekers: On July 19, Human Rights Watch reported on abuses against migrants, refugees, and asylum seekers by law enforcement that included “beatings, use of excessive force, some cases of torture, arbitrary arrests and detention, collective expulsions, dangerous actions at sea, forced evictions, and theft of money and belongings.” The report was based on interviews with 24 victims. A Sudanese refugee reported that he was beaten and given electric shocks by police at a Tunis police station before his transfer to Mornaguia prison. On August 10, the Tunisian and Libyan ministers of interior announced a joint agreement to share responsibility for providing shelter to migrants stranded at their border. The Tunisian Red Crescent remained the only organization authorized to provide aid at the Libya border.

Freedom of Movement: The government did not always respect the right to freedom of movement for refugees and asylum seekers, which reportedly

led some to limit their own movements in public.

Employment: The government did not impose restrictions on refugees' ability to work after their status as a refugee became official; however, a legal framework guaranteeing refugees' right to work did not exist. Refugees and asylum seekers were required to obtain validation by the Ministry of Employment and Vocational Training to obtain formal employment. In practice, employers were wary of employing foreigners, including registered refugees and asylum seekers.

Access to Basic Services: The national government provided for access to public services, including education and health care, for official-status refugees. Regional and local authorities, however, did not always respect these rights and limited refugees' access to public services, particularly following rising discrimination against Black Tunisians and sub-Saharan migrants during the year.

Durable Solutions: The government did not accept refugees for resettlement nor offer naturalization to refugees residing in the country. Nevertheless, the government did assist refugees' and migrants' voluntary returns to their homes.

Section 3. Freedom to Participate in the Political

Process

The constitution provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, but this right was tightly circumscribed by the president's consolidation of power in the executive branch since 2021, leading to what NGOs and international observers described as widespread voter apathy toward legislative elections and the political process more broadly.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: On January 29, approximately 11 percent of eligible voters voted in runoff elections for the first chamber of parliament, the Assembly of Representatives of the People, following a first round in December 2022.

The Carter Center conducted a limited observation and while it did not note any major irregularities on election day during the second round, the center emphasized in a February 1 statement that “Tunisia’s faint voter participation – about 11 percent in both rounds – marks a low point in its democratic transition, which was derailed when the president took control of all levers of power in July 2021.” The center also maintained that the historically low turnout reaffirmed the need for a “national dialogue to reset the country’s stalled democratic transition.” On December 24, a first round

of local elections was held as the first step towards electing the second chamber of parliament, the National Council of Regions and Districts.

Political Parties and Political Participation: Many political parties boycotted the January legislative elections as well as the December elections for the second chamber of parliament, citing procedural concerns leading up to the elections and a ban on political parties campaigning for candidates under the electoral law. Some opposition political parties called for early presidential elections, arguing the low January turnout showed a lack of support for the president and his government. In February, authorities arrested numerous prominent political opposition figures and other perceived critics of the government; civil society organizations criticized these arrests as politically motivated.

On April 18, Tunis police closed the headquarters of both Nahda and the Tunisia Will Movement parties, which hosted activities of the National Salvation Front, an opposition coalition cofounded by Nahda. According to reports from local and international NGOs, authorities banned Nahda meetings from being held in its offices across the country. Authorities arrested and detained most of Nahda's current and former senior leadership still in the country, including Saied Ferjani, Adhelkarim Harouni, and Ali Laarayedh. Local and international rights groups claimed that arrests and detentions of opposition leaders representing other political parties were also politically motivated, including the arrests of Riadh Mouakher, Walid

Jalled, Jawher Ben Mbarek, Ghazi Chaoachi, Ridha Belhaj, and Issam Chebbi. In September, authorities arrested three political opposition figures affiliated with the Nahda party, in the lead-up to the party's planned October congress.

Participation of Women and Members of Marginalized or Vulnerable

Groups: The electoral law introduced by the president in 2022 removed the quota system introduced in 2014 to boost gender parity in the legislature. The 2022 electoral law also required candidates to run as individuals rather than as members of a party list, which observers said could negatively affect women candidates. Only 15 percent of candidates elected to the legislature in January were women compared to more than 30 percent between 2014 and 2018.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, but the government generally did not implement the law effectively, and local and international rights groups reported enforcement of anti-corruption laws was often politicized and used to crack down on dissent rather than corruption. In public statements throughout the year, President Saied said rooting out official corruption was a core government priority, but media reported numerous cases of government corruption, particularly of police seeking bribes from citizens. In August 2021, authorities closed the National

Authority for the Fight Against Corruption, which led anti-corruption efforts since 2011.

Corruption: The government did not have an anti-corruption strategy. During the year some members of parliament were charged and detained based on corruption allegations. On August 2, President Saied told media that the government needed to “dismantle the system of corruption” in society as part of a “war to liberate the homeland.” Despite frequent vows by the president to crack down on corrupt officials, opposition parties and civil society groups claimed he used an anti-corruption agenda to arbitrarily detain political opponents. On April 6, the president said in a public address that the country’s economic problems were caused by corruption and that the government would work to recoup money “stolen” by corrupt officials. For additional information about corruption in the country, please see the Department of State’s *Investment Climate Statement* for the country, and the Department of State’s *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards

International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally

operated without government restriction, investigating and publishing their findings on human rights cases. These organizations reported government officials rarely were cooperative and responsive to their views.

Retribution against Human Rights Defenders: There were numerous reports of threats and violence against human rights defenders. According to Front Line Defenders' *Global Analysis 2022* report, released on April 4, the government misused counterterrorism, national security, cybercrime, and other criminal legislation to suppress and punish the work of defenders protecting a wide range of human rights. On February 21, Mahdi Jelassi, Wael Naouar, Nawres Douzi, Asrar Ben Jouira, Seif Ayadi, and Khalil Zeghidi were prosecuted for "inciting disobedience and insulting a public official" following a protest they organized in July 2022 against the constitutional referendum.

The United Nations or Other International Bodies: In April, the government postponed an official visit by the UN special rapporteur on the independence of judges and lawyers. By year's end, authorities had yet to reschedule the visit.

Government Human Rights Bodies: The government's primary agency to investigate human rights abuses and combat threats to human rights was the Ministry of Justice. Human rights organizations contended the ministry failed to pursue or adequately investigate alleged human rights abuses.

Within the Office of the President, the High Committee for Human Rights

and Fundamental Freedoms was charged with monitoring human rights and advising the president on related topics. The committee did not issue any public reports during the year, and it was not possible to ascertain its efficacy. The independent INPT responded to allegations of torture and mistreatment.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law broadly defined violence against women as “any restriction denying women equality in the civil, political, economic, social, or cultural domains.” The law criminalized rape (including of men). Violence against women in the country was widespread and systemic, according to women’s rights organizations. Legal, cultural, and social norms often resulted in underreporting of crimes and inadequate law enforcement response in cases of violence against women, with officers often either refusing to take complaints or, if the perpetrator was a spouse, pressuring the victims to reconcile privately with the offender rather than take legal action.

The government did not systematically track the number of rape cases. Civil society representatives reported few rape cases resulted in conviction.

Rape remained a taboo subject, and cultural pressures, including the criminalization of sex outside of marriage, often dissuaded survivors from

reporting sexual assault. There were no government-run public education programs on domestic violence, including rape. Survivors could seek services at any of two dozen social centers throughout the country, in addition to five centers – one managed by the government and four by civil society organizations – dedicated to survivors of gender-based violence.

Laws prohibiting domestic violence provided penalties for assault committed by a spouse or family member that were double those of an unrelated individual for the same crime, but enforcement was rare, and domestic violence remained a serious problem. The law allowed women to seek restraining orders against their abusers without filing a criminal case or filing for divorce.

The Ministry of Women, Family, and Senior Citizens monitored complaints of domestic violence. The ministry also worked with civil society to increase awareness of the law and help civil society connect women, including women with disabilities, to support services. The ministry did not keep statistics on cases involving women with disabilities. The ministry operated a national hotline for survivors of family violence. The National Observatory for Violence Against Women operated a hotline to provide referrals and assistance to survivors. The Ministry of Women's Affairs developed a digital platform with resources for assistance, and increased follow-up and intervention on behalf of survivors.

The Ministry of Interior operated 127 specialized units in police stations

throughout the country tasked with investigating crimes of violence against women. The Ministry of Justice tracked gender-based violence cases, gathering information on cases in each court but did not make such information public. Both ministries worked with civil society to increase local awareness of the laws, according to local NGOs.

Discrimination: The constitution and law explicitly prohibited discrimination based on gender and the government generally enforced this prohibition.

Women faced legal as well as societal barriers to their economic and political participation. For example, one of the 57 judges fired by the president in 2022 was a woman judge who had details about her private life leaked online, including accusations of adultery, which was a crime in the country, and as a result was compelled by the investigative judge to take a virginity test to prove her innocence and avoid being the subject of damaging reputational slander. The Personal Status Code contained provisions that limited women's rights by not granting the same rights to men and women in parental responsibilities, failing to recognize legal rights of single mothers and of children born out of wedlock, and making distinctions on inheritance for men and women.

Sharia inheritance provisions in some instances provided men with a larger share of an inheritance. Non-Muslim women and their Muslim husbands could not inherit from each other unless they sought a legal judgment based on the rights enshrined in the constitution. The government considered all

children of those marriages to be Muslim and forbade those children from inheriting from their mothers. Spouses could, however, freely give up to one-third of their estate to whomever they designated in their will.

The labor code specifically prohibited employment of women in jobs deemed hazardous such as those found in industrial settings. The law explicitly required equal pay for equal work, and the government generally enforced it through fines. Societal, legal, and cultural barriers significantly reduced women's participation in the formal labor force, particularly in managerial positions.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities, according to local civil society organizations. Women had access to free abortions and contraceptives available at public medical centers; however, sexual and reproductive health services were unevenly available in the country, especially in remote rural areas, and insufficiently resourced and integrated into the national health-care system. Parental or guardian consent was required for girls younger than 18 to receive sexual and reproductive health services. There were some discriminatory gender and sociocultural norms associated with women receiving sexual and reproductive health services, particularly for single women and youth. Lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) individuals reported problems accessing health services due to gender identity that did not conform to

legal identity documents. The government provided access to sexual and reproductive health services for survivors of sexual violence through the Ministry of Justice, although services were often delayed due to a lack of effective government coordination and streamlined support for survivors. Emergency contraception and postexposure prophylaxis were available without a prescription or charge and as part of the clinical management of rape.

Systemic Racial or Ethnic Violence and Discrimination

The law prohibited all forms of racial discrimination, including “all distinction, exclusion, restriction, or preference based on race, color, origin, heritage, or all other forms of racial obstruction, obstacle, or deprivation of rights and liberties or their exercise.” The law penalized acts of racial discrimination with up to three years in prison and a substantial fine for individuals and a larger fine for a legal entity such as a company. There were no reports of prosecutions for violations of antidiscrimination laws.

Despite the law, persons of color – including Black Tunisians and foreign nationals – experienced widespread poverty, limited access to higher education, and limited job opportunities, and their situation worsened during the year, a trend that local and international NGOs attributed in particular to racist rhetoric and violence from the president and other officials. Black Tunisians were largely absent from politics and media

despite making up approximately 10 to 15 percent of the population, according to local rights organizations. Both structural and interpersonal racism created inequalities that marginalized persons of color from public services. Black Tunisians also reported being subjected to verbal abuse and physical violence and being identified as foreign migrants. Media reported some foreign nationals, often from sub-Saharan Africa, also faced widespread racial discrimination with no institutional framework for the protection and reception of migrants, limited employment opportunities that often forced them into the informal market, and harassment and degrading treatment in communities exacerbated by deteriorating economic conditions and public perceptions that migrants were taking resources away from citizens.

In February, President Saied described migrants as “Hordes of illegal immigrants from sub-Saharan Africa...with all the violence, crime and unacceptable practices that entails.” He referred to an influx of migrants as a “criminal conspiracy” to change the country’s demographics through “successive waves of irregular migration.” Amnesty International, Human Rights Watch, UN Watch, and other international organizations condemned Saied’s statements as “racist” and constituting an incitement to violence. Following his remarks, local and international NGOs documented a surge in violent assaults, robberies, and vandalism against migrants by citizens, arbitrary evictions by landlords, and job terminations by employers. On May 22, seven assailants armed with knives attacked 19 sub-Saharan Africans in

Sfax, resulting in the death of a Benin national. Authorities arrested three of the attackers, who remained in detention at year's end.

In July, human rights and international organizations reported authorities forcibly detained, transported, and expelled hundreds of sub-Saharan migrants, including at least six asylum seekers, to the country's borders with Libya and Algeria with limited access to shelter, food, or water. Human Rights Watch interviewed some of the migrants, who alleged several of those transported had died from heat exhaustion and starvation in the military buffer zone between the country and Libya.

Indigenous Peoples

The Indigenous Amazigh (Berber) population faced social, legal, employment, and economic discrimination, according to regional media. The government rejected their efforts to register as a political party, according to the International Work Group for Indigenous Affairs. Many Amazigh were unable to register their first names in municipal civil registries because they were not Arab names.

Children

Child Abuse: The law criminalized child abuse and the government enforced the law. Civil society organizations reported child abuse was widespread, occurring predominantly in homes and schools. The Ministry of Education

and the Ministry of Women, Family, Children and Seniors, supported by civil society, conducted public education and awareness-raising campaigns on the harmful effects of corporal punishment and domestic violence.

Sexual relations with a child younger than age 16 was considered rape in all cases, and the perpetrator was subject to 20 years in prison with the possibility of a life sentence if there were aggravating circumstances, such as incest or the use of violence. The government enforced this law.

Child, Early, and Forced Marriage: The minimum age for marriage was 18, but the courts could, in certain situations, authorize the marriage of persons younger than 18 upon the request and approval of both parents.

Sexual Exploitation of Children: The law prohibited commercial sexual exploitation, sale, grooming, and using children for commercial exploitation, including child sex trafficking and pornography, and the government enforced the law. Some children were vulnerable to sex trafficking, especially girls and those experiencing homelessness or working informally, according to rights organizations. Civil society and international organizations reported the continued presence of child sexual abuse materials online, including sexual images and videos. The Internet Watch Foundation and government continued to operate a portal where individuals could anonymously report child sexual abuse claims.

Antisemitism

The country's Jewish population numbered an estimated 1,500 persons. On May 9, a member of the National Guard opened fire near the main synagogue on the island of Djerba during the Lag b'Omer festival, an annual Jewish pilgrimage, killing two civilians and three security officers and wounding eight persons. Authorities declined to address publicly the antisemitic nature of the attack, instead characterizing it as "criminal." On October 17, hundreds of pro-Palestinian protesters overran and set fire to a nonoperational synagogue shrine in El Hamma, a town outside the city of Gabes, in response to the Israel-Hamas conflict, according to media reports. Human rights organizations reported allegations of antisemitic harassment of Jews by law enforcement officers. For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based

on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law criminalized consensual same-sex sexual conduct between adults. Convictions for same-sex sexual conduct between adults carried up to a three-year prison sentence. According to NGOs, authorities occasionally used the law to detain and question persons concerning their sexual activities and sexual orientation, reportedly at times based on appearance alone.

NGOs reported in some instances, LGBTQI+ individuals were targeted under the penal code article criminalizing “infringement of morality or public morals.” Conviction carried a penalty of six months’ imprisonment and a fine. The vague language of the penal code, as well as the lack of a legal definition of public morality, allowed police wide discretion on what constituted a morality or public morals crime.

Human rights groups reported an increase in arrests of LGBTQI+ individuals, as well as an increase in cases of societal harassment. Allegations included reports some police labor unions harassed and endangered LGBTQI+ activists by posting their home addresses or pictures online and engaging in online hate speech. Perpetrators faced no repercussions for these activities.

Violence and Harassment: Police and other government agents perpetrated and tolerated violence against LGBTQI+ individuals or those

reporting such abuse, according to NGO Damj Association. LGBTQI+ individuals faced societal discrimination and violence, including threats of death and rape and societal stigma. Fear of prosecution discouraged individuals from reporting violence and threats. Authorities and medical officials continued the practice of forced anal examinations, particularly for gay men, in purported attempts to gather evidence of same-sex sexual activity. Human rights organizations widely criticized the procedures as invasive, humiliating, and with no scientific value, but there was no prohibition under the law. According to NGO Lawyers without Borders, police forced an individual to undergo an anal examination after an accusation of homosexuality.

Discrimination: The law did not prohibit discrimination based on sexual orientation, gender identity or expression, or sex characteristics, and did not recognize LGBTQI+ individuals, couples, or their families. LGBTQI+ persons reported discrimination and harassment when seeking employment, health services, education, community interactions, and interactions from police based on their identity.

Availability of Legal Gender Recognition: There was no legal option for individuals to change their gender markers on official documents or to express a nonbinary gender identity. Transgender and intersex individuals maintained the gender marker assigned at birth on their official documents, even after any transition or a medical intervention was undertaken. Civil

society groups reported LGBTQI+ individuals were vulnerable to violence, harassment, and discrimination from society and government actors due to the lack of legal protections.

Involuntary or Coercive Medical or Psychological Practices: Forced so-called conversion therapy practices were not banned, but were also not practiced, according to local rights groups.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: Activists and media reported police harassed, arbitrarily detained, assaulted, and threatened LGBTQI+ protesters during the year. Some of those subjected to abuse were also denied access to legal counsel.

On January 18, police arrested Hamza Nasri, an LGBTQI+ activist, at a peaceful protest in Tunis for “insulting a police officer” and “committing an immoral act in public,” both punishable by up to six months’ imprisonment, according to Human Rights Watch. Nasri reported that he was held for three days in a detention center, after which authorities provisionally released him, pending a trial date.

Persons with Disabilities

Persons with disabilities had access to education, employment, health services, and transportation, but not on an equal basis with others due to infrastructure deficiencies, limited availability of services, and lack of public information. Since 1991 the law required all new public buildings to be

accessible to persons with physical disabilities, and the government generally enforced the law. Persons with physical disabilities did not have access to most buildings built before 1991, and there were no reports of government plans to retrofit older buildings to make them accessible. The government did not provide for information and communications to be accessible for persons with disabilities.

The Ministry of Social Affairs was charged with protecting the rights of persons with disabilities. The government issued cards to persons with disabilities for benefits such as unrestricted parking, free and priority medical services, free and preferential seating on public transportation, and consumer discounts. In general, public buses and trains were ill-suited and not easily accessible to persons with disabilities. The government provided tax incentives to companies to encourage the hiring of persons with physical disabilities.

There were approximately 320 Special Education Centers in the country, including 310 schools for children with disabilities, one higher education school, and one vocational training institution. At least five of the schools for children with disabilities were dedicated solely to blind pupils. Most of these centers were administered by associations and funded primarily by the government.

There were limited education options or public-sector accommodations for persons with hearing or vision disabilities. There were no schools for

children with hearing disabilities, and Ibsar Association, an NGO promoting rights for persons with disabilities, estimated more than 90 percent of persons with hearing disabilities were illiterate. The government provided hearing aids to persons with hearing disabilities.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the right of workers to organize, form, and join unions and to bargain collectively. The law allowed workers to protest or strike, provided they gave 10 days' advance notice to their federations and received Ministry of Interior approval. Union leadership normally approved the decision to hold a strike; however, strikes not authorized by union leadership occurred periodically.

The right to strike extended to civil servants, except for workers in essential services "whose interruption would endanger the lives, safety, or health of all or a section of the population." The government did not explicitly define all essential services, but the national army, magistrates, internal security forces, and customs did not have the right to strike. Authorities largely respected the right to strike in public enterprises and services.

The law prohibited antiunion discrimination by employers and retribution

against strikers. The government enforced applicable laws through arrests, fines, and business closures. Penalties for violations were commensurate with those under other laws involving denial of civil rights and were regularly applied against violators. The constitution also provided for freedom of peaceful assembly and demonstration. On February 1, authorities arrested Anis Kaabi, Tunisian General Labor Union (UGTT) secretary general of the highway workers' union, after Kaabi led a scheduled tollbooth workers strike on January 30. On January 31, President Saied said in a public address that "those who persist in blocking roads cannot remain outside the circle of accountability and punishment." In a February 1 statement, the UGTT called for Kaabi's release, stating his arrest was a violation of union rights. On February 19, authorities ordered Esther Lynch, General Secretary of the European Trade Union Confederation, to depart the country after she participated in a UGTT-organized rally to protest Kaabi's arrest and the country's economic situation on February 18. Kaabi remained in pretrial detention on charges of "harming public authority" at the end of the year.

On November 20, authorities arrested UGTT Sfax Secretary General Youssef al-Aouedni and three labor officials from the Kerkennah Transport Union on charges of obstructing shipping between Sfax and Kerkennah, sparking demonstrations in Sfax. Two days later, UGTT Spokesman Sami Tahri said the Sfax First Instance Court had released two of the labor union officials and handed down one-month suspended prison sentences for two others.

Conciliation panels with equal representation from labor and management settled many labor disputes. In other cases, representatives from the Ministry of Social Affairs, the UGTT, and the Tunisian Union for Industry, Commerce, and Handicrafts formed tripartite regional commissions to arbitrate disputes. Observers generally considered the tripartite commissions effective. Representatives from smaller rival labor unions, namely the General Confederation of Tunisian Labor and the Union of Tunisian Workers, complained their organizations were ignored and excluded from the tripartite commissions. They claimed a previous minister of social affairs, who was also a former UGTT leader, drafted a decree law explicitly aimed at excluding the smaller unions from social dialogue. The smaller unions accused the UGTT of denying the rights of laborers to freely choose the union best representing their interests.

UGTT representatives alleged some private-sector businesses targeted union leaders and fired them once they led strikes or made demands on behalf of the labor force. The UGTT alleged other antiunion practices by private-sector employers, including firing union activists and employing temporary workers to deter unionization. In certain industries, including textiles, hotels, and construction, temporary workers accounted for a majority of the workforce, a practice reportedly aimed at minimizing the risk of union-related disruptions of business.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The labor code provided for a range of administratively determined minimum wages; the minimum wages were above the poverty income level. The law set a maximum standard 48-hour workweek for manual work in the industrial and agricultural sectors and required one 24-hour rest period per week. For administrative jobs in the private and public sectors, the workweek was 40 hours with 125 percent premium pay for overtime. The law prohibited excessive compulsory overtime. Employees were statutorily awarded 18 to 23 days of paid vacation annually based on years of service. The Domestic Workers Law mandated a minimum wage, a workweek not to exceed 48 hours, and a

weekly rest day. The law also required recruiting domestic workers through accredited employment offices under fixed-term or open-ended contracts. Violators could be punished with one to three months' imprisonment and a fine.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate for key industries in the country, including energy, agriculture and food processing, car parts, electronics, and chemicals. Responsibility for identifying unsafe situations remained with OSH experts and not the worker.

Special government regulations controlled employment in hazardous occupations, such as mining, petroleum engineering, and construction. Workers were free to remove themselves from dangerous situations without jeopardizing their employment, and they could take legal action against employers that retaliated against them for exercising this right.

Wage, Hour, and OSH Enforcement: Ministry of Social Affairs labor inspectors were responsible for enforcing wage, hour, and OSH regulations in the workplace; however, the number of inspectors was insufficient to enforce compliance. The government did not adequately enforce the minimum wage law, particularly in nonunionized sectors of the economy, according to labor rights organizations. Prohibitions against excessive compulsory overtime were rarely enforced.

Although there was no standard practice for reporting labor code abuses, workers had the right to report these abuses to regional labor inspectors, who sometimes applied penalties against violators and had authority to make unannounced inspections and initiate sanctions. Penalties for violations were less than those under other laws involving denial of civil rights. Working conditions and standards generally were better in export-oriented firms, which were mostly foreign owned, than in firms producing exclusively for the domestic market, according to media reports.

The informal sector made up 35.5 percent of the economy and employed 58.8 percent of the labor market in 2022. The government did not enforce labor laws in this sector, but occasionally labor inspectors coordinated spot checks with the UGTT and the Ministry of Education to monitor potential cases of child labor and informal hiring in formal businesses.