

**Universal Periodic Review  
(13<sup>th</sup> session, 21 May - 1 June 2012)**

**Contribution of UNESCO**

**TUNISIA**

**I. Background and framework**

**1. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

**A. Table**

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	29/08/1969	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. 1989	Not ratified			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	10/03/1975			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	24/07/2006			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	15/02/2007			Right to take part in cultural life

## II. Promotion and protection of human rights on the ground

### 1. Right to education<sup>1</sup>

#### A. Normative Framework

##### i. Constitutional framework

1. The Tunisia Constitution of 1959 does not expressly provide the right to education. However, under Article 34, "The law sets the basic principles [...] education ...." The preamble also establishes that "the republican regime constitutes: the best guarantee for respect of human rights, for the establishment of equality among citizens in terms of rights and duties, [...] the most effective way of protecting the family and ensuring the citizens' right to work, health care and education".

##### ii. Legislative framework

2. The *2008-9 Act of 11 February 2008*, which modifies and completes the *Orientation on education and school education Act* (2002-80 of 23 July 2002), establishes a new educative reform. It is shown as a framework of the Tunisia's school system renovation and dynamism. The new Orientation Act makes education an absolute national priority and education a fundamental right guaranteed to all.

3. The *Orientation of Higher Education Act (n°2008-19 of 25 February 2008)* aims to strengthen the growing confidence of students and their parents in the system of higher education, to meet the expectations of employers and society and to confirm the credibility of national diplomas abroad. The new Higher Education Act considers that quality is an essential component of the system of higher education; it affects the areas of training and pedagogical, administrative and financial management. The Act also asserts the gratuity of public higher education and allows universities to provide remunerated services under contracts with the production sector.

4. The *2008-10 Act of 11 February 2008 on vocational training* was promulgated as part of a major reform of the decade goals 2007-2016 and the Presidential Program for the period 2005 to 2009, aimed at "winning the challenge of quality and supporting developments in the field of vocational training (...) and ensuring, in conjunction with, and in complement of areas of education and higher education (...) the most adequate preparation for future careers and new forms of employment".

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<sup>1</sup> Sources:

- Constitution of 1959  
[http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX\\_4180-119-BsODGNdVOG/Principal/SYNC\\_994714378](http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX_4180-119-BsODGNdVOG/Principal/SYNC_994714378)
- Orientation of Education and school education Act, modified by the 2008-9 Act of 11 February 2008,  
[http://www.e-justice.tn/fileadmin/fichiers\\_site\\_francais/droits\\_homme/legis\\_nat/sante/L\\_9\\_11fevrier\\_2008.pdf](http://www.e-justice.tn/fileadmin/fichiers_site_francais/droits_homme/legis_nat/sante/L_9_11fevrier_2008.pdf)
- Orientation of Higher Education Act (n°2008-19 of 25 February 2008),  
[http://www.mes.tn/francais/divers/texte\\_juridique/loi\\_2008\\_19\\_fr.pdf](http://www.mes.tn/francais/divers/texte_juridique/loi_2008_19_fr.pdf)
- 2008-10 Act of 11 February 2008 on vocational training,  
[http://www.education.tn/fr/doc\\_ref/orientation\\_fp.pdf](http://www.education.tn/fr/doc_ref/orientation_fp.pdf)
- National Report on the development of education 2004-2008,  
[http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/tunisia\\_NR08\\_fr.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/tunisia_NR08_fr.pdf)

## **B. Cooperation**

5. Tunisia did not submit a report to UNESCO as part of the seventh consultation of Member States on the implementation of the UNESCO Convention against Discrimination in Education (covering the period 2000-2005).

6. Tunisia did not submit a report to UNESCO on the implementation of UNESCO's Recommendation concerning Education for International Understanding, Cooperation and Peace, and education relating to Human Rights and Fundamental Freedoms of the fourth consultation of member States (covering the period 2005-2008)

## **2. Freedom of opinion and expression**

### **A. Achievements, best practices, challenges and constraints**

#### **i. Legislative Framework**

7. Although the Constitution of Tunisia nominally guarantees freedom of opinion and expression, freedom of expression and press freedom were facing severe restrictions until the 2011 social uprising. The government maintained a totally centralized media system, with no editorial independence, which was owned either by the President's family, his allies or the government. Outspoken citizens and journalists who did not obey a strict press-code were regularly imprisoned, threatened, suspended or intimidated.

8. The internet was also controlled and filtered by the Tunisian Internet Agency (though nearly 2 million people had Facebook accounts, and 50% had access to the internet).

9. After the revolution of January 2011, the situation in terms of freedom of expression evolved rapidly. In the immediate aftermath of the social tensions, many journalists enjoyed new-found freedom, internet censorship was reduced and the ministry of information was dissolved. The newly established interim government immediately proclaimed complete freedom of information and expression as a fundamental principle, and announced the Constitutional elections, due on 23 October 2011.

10. A "Commission for the Achievement of the Objectives of the Revolution, Political Reforms and Democratic Transition", bringing together the political reform commission, human rights organizations, judges, lawyers and civil society, has been created by the government. It was assigned the task of revising media regulation and laws in order to reinforce the rights of journalists, remove sanctions, guarantee freedom of expression and the confidentiality of journalistic sources and include the notion of freedom of information.

#### **ii. Media Self-regulatory System**

11. Another authority called "The National Instance for the Reform of Information and Communication" was assigned the role of reforming the media sector and creating an independent body for audio-visual regulation.

### **iii. Safety of Journalists**

12. This new-found freedom of expression has, however, been compromised by an increasing number of attacks against media professionals, following the 2011 social uprising. During the reporting timeframe (2008-2011) the Director General has publicly condemned the murder of one journalist in Tunisia.

### **B. Capacity-building and technical assistance provided and/or recommended by UNESCO**

13. In summer 2011 UNESCO conducted a rapid assessment of the media sector in Tunisia based on the Media Development Indicators (MDIs) to provide a comprehensive overview of the situation of the print and broadcast media in Tunisia from a legal, sociological and economic perspective and to suggest to public authorities, media professionals and civil society where improvements could be made or areas strengthened.

14. In autumn 2011, UNESCO conducted a series of trainings on election coverage targeting Tunisian media professionals of public and private media in Tunis and in the five regions of the country. Around 100 journalists and editors-in-chief were trained in deontology and the coverage of the upcoming elections of the Constituent assembly.

15. Training on safety for journalists, bloggers and media workers is especially crucial at this point in time. These should include training on election news coverage as the country heads towards a democratic election period.

16. Further support is necessary to establish the necessary legal and regulatory framework to protect freedom of expression, press freedom and freedom of information in accordance with international standards.

17. Awareness-raising and sensitization campaigns on the role of freedom of expression, free press, and quality journalism in a new democracy is vital.

## **III. Recommendations**

### **1. Right to education**

18. Tunisia should be encouraged to submit a report to UNESCO in the framework of the eighth consultation of member States on the application of the Convention and Recommendation against Discrimination in Education.

### **2. Freedom of opinion and expression**

19. UNESCO recommends:

a. The new Constitution to be adopted and the new press code should clearly and unequivocally guarantee the protection of freedom of expression and press freedom, media pluralism as well as the editorial independence of public and private media.

b. A freedom of information act should be developed in compliance with

international standards

- c. Training on safety for journalists, bloggers and media workers and election news coverage should be included in any media development planning for the country at this stage
- d. Journalism education should be revised according to international standards to improve the quality of journalism in Tunisia