



**Written Testimony Submitted to the House Committee on Foreign Affairs,
Subcommittee on the Middle East, North Africa, and Global Counterterrorism**

**For a Hearing on “Tunisia: Examining the State of Democracy and Next Steps for U.S. Policy”
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Chairman Deutch, Ranking Member Wilson, and members of the subcommittee, on behalf of Amnesty International, I’d like to thank you for the opportunity to submit this testimony and for convening this important hearing on circumstances in Tunisia.

Since Tunisia’s president, Kais Saied, claimed exceptional powers on July 25th, Tunisia has been undergoing troubling political turmoil. But it is also true that Tunisia's system of checks and balances was increasingly dysfunctional long before then. For a significant number of Tunisians, the daily spectacle of a parliament that was at best paralyzed and at worst the scene of violence and insults, had become insufferable and many considered President Saied's move to suspend parliament a legitimate attempt to give a new impetus to the country’s political transition. After his announcement on July 25th, people took to the streets to celebrate the apparent downfall of a much-criticized ruling elite.

Recent developments and civil society response

In [issuing Decree 117](#) on September 22nd, Saied has taken an even more radical turn, suspending most of Tunisia’s constitution and formally granting himself nearly unfettered powers to legislate and govern. In addition to leaving parliament frozen, he has barred people from challenging his decrees and decisions via the administrative court – an institution that has traditionally enabled people to overturn administrative decisions or seek compensation for grievances that arise from them - and dissolved a temporary body set up to verify the constitutionality of laws. This unprecedented concentration of powers creates an environment conducive to human rights abuses. The absence of any supervisory powers, including any authority to review the presidential decisions, is an outright weakening of human rights protections.

Meanwhile, President Saied has risked turning Tunisians against one another through frequent divisive rhetoric, branding his opponents and critics as “traitors”, “insects”, “demons”, and other such epithets. Civil society organizations and activists, which played a critical role in shaping the state of human rights and governance in Tunisia since the 2011 uprising, have been overwhelmingly stonewalled from any meaningful engagement with Saied, who has rejected calls for an inclusive and transparent dialogue in his claimed goal of constitutional reform and shaping a new system of governance. Broadly, Tunisian civil society organizations - including the powerful [Tunisian General Labour Union](#) - have [criticized and called for an end to](#) Saied’s assumption of unfettered power and subsequent abuses.

The new government announced on October 11th under Saied’s appointed Prime Minister Najla Bouden Romdhane faces daunting challenges. First and foremost are the looming economic crisis and COVID-19. Following ten years of often unstable politics and a failure by leaders to enact economic reforms,

Tunisia's economy is in shambles. According to the country's central bank, the "severe shortage of external financial resources" is threatening Tunisia's ability to finance its state budget for the current year.

Human rights abuses and concerns

Amnesty International has documented flagrant violations of human rights since July 25th by Tunisian authorities. In the name of fighting corruption and ensuring security, [authorities imposed arbitrary, unlawful travel bans](#) against at least 50 Tunisians. Authorities have placed at least 12 people under house arrest, including high profile figures such as the former president of a state body to fight corruption. In at least several of these cases, such measures have been imposed without a clear required explanation to those affected.

Since July 25th, Tunisia's military justice system has begun investigating or prosecuting [at least nine civilians](#), including three for publicly criticizing President Saied. At least six of those detained and being tried before the military courts are members of parliament critical of Saied. Security forces have also [raided press offices](#), including those of Al Jazeera.

One particularly worrying incident concerns Slimane Bouhafis, an Algerian activist and UN-recognized refugee in Tunisia [who was forcibly abducted](#) from his home in Tunis in August to Algeria by unknown men, where he is now imprisoned and faces persecution as a Christian convert. He had previously been imprisoned in Algeria, and sought refuge in Tunisia. President Saied, who has vowed to respect human rights, has so far said nothing publicly about the incident, and authorities have not announced an investigation into it. Tunisia's awareness of, cooperation in, or acquiescence to his forcible transfer to Algeria despite his refugee status would constitute a grave violation of international law.

However, while discussing these violations, we must also remember that Tunisia was not a paradise for human rights prior to July 25th. Arbitrary travel bans and house arrests, violations of freedom of speech, and trials of civilians before military courts were already common under previous governments.

Conduct of Tunisian armed forces and the military justice system

Regarding freedom of peaceful assembly, Tunisian security forces have responded unevenly to demonstrations since July 25th. Recent protests against Saied on September 26th and on October 10th saw security forces' general restraint from carrying out dispersal or responding with force; the same went for protests in support of Saied. Still, instances of use of excessive force by security forces were documented during protests on September 1st and in [apparent targeting of journalists](#). This contrasts with the [violent use of force](#) by security forces in January 2021 in response to socioeconomic protests that swept the country, during which they arrested more than 2,000 protesters and allegedly mistreated hundreds of them in custody.

Amnesty is also worried by the increasing unlawful use of the military justice system to prosecute civilians, including public critics of Saied. While civilians have frequently been tried in military courts since the 2011 uprising, there has been an apparent spike in such cases since July 25th. At least nine civilians are currently facing trial or risk of trial before military courts, which lack independence and fail to fulfil the requirements of fair trial under international law. As president, Saied controls Tunisia's armed forces and military justice system, enabling use of both to unlawfully settle political scores.

In the wake of his consolidation of power, President Saied has also made several controversial security service appointments of officers currently being prosecuted for commission of egregious human rights violations under former President Zine El Abidine Ben Ali. Saied has maintained the appointment of the head of the intelligence office, despite outcry from groups of victims and his ongoing trial at the transitional justice court in Gafsa in relation to alleged torture and other ill-treatment of detainees during protests in 2008.

This is of particular relevance to the United States, being one of the largest sources of security aid to Tunisia, having provided [over \\$1 billion in assistance](#) for Tunisian security forces since 2011.

Conclusion and U.S. policy recommendations

Tunisia suffered a number of serious human rights violations both before and after July 25th. Despite recent positive steps, such as the lifting of some arbitrary house arrests, the long-term outlook is still troubling. Nearly all power remains concentrated in the hands of President Saied, who may act largely at whim and free of institutional checks. Meanwhile - and as Tunisia has shown in the past - the economic crisis could swiftly transform into a political one as ordinary Tunisians grow increasingly desperate, leading people to take to the streets and raising the chances of violent crackdowns by authorities.

We hope that the United States will continue to support Tunisia's path towards the respect of human rights during this period of upheaval, and we make the following recommendations:

- Urgently and publicly call on Tunisian authorities to immediately and unconditionally release all those detained solely for exercising their human rights; halt investigations and prosecutions of civilians by the military justice system; lift all arbitrarily-imposed travel bans and house arrests; and to never to resort to these or other abusive practices in the future.
- Publicly urge President Saied to reign in security forces - who have long carried out abuses with impunity against Tunisians and might be emboldened by the imposed state of emergency - and hold accountable all those reasonably suspected of committing crimes under international law.
- Push for the immediate opening of a thorough, impartial, and transparent investigation into the forced abduction and unlawful transfer to Algeria of UN-designated refugee Slimane Bouhaf's and make the results of the investigation public; and further work with both Algerian and Tunisian authorities to facilitate Bouhaf's safe return to Tunisia.
- Support and amplify the call by civil society organizations and activists on the ground in Tunisia for the government to genuinely commit to put forward a reform agenda on all levels - one that centers human rights and an end to impunity.

Thank you again for allowing me to testify today, and I look forward to answering any questions.