



Republic of Tunisia



DEMOCRATIC TRANSITION IN TUNISIA: A KEY FACTOR OF PROGRESS IN THE IMPLEMENTATION OF THE SDGS

The presentation

- 1. In 2011, Tunisia experienced a fundamental change of the political regime.**
- 2. Two major advances of the New Tunisian Constitution: Freedoms and human rights.**
- 3. Leave No One Behind (LNOB).**
- 4. The democratic transition has accelerated the implementation of the SDGs.**

1. In 2011, Tunisia experienced a fundamental change of the political regime

1, Following the departure of the former president in January 14, 2011, the country:

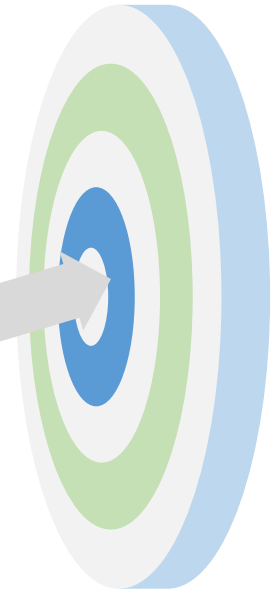
- has not experienced a constitutional vacuum. According to Article 57 of the Constitution of 1959, the president of the parliament became acting President of the Republic.
- The parliament has been dissolved and
- the constitution is suspended.

2. The election of a National Constituent Assembly (NCA) of 2011, known as the first democratic elections in Tunisia, allow the designation of 217 members responsible for writing and adopting a new Constitution.

4. For the first time in the history of the country, the Independent High Electoral Authority (IHEA/ISIE), is responsible for the organization and proper conduct of the elections in place of the Ministry of the Interior.

3. The government put in place was charged with managing the country's affairs, ensuring compliance with international commitments, and organizing elections.

5. The country experienced on October 23, 2011, free and transparent elections of the National Constituent Assembly



2. General characteristics of the New Political Regime.

On January 26, the new Constitution was adopted by the NCA. For the first time, a goal of gender parity in elected assemblies was introduced

General principles.

The constitution establishes, in its preamble, "a democratic and participatory republican regime within the framework of a civil state governed by law and in which sovereignty belongs to the people who exercise it on the basis of peaceful alternation through free elections and the principle of separation and balance of powers".



2. General characteristics of the New Political Regime.

On January 26, the new Constitution was adopted by the NCA. For the first time in the Arab world, a goal of gender parity in elected assemblies was introduced



A mixed parliamentary system.

Tunisia has adopted a mixed parliamentary system in which the President of the Republic has certain prerogatives, such as dissolving the Assembly of People's Representatives (Article 77) and rejecting legislation.

Executive power is exercised by the President of the Republic and the head of the government (Article 71). The President of the Republic is elected by direct universal suffrage for a five-year term of office (Article 75).

Legislative power is exercised by the people through Members of the National Assembly or by referendum (Article 50). The members of the Assembly are directly elected by universal suffrage (Art. 55) for a five-year term (Art. 56).

3. Two major advances of the New Tunisian Constitution: Freedoms and human rights.

Fundamental rights and freedoms.

- The state must guarantee individual and collective rights and freedoms, as mentioned in the preamble and in Article 21. The constitution provides an exhaustive list of these rights, such as:
- The equality of citizens in rights and duties (art. 21),
- The right to life (art. 22),
- The protection of the dignity of the person and the prohibition of torture (art. 23),
- The right to privacy and confidentiality of correspondence, communications and personal data (art. 24),
- The presumption of innocence and the right to a fair trial (art. 27),
- Freedom of opinion, thought, expression, information and publication (art. 31),
- The right of access to information and communication networks (art. 32),
- The freedom to form political parties, trade unions and associations (art. 35),
- The right to organize (art. 36),
- Freedom of peaceful assembly and demonstration (art. 37).
- No constitutional amendment may affect the achievements in the field of rights and freedoms (art. 49).

3. Two major advances of the New Tunisian Constitution: Freedoms and human rights.

Women's rights

- Article 34 of the Constitution imposes an obligation on the State to ensure the representation of women in elected assemblies.
- Article 40 affirms that "every citizen has the right to work in decent conditions and with fair wages".
- Article 46, devoted more specifically to women's rights, enshrines in the Constitution the protection of women's rights, the principle of parity and the fight against violence against women:
- Article 5 imposes an obligation on States parties to guarantee equality before the law and the security of person and protection by the State against violence
- Article 46. The State undertakes to protect the acquired rights of women, supports them and works to improve them. The State guarantees equal opportunities for women and men to assume different responsibilities in all areas. The state shall work to achieve parity between women and men in elected councils. The State shall take the necessary measures to eradicate violence against women.

3. Two major advances of the New Tunisian Constitution: Freedoms and human rights.

The Constitutional Court.

- The creation of the Constitutional Court (Articles 118 to 121) is a major step forward in that it limits legislative power and the possibility for legislators to pass laws that violate fundamental rights and freedoms.
- The constitutionality review of laws is exercised at the request of public authorities (government, president) or may be requested by the parties in a lawsuit (art. 120). Any proposal to revise the Constitution is submitted to it (Art. 144).
- Article 125 creates five constitutional and independent regulatory authorities: (i) the Elections Authority, (ii) the Audiovisual Communication Authority, (iii) the Human Rights Authority, (iv) the Authority for Sustainable Development and the Rights of Future Generations and (v) the Authority for Good Governance and the Fight against Corruption.

4. Leave No One Behind (LNOB).

In Tunisia, the people who were left behind were at the origin of the change in the political regime: they required dignity, decent work and freedom. Major progress has been made on the principle of "Leave no one behind". These include constitutional rights:

1. Right to water: Article 44 states: "The right to water is guaranteed. The preservation of water and the rationalization of its exploitation is a duty of the State and society,
2. Education is a fundamental right guaranteed to all Tunisians without discrimination on the basis of sex, social origin, color or religion; it is also a duty jointly assumed by individuals and the community. Art 39
3. Right to health: Article 38 of the Tunisian Constitution, states "Every human being has the right to health. The State guarantees prevention and health care to every citizen and provides the means necessary for the safety and quality of health services
4. The right to political asylum is guaranteed in accordance with the law; it is forbidden to extradite persons who have been granted political asylum. Article 26
5. The right to work Art 40: Every citizen has the right to work. The State shall take the necessary measures to guarantee this right on the basis of merit and equity. Every citizen has the right to work under favorable conditions and with a fair wage.
6. Rights of persons with disabilities: The State shall protect persons with disabilities from discrimination. Every citizen with a disability has the right, depending on the nature of his or her disability, to benefit from all measures likely to guarantee his or her full integration into society, and it is incumbent on the State to take all necessary measures to this end. Art 48

5. The Nobel Peace Prize salutes the democratic process in Tunisia

- The process of democratic transition has been welcomed by the international community; the country has experienced a serious political crisis following the assassination of two politicians;
- The quartet leading the national dialogue in Tunisia, which was distinguished for "its decisive contribution in building a pluralistic democracy in Tunisia received the Nobel Peace Prize in 2015.

5. The Tunisian model

- **"This Nobel Prize protects the path we have chosen, that of finding consensual solutions" praised the late Mr. Essebsi, former President of the Tunisian Republic,**
 - **The Nobel laureates "show the way" to get out of regional crises, welcomed the head of European diplomacy, Federica Mogherini, on her Twitter account.**
1. By adopting a new constitution in 2014, Tunisia has committed itself to building a responsive, accountable and transparent system of governance based on democratic institutions and the rule of law.
 2. Since then, the country has held periodic, free, and transparent legislative and presidential elections, allowing for a peaceful transition of power.
 3. The democratic transition has strengthened the attachment of Tunisians to their country Tunisia and to preserve it against extremism and terrorism

6. The democratic transition has accelerated the implementation of the SDGs

- The 2021 Sustainable Development Report ranks Tunisia 60th with a score of 71.4 and first in Africa and the Arab world.
- Tunisia is experiencing socio-economic difficulties accentuated by regional instability and the COVID 19 effect and has recorded the lowest economic growth rate in its history, but it is making significant progress in other areas

SDG #1 (No Poverty),

1. Since independence, Tunisia has put in place several programs aimed at eradicating poverty. The country has seen a relative decrease in extreme poverty in all regions. At the national level, the rate fell from 6 to 2.9% between 2010 and 2015;
2. At the national level, the poverty rate dropped significantly from 25.4% in 2010 to 15.2% in 2015.
3. However, the North-West and Centre-West regions remain very vulnerable with rates of 28.4% and 30.8%.
4. Overall, there are significant differences in poverty rates between rural areas, small towns and large cities

6. The democratic transition has accelerated the implementation of the SDGs

SDG # 4 (Ensure inclusive and equitable quality education)

1. Access to basic education is almost universal in Tunisia: access to primary school: 99.2% and access to secondary school: 85.5%.
2. The overall coverage rate of pre-school education is 58% of children between 3 and 5 years old do not have access to nursery and 11.5% do not benefit from the preparatory year. Due to a lack of financial means, the country has not managed to overcome several shortcomings such as the equipment of schools.
1. In addition, Tunisia has 102 thousand dropouts. About 90 percent of them are from poor and low-income families. Difficult social conditions and poverty are the main causes of the dropout of tens of thousands of students annually ;
1. A Second Chance School was opened on March 24, 2021 for children between the ages of 12 and 18 who have left school without obtaining a school-leaving certificate or vocational training diploma.

6. The democratic transition has accelerated the implementation of the SDGs

WOMEN: The country ranks 4th in the MENA region in terms of gender equality. The literacy rate of Tunisian women is 72%. They hold 36% of parliamentary seats in 2014. This representation drops to 23% in 2019.

Tunisia occupies the second place worldwide regarding the percentage of women graduates of scientific fields of higher education, according to a ranking published by the World Bank in May 2020, involving 114 countries during the period from 2015 to 2017.

However, gaps between women and men persist, particularly in terms of access to the labor market and economic resources. The protection of women against violence is still a problem.

SDG #5 (Gender equality)

RURAL WOMEN. Several programs for rural women have been set up, including:

- (i) The national program for the promotion of female entrepreneurship in rural areas "RAIDA";
- (ii) The National Strategy for the Economic and Social Empowerment of Rural Women and Girls, 2017-2020;
- (iii) The National Integrated Project to Combat School Dropout among Girls in Rural Areas;
- (iv) The project for the redevelopment, equipment and animation of multipurpose spaces for the benefit of women and girls in rural areas; ...

However, despite these multiple programs, inequalities between women in urban and rural areas still remain.

6. The democratic transition has accelerated the implementation of the SDGs

SDG #10 (Reduced Inequality),

1. Social and regional inequalities are a major concern in Tunisia. However, this concern has only become a priority and widely discussed in Tunisia since the political regime change of 2011, which started in poor regions and was activated by youth protesting against poverty, unemployment, exclusion and social inequalities. Despite this, the question of causality between the level of inequality and the 2010-2011 uprising is far from clear.
2. The Inequality Reduction Commitment Index (IRCI/ERI) measures government policies and actions in three areas that have a direct and proven impact on reducing inequality: (i) Public Services (health, education and social protection), (ii) taxation and (iii) labor rights. Out of 158 countries, Tunisia ranks 60th. It is in first place in North Africa and the Middle East and 3rd place in the African continent.

6. The democratic transition has accelerated the implementation of the SDGs

SDG #16 (Peace, Justice and Effective Institutions).

Tunisia has made considerable progress in the area of human rights and fundamental freedoms. The organization of free and democratic legislative, presidential and local elections led to the establishment of new state institutions.

Transitional justice. Tunisia has launched a process of transitional justice which crystallized in the creation of a ministry in charge of transitional justice, and then with the foundation of an institution called the Truth and Dignity Authority (TDA/IVD).

Civil society was the driving force behind the democratic transition.

1. Since the transition began, civil society actors have become key players in rethinking models of development, democracy, and citizenship. A strong link between human rights, rule of law building, and participatory democracy has been established.
1. The experience illustrates the innovative and creative character of civil society actors in Tunisia. The innovative and creative character of civil society actors has been remarkable in recent years in Tunisia, in all areas.
1. Faced with a sharp increase in social demands and scarce resources, Tunisia is experiencing the emergence of a new approach to governance characterized by the gradual shift in the legitimacy of decisions and actions from state actors to local communities and civil society.

6. The democratic transition has accelerated the implementation of the SDGs

SDG #16 (Peace, Justice and Effective Institutions).

The multiplication of non-state actors involved in the governance of human rights after political change.

Political parties. A new legal framework has been enacted to organize political parties. Currently, more than 220 political parties operate within the Tunisian political system, compared to 7 before the change.

Trade unions. Historically, trade unions have been a vital force in Tunisia.

After 2011, trade union pluralism was adopted: The General Confederation of Labor (GCL/CGTT), the Tunisian Workers' Union (TWU/UTT) and the Tunisian Organization of Work (TOW/OTT) were created on 1 February 2011, 1 May 2011 and 26 August 2013 respectively.

Associations. Decree-Law No. 2011-88 of September 24, 2011, in line with international standards regarding freedom of association, establishes a regime of declaration rather than authorization and facilitates cooperation between local and international non-governmental organizations.

Tunisia currently has more than 20,000 associations, compared to about 9,000 before 2011. The associations, bodies, organizations dealing directly with human rights are around a thousand

Thank You **شكرا**

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