



## Migration Profile

### TUNISIA

#### A. Executive Summary

Tunisia has always been a country of emigration. In the years following the end of the French Protectorate in 1956, Tunisians mostly emigrated to Western Europe owing to labour shortages in the region, especially in France. In 1973, when limitations on legal labour migration to the West were imposed, the main pathway to European destinations shifted to family reunification or irregular channels. As labour migration to France began to plummet in the 1980s, Italy became the new destination for Tunisian labour migration. Given its geographical proximity, Italy continues to receive some of the largest numbers of Tunisian emigrants. Following the restriction of European visa regulations and the strengthening of border controls in the 1990s, permanent settlement, irregular entry and overstaying became structural features of Tunisian emigration to Europe. Before the uprising in 2011, Tunisia's emigration policy appeared to operate on two fundamental principles: workers were encouraged to emigrate because the country's economy was unable to absorb the available labour force and Tunisians living abroad were monitored as their remittances were an indispensable source of foreign currencies.

As more young Tunisians benefited from access to higher education, employment opportunities in the country have become less attractive due to 'wage stagnation and to the predominantly low skilled, low value-added activities on offer'. Irregular emigration is a dominant regular pattern in Tunisia, likewise in the southern and eastern Mediterranean region. Following the collapse of the Ben Ali regime in 2011 and the escalation of the conflict in Libya, Tunisia's migration profile changed. Although the country retained its role as a point of departure for migrants attempting to reach Europe, it also began assuming a new role as a host country for migrants and refugees.

Since the early 2000s, the number of sub-Saharan migrants in Tunisia has been increasing. Between 2004 and 2014, the number of non-Tunisian nationals residing in Tunisia rose by 66%, from 35,192 to 53,490 individuals. In a single year (2016-17), the number of individuals apprehended off the Tunisian coast trying to reach Europe almost quadrupled, from 71 to 271. European restrictions on inward regular migration have contributed to this rise in irregular migration flow, forcing migrants to find alternative ways to reach European shores. Increasingly, Tunisia is becoming a more popular destination and transit country for migrants from North and sub-Saharan Africa, especially as a result of recent developments in Libya and an increase in irregular departures by sub-Saharan and Tunisian migrants from Tunisia to Europe.

The arrival of refugees and asylum seekers in the country is partially driven by unstable political and economic conditions in other countries in the region. Most refugees and asylum seekers are fleeing war and are searching for security. Among them are people looking for better opportunities within Tunisia and those who hope to use Tunisia as a transit stop on their way to a European destination.

Despite the fact that Tunisia is a signatory of the fundamental refugee conventions and protocols and that its 2014 constitution guarantees the right to seek political asylum in the country and the principle of non-refoulement, the country has yet to adopt its draft national asylum and protection legislation. The current legal frameworks fail to provide a sufficient response to the present-day challenges of asylum rights, access to work, healthcare, education, and freedom of movement. UNHCR has a long and effective history in Tunisia of aiding in the protection of migrants, refugees, and asylum seekers, as well as informing policies and legislation.

## **B. Country Profile**

### **I. Basic Information**

Tunisia is a country in the Maghreb region of North Africa, with its northernmost point also the northernmost point of the African continent. Tunisia is bordered by Algeria to the west and southwest, Libya to the southeast, and the Mediterranean Sea to the north and east. In 2019, Tunisia had a total population of 11.7 million people. The population includes the following ethnic groups: Arab (98%), European (1%), Jewish (1%) and other (1%). Most of the population (70%) is urbanized. The current climatic/environmental issues include toxic and hazardous waste disposal that is ineffective, posing health risks that include water pollution from raw sewage, limited natural freshwater resources, deforestation, overgrazing, soil erosion and desertification. Additionally, there are transnational and social issues as Tunisia is a source, destination, and transit country for men, women and children subjected to forced labour and sex trafficking. Also, Tunisia faces rising numbers of street children, rural children working to support their families, and migrants who have fled unrest in neighbouring countries. Combined, these issues place leave a large portion of the population vulnerable to human trafficking. Tunisia is also home to some terrorist groups who use the country as their headquarters and as a base for their operations.

### **II. International and Internal Migrants**

Despite the poor working conditions in urban areas, Tunisia's rural youth tend to migrate to cities. This is especially true for males, as females tend to migrate to rural areas. A study by the Food and Agriculture Organization of the United Nations (FAO) found that underdevelopment of the agricultural sector has pushed young Tunisians to migrate from the rural to urban areas to look for work. Internal migration occurs from economically depressed areas in the West to coastal regions with low unemployment rates. Tunisia's coastal regions are perceived to offer better opportunities for commercial activities. The dominant reasons given for migrating from rural areas are to find work and improve life conditions (approximately 70%), to get married (around 13% and mostly women), to study (11%), or because of reduced income from agricultural activities (11%).

For rural youth, migration from rural to urban areas has become a way to escape a rural lifestyle which is seen as archaic and outdated – a perception that results from the introduction of national compulsory school enrolment until the age of 15 years. The agricultural sector has now become stigmatized amongst rural young Tunisians who associate it with missed opportunities to become modern citizens in an urban area.

Unemployment among women between the ages of 15 and 24 is particularly high, at 38% in 2016. Social norms across the country appear to limit employment opportunities amongst women as families appear to tolerate young women moving across the country only when their field of employment is seen as socially acceptable (nurse or teacher, for example), or to increase their possibility for marriage. Internal migration is becoming more feminized, however, with growth in the negotiation power of young women as male household heads are increasingly absent as a result of migration.

Tunisia has become a key country in migration between Sub-Saharan Africa, North Africa and Europe. Since the early 2000s, the number of Sub-Saharan migrants in Tunisia has increased steadily. Between 2004 and 2014, the number of non-Tunisian nationals residing in Tunisia increased by 66% (from 35,192 to 53,490). This figure excludes the more than 10,000 migrants in an irregular situation who are thought to be living in the country. There are no reliable or up-to-date statistics, however, for these individuals.

The main drivers of migrants' decisions to travel to Tunisia include their inability to realize their objectives back home in terms of sustained livelihoods or higher education. There are also institutional factors (visa exemptions, for example) that make Tunisia an accessible destination for migrants who use Tunisia as a stepping stone to Europe or elsewhere in the region. While some migrants must make an interrupted journey through one or two countries before arriving in Tunisia, the most common route for migrants to reach Tunisia from their country of origin is on a direct flight.

### **III. Emigration and Skilled Migration**

Tunisia has traditionally been a country of emigration. In the past nine years, Tunisia has seen a large portion of its young population leave for Europe, and they do so irregularly. Research conducted on the attitudes of young Tunisians found that the country's political-economic conditions, high rates of unemployment, and political disenchantment following the Arab Spring are significant factors that inspire this wave of emigration. A majority of migrants and asylum seekers who leave the country are Tunisians, while the rest (25%) are from other and mainly sub-Saharan African countries who are using Tunisia as a transit stop. While emigration was the preferred option for those who had dropped out of school or were unemployed and/or uneducated, in recent years they have been joined by holders of university degrees and whole families with young children. In 2016, the Tunisian Forum for Economic and Social Rights found that half of Tunisian youth from low-income households were considering leaving the country, and one third of these were prepared to do so through irregular channels.

During 2017, Tunisian emigration to Europe rose significantly, with Italy experiencing a particularly sharp increase of Tunisians who arrive there irregularly. In 2016, more than 900

Tunisians arrived in Italy and a year later (2017) this number jumped almost seven-fold, reaching 6,151 individuals (making Tunisia the 11<sup>th</sup> most represented nationality). In 2018, Tunisians ranked first among migrant arrivals in Italy (5,244 people). Increasingly, more Tunisians are making the journey to Italy via the Central Mediterranean Route. In the first three months of 2018, some 1,190 Tunisians made the crossing, compared with 156 during the same period in 2017. Europe-bound boats leaving Tunisia typically depart from the North (Bizerte, Cap Bon) and East coasts (Sfax, Thyna and the islands of Kerkennah). All aim to reach Italy through Sicily and Lampedusa. These routes have significant risks attached to them because of the risk of drowning and the possibility of being intercepted by coastguards. Tunisians who are intercepted when attempting to leave the country irregularly can face up to two months in an Italian prison.

As of 2016, more than 1,326,000 Tunisians were residing abroad, mainly in France, Italy and Germany. The Tunisian diaspora in member countries of the Organisation for Economic Cooperation and Development (OECD) is predominantly men of working age. The inability of Tunisia's labour market to absorb its highly qualified domestic labour force has led to mismatches whereby Tunisians with qualifications and experience are currently being forced to work in low-skilled jobs. This helps to explain a change in the demographic of Tunisians leaving the country: it now includes educated, highly skilled, overqualified, under-employed members of the population. Another important driver of emigration relates to expectations about Europe held by highly qualified young Tunisians. Many report they know someone who after living in Europe, returned home with money and fancy cars. Such anecdotes contribute to the notion that it is Europe that holds the key for their success and wealth.

#### **IV. Forced Migrants (internally displaced, asylum seekers and refugees)**

Refugees and asylum seekers arrive in Tunisia in mixed population movements from neighbouring countries and from sub-Saharan Africa. Most are from the Syrian Arab Republic. UNHCR estimates indicate the presence of 5,406 refugees and asylum seekers in Tunisia. Of this figure, most originate from Syria (1,976), followed by Côte d'Ivoire (1,619), Sudan (276), Eritrea (272), Libya (186), and Somalia (180), with 897 from other locations. Women constitute 41% of the refugees and children 34%. Entry into Tunisia occurs through regular and irregular entry points, by air, land and sea or through rescue/interception missions at sea.

In 2019, the sharp increase in people seeking asylum in Tunisia could be linked to the deteriorating security conditions in Libya. Refugees from Libya appear to be rather unmotivated to apply for refugee status. This is thought to be because those fleeing Libya perhaps have a relatively easier time supporting themselves in the country and have more resources than those arriving from elsewhere. The political instability in the region, when coupled with Tunisia's open-door policy for those fleeing neighbouring countries in fear of violence and persecution, suggest that the refugee population in Tunisia will continue to increase in the years ahead. As for their location, most refugees are hosted in the centre and south of the country.

While many Sub-Saharan African nationals can enter Tunisia with ease given the visa free entry schemes and free short-term visa opportunities, many migrants report being victims of scams. These scams take many forms. For example, before departure some individuals were promised jobs or educational opportunities in Tunisia that did not materialize when they arrived. Women are promised jobs with good salaries only to end up as victims of human trafficking and forced labour. Others report being victims of robbery, beatings, arbitrary detention and kidnapping while transiting through Tunisia on their way to Europe.

Tunisia ultimately lacks rules to regulate the status of migrants, asylum seekers and refugees in its territory. Refugees and asylum seekers often face difficulties in Tunisia with regards to access to documentation, decent work and relations with the host community. Refugees are registered with the Red Crescent and processed by UNHCR. Because the documentation provided by UNHCR is not formally recognized by Tunisian authorities, refugees risk being arrested and considered as irregular migrants. The possibility to remain legally in the country is limited for refugees, and those who were interviewed claim that their biggest challenges were to gain access to legal documentation and their inability to stay legally in the country long-term. Without formal work or residency permits, refugees and asylum seekers are often forced to work in the informal sector and are extremely vulnerable to exploitation and abuse. Their irregular status makes it particularly difficult for them to have legal recourse and to enforce their rights.

Strained relations with locals have led to refugees frequently becoming victims of incidents that affect their safety and security. Nevertheless, refugees will be forced to stay in Tunisia if they do not have the necessary funds to pay the penalties upon departure for each week of their illegal overstay in the country.

## **V. Victims of Human Trafficking**

In 2020, the National Commission for the Fight Against Human Trafficking (INLCTP) reported a total of 1,313 victims of human trafficking in Tunisia, which is a substantial rise from the 780 who were registered the previous year. A majority of these cases were classified as domestic slavery and forced labour, with women and children accounting for more than half of the victims. An increasing number of sub-Saharan Africans are being trafficked into Tunisia. Women are smuggled into the country to be domestic workers and are denied access to their passports and external communication. Some women are also victims of sexual exploitation. Boys and young men between the ages of 15 and 25 are often lured to Tunisia with promises of well-paid jobs or football careers at an academy, only to be trafficked and exploited into forced labour in agriculture, construction or other services.

Some Tunisian children are vulnerable to forced labour and human trafficking as many youths who drop out of school at the ages of 11 and 12 end up working in small workshops and garages or doing domestic work. This makes them especially vulnerable to trafficking. Some Tunisian girls who work as domestic servants for wealthy families in Tunis and major coastal cities are highly vulnerable to trafficking and face restrictions on their movement, physical violence and sexual abuse. Other groups of children vulnerable to forced labour or sex trafficking are street children who sell goods on street corners and rural children who work in agriculture to support their families.

Foreign migrants are particularly vulnerable to sexual exploitation, domestic servitude and other forms of forced labour in Tunisia. Foreign victims will normally arrive in Tunisia on a valid tourist or student visa as recruiters target both well-educated and non-skilled individuals with promises of work in Tunisia. There has been an increase in traffickers exploiting women, mainly from West Africa (specifically Côte d'Ivoire) in domestic servitude in private homes in Tunis, Sfax, Sousse, and Gabes. Some men are lured to Tunisia under false job opportunities and then forced to work on farms and construction sites. Traffickers have also been found to coerce Ivorians into smuggling cannabis and opioids into Tunisia.

Although the government of Tunisia has not yet met the minimum standards for the elimination of trafficking, it has been making significant efforts to do so. These include:

- an increase in investigations of alleged traffickers,
- an increase in victim identification efforts,
- the establishment of a network of trafficking survivors to advise the government on anti-trafficking measures and best practices, and
- the implementation of the national victim referral mechanism, providing identified victims with protection services.

The government's efforts to prosecute and convict traffickers, however, have decreased and a lack of understanding of the concept of trafficking among judicial and law enforcement officials hinders authorities from effectively bringing traffickers to justice. Overall, government services remain limited.

## **VI. National Legal Framework**

Tunisia has acceded to several Conventions that govern asylum and refugee issues. These include:

- the 1951 Convention relating to the Status of Refugees and its 1967 Protocol,
- the 1954 Convention relating to the Status of Stateless Persons,
- the 1961 Convention on the Reduction of Statelessness, and
- the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.

Nevertheless, Tunisia still has no domestic legal framework governing the issues surrounding migration and the status of refugees and asylum seekers, access to work, healthcare, education or freedom of movement, and is unable to offer any reception means to people in need of international protection. There are no safeguards against criminalization for unauthorized exit in violation of the fundamental right to leave any country, or any procedural safeguard for those unwilling to seek asylum and who may be detained and deported in inhumane and degrading conditions.

In 2011, UNHCR signed a Cooperation Agreement with the Tunisian Government, recognizing the role and mandate of UNHCR in Tunisia by which refugee status determination is conducted by UNHCR. Together with the Tunisian Government, UNHCR ensures international protection and delivery of assistance to persons of concern. Refugees

are registered with the Red Crescent and then processed by UNHCR. There is a major problem, however, since the documentation it provides is not formally recognized by Tunisian authorities, placing refugees at risk of being arrested and considered irregular migrants. The legislative standstill relating to the proposal of a new asylum law can be explained by the backlog of law reforms linked to the democratization process. The creation of a national asylum system is not one of the priorities of the country or the government.

While successive Tunisian governments since the 1950s have ratified international treaties against human trafficking, their implementation has often been weak. The Organic Law, a law against human trafficking, was passed by government in 2016. It criminalizes sex trafficking and labour trafficking and imposes prescribed penalties of imprisonment and a monetary fine. The National Committee against Trafficking in Persons (NCTIP) was created to develop a national strategy and to establish coordinated mechanisms with justice and interior ministers to identify victims and prosecute offenders. However, the NCTIP reported that the lack of an independent budget and insufficient capacity building hindered the government's efforts to implement the law effectively. In many instances, investigations and prosecution are slowed or delayed owing to a lack of knowledge about the 2016 law.

## **VII. Main Actors**

### *The State*

While the state has provided some services for refugees, asylum seekers and victims of human trafficking, overall government services across the country remain limited. Following the appointment of the new national unity government in 2011, a new migration department was formed in the Tunisian Ministry of Social Affairs through the creation of a Secretary of State position in charge of immigration and Tunisians living abroad. The aim of this department was to gradually bring under its supervision all the units from other ministries that had dealt with migration issues in the past. Although the department was dissolved after the 2014 elections, there are plans (apparently) to create a new General Direction within the Ministry of Social Affairs as the sole entity responsible for migratory affairs in the country. When it comes to a national asylum system, the state has yet to create one and has largely allowed UNHCR to oversee the entire process for registering and the protection of and the delivery of basic services to vulnerable refugees and asylum seekers. Individual branches of the government have worked together with UNHCR to ensure their goals are met and their actions in the country are supported and approved by government.

### *The Catholic Church*

Caritas, the social-service branch of the Catholic Church, has been operating in the country for over 20 years even though it has no legal status. The organization provides guidance, material assistance (clothing, food, an air ticket for a return trip) to migrants and refugees and facilitates access to healthcare to the resident and immigrant populations. Its priorities include: Emergency Response and Humanitarian Services (reaching internally displaced persons and refugees); Health and HIV/AIDS interventions; Agriculture and Livelihoods support to vulnerable households; Good governance programs; Institutional Capacity Strengthening; and Anti-Human Trafficking and Forced Migration (services to returnees,

widows, unemployed youths and others in hard-to-reach communities across Nigeria and overseas).

Caritas is also part of the COATNET network (Christian Organizations Against Trafficking in Human Beings) which works across borders to raise awareness about trafficking and assists victims. Along with other COATNET organizations, Caritas has attempted to fight the root causes of trafficking (poverty and lack of opportunities), while pressing for laws to protect victims (e.g., punishing perpetrators and securing decent working conditions).

The Society of the Missionaries of Africa is also active in Tunisia. The Catholic Mission of the SMA has always helped the most vulnerable while also focusing on the implementation of an interreligious dialogue with the Arab world in order to achieve mutual encounter, understanding and peace. To that end, the Missionaries of Africa have established different institutes such as the Institute of Fine Arabic Letters (IBLA), and have been working in cooperation with the local Churches focusing on the promotion of peace and sustainable development in order to assist the most vulnerable.

The work done by the Missionaries in Tunisia is supported also by ACN (Aid to the Church in Need), who helps witnessing to the presence of Christ.

### *International Organizations*

Because Tunisia has yet to adopt a national asylum system, UNHCR is the sole entity that conducts the registration and Refugee Status Determination in the country. Together with the Tunisian government, UNHCR ensures the international protection of refugees and asylum seekers and the delivery of assistance to persons of concern. UNHCR works with the Ministry of Education, the Ministry of Health, the Ministry of Social Affairs, the Ministry of Women, Family Childhood and the Elderly, and the Ministry of Vocational Training and Employment to ensure that refugees and asylum seekers gain access to essential rights and basic services. UNCHR also works with these government branches to ensure that all persons of concern are included in the national social and economic programmes. Since the highest number of refugees and asylum seekers are hosted in southern Tunisia, UNHCR also has a positive collaboration with the state at a local level.

The Tunisian Red Crescent is the operational partner of UNHCR in Tunisia. UNCHR uses the Red Crescent office in Tunis to receive refugees and asylum seekers and examine their asylum applications. Refugees are registered with the Red Crescent and then processed by UNHCR. Red Crescent also provides medical and social assistance (distribution of mattresses and blankets to refugees and migrants during winter) to asylum seekers and refugees. Together with UNHCR, Red Crescent began profiling and counselling all new arrivals in Tunisia, providing them with information on the various options available to them, and referring them to the necessary and relevant actors and authorities depending on their specific profiles and circumstances.

### *Other Organizations*

Other organizations have tried to incorporate migrants and refugees into their advocacy activities through different focus points. Since 2011, the Danish Refugee Council has been

working in Tunisia as part of a coordinated Libya-Tunisia program. The Danish Refugee Council has provided a range of services to refugees in Tunisia who are fleeing from persecution and instability in neighbouring Libya.

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