

REFERENCE: CERD/EWUAP/2024/BJ/KS

7 June 2024

Excellency,

I write to inform you that the Committee on the Elimination of Racial Discrimination (“the Committee”) received updated information under its early warning and urgent action procedure related to the situation of Sub-Saharan African migrants, refugees and asylum seekers in Tunisia.

According to the information received:

- On 3 May 2024, law enforcement officials conducted forced evictions of around 500 migrants, refugees and asylum seekers from south of the Sahara, while deploying excessive force, from their camp located near the premises of the International Organization of Migration and the Office of the UN High Commissioner for Refugees in Tunis. Reportedly, law enforcement officials detained around 500 migrants, refugees and asylum seekers, including women and children, and forcibly transported them to an unknown location. It is reported that, some of the 500 migrants, refugees and asylum seekers were taken to a location near the Tunisian-Algerian border where they faced dire conditions without access to food, water or humanitarian assistance;
- Also, on 3 May 2024, law enforcement evicted dozens of migrants including women and children from a youth centre in La Marsa, Tunis, which housed migrants, refugees and asylum seekers from south of the Sahara;
- Human rights defenders, members of civil society organizations, activists, journalists and lawyers have increasingly become targets of intimidation, harassment and reprisals, including arrest, and detention and prosecution as a consequence of their work to support and defend the rights of migrants, refugees and asylum;
- Hate crime and racist hate speech, including in the media, on the Internet and in social media, against Sub-Saharan migrants, refugees and asylum seekers from, and Black Tunisians, including harassment and physical attacks perpetrated by civilians and law enforcement officials;

His Excellency Mr. Sabri Bachtobji
Permanent Representative of Tunisia
to the United Nations Office
Geneva
Email: at.geneve@diplomatie.gov.tn

- Racial discrimination against Sub-Saharan African migrants and Black Tunisians, including by denying their entry to restaurants and cafes and by denying their access to services, such as public transportation services.

The Committee recalls that in its previous concluding observations ([CERD/C/TUN/CO/19](#), paras. 14 and 15) it addressed the situation of migrants, refugees and asylum seekers and the steps to remove refugees. It recommended that the State party should ensure that no person will be forcibly returned to a country where there are substantial grounds for believing that their life or physical integrity may be put at risk.

The Committee also recalls that in its [Statement 1 \(2023\)](#) adopted on 31 March 2023 under its early warning and urgent action procedure, the Committee expressed concerns on reports regarding the wave of hate speech and stigmatization against Sub-Saharan African migrants in Tunisia, and the acts of violence and racial discrimination against them, including physical attacks and evictions from their homes. The Committee also expressed concerns regarding reports of random and arbitrary arrests of migrants, including students, women and children, carried out by law enforcement officials in the framework of the campaign entitled "Strengthening the security fabric and reducing the phenomenon of illegal stay in Tunisia", and the reports on the violations of due process.

In reference to the information received and in accordance with Article 9 (1) of the Convention and Article 65 of its Rules of procedure, the Committee requests the State party to provide information on the above-mentioned allegations and the situation of migrants, refugees and asylum seekers from south of the Sahara in Tunisia by 2 August 2024. In particular, the Committee requests the State party to provide information on:

- (a) Reports of forced eviction of Sub-Saharan migrants, refugees and asylum seekers in Tunis in early May 2024, including the nature of such evictions and the situation of the evicted migrants, refugees and asylum seekers from south of the Sahara;
- (b) The campaign entitled "Strengthening the security fabric and reducing the phenomenon of illegal stay in Tunisia" including its objectives, implementation, and how it is in line with the Convention;
- (c) Measures to refrain from collective expulsions and pushbacks of Sub-Saharan African migrants, refugees and asylum seekers, to provide access to its territory for persons in need of international protection, to respect the principle of non-refoulement in law and in practice, and to provide them with humanitarian assistance, including medical care, access to food and water as well as to relocate those stranded along the border to safe locations and provide migrants, refugees and asylum seekers with shelter and adequate housing without discrimination;
- (d) Investigations into cases of collective expulsions, pushbacks, arbitrary detention, and the excessive use of force and violence by law enforcement officials

against migrants, refugees and asylum-seekers from south of the Sahara, and to hold those responsible to account;

(e) Measures adopted to protect Sub-Saharan migrants, refugees and asylum seekers on its territory against racial discrimination, racist hate speech and hate crimes, including on the Internet and social media, and ensuring that such incidents are effectively, thoroughly and impartially investigated and, where appropriate, prosecuted and punished with penalties commensurate;

(f) Measures to provide Sub-Saharan migrants, refugees and asylum seekers who are victims of racial discriminatory acts, hate speech and hate crimes with adequate redress and support;

(g) Measure to ensure civic space that enables the operation of civil society organizations and human rights defenders, including those working on the rights of Sub-Saharan migrants, refugees and asylum-seekers without fear of reprisals, including by conducting investigations into all reported cases of intimidation and harassment of, and threats and reprisals against, human rights defenders, journalists, lawyers, activists, and members of civil society organizations working on the rights of refugees, asylum-seekers and migrants.

The Committee wishes to underscore the significance of an ongoing and productive dialogue with the Government of Tunisia.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Michal Balcerzak
Chair

Committee on the Elimination of Racial Discrimination