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## Tunisia: borders, migration, solidarity. A country report

### 1. Introduction

Tunisia is a major country of departure of boats trying to reach Italy along the so-called Central Mediterranean Route.<sup>2</sup> This year's events, from president Saïed's speech and the following racist attacks on sub-Saharan migrants in February to the mass deportations and the signature of a deal with the European Union in July, have thrust Tunisia into the international spotlight.

This report summarizes the developments of migration-related dynamics and control policies in this country, since Tunisia was co-opted into the European border regime in the 1990s, and sheds light on initiatives from civil society actors in solidarity with people on the move.

Section 2 provides an overview of Tunisia as a country of emigration, immigration and transit alike. It describes how human mobility from and through Tunisia was gradually subjected to restrictions in the last decades, both before and after the 2011 revolution. The section provides figures about foreign residents in Tunisia, Tunisians residing abroad, as well as people (both Tunisian and third country nationals) attempting the sea-crossing to Italy.

Section 3 describes the development of civil society in Tunisia and relevant initiatives in solidarity with people on the move, from the Ben Ali era, with very few existing NGOs and very limited room for manoeuvre, to post-revolutionary Tunisia, with the arrival of international NGOs and the mushrooming of local civil society organizations.

Section 4 embeds migration in the economic and political crisis that has affected Tunisia in the last few years, also fuelling anti-migrant sentiments among the population. It argues that the country's instability led to the authoritarian turn imposed by president Saïed, which culminated in the latter's xenophobic speech of February, 21<sup>st</sup>, 2023 and the following instances of generalized violence on sub-Saharan migrants, with solidarity initiatives from the Tunisian civil society trying to stem the racist drift.

Section 5 describes the Tunisian asylum system and the role of the United Nations High Commissioner for Refugees (UNHCR), and addresses the issue of Tunisia as a (non-)safe country for Tunisians and foreign migrants alike.

### 2. The Tunisian migration and border regime: an overview

#### 2.1. *Emigration, immigration and transit*

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<sup>1</sup> Research for this article has been funded by the European Union (ERC, SOLROUTES, 101053836). Views and opinions expressed are however those of the authors only and do not necessarily reflect those of the European Union or European Research Council. Neither the European Union nor the granting authority can be held responsible for them.

<sup>2</sup> From their Euro-centric perspective, governmental institutions, including the European border agency Frontex, conflate all the routes arriving in countries of the European Central Mediterranean, namely Italy and Malta, under the label of 'Central Mediterranean route'. Countries of embarkation, however, include Algeria, Tunisia, Libya, Egypt, Lebanon and Turkey. Thus, the 'Central Mediterranean route' covers not just the central but almost the entire southern Mediterranean. While accepting this definition for the purposes of this report, we would also like to stress the limits that come with it.

Tunisia has long been a country of emigration. According to recent estimates, around 1.5 million (mostly male) Tunisian citizens (12.5% of the total population) live abroad,<sup>3</sup> with France (52.5%), Italy (14.1%) and Germany (8.2%) hosting three quarter of all Tunisian migrants aged 15 or more, according to a report of the National Institute of Statistics and the National Observatory of Migration.<sup>4</sup> Emigration is part of the lived experience of further hundreds of thousands Tunisians (211,000 aged 15 or more)<sup>5</sup> who have returned to their home country after a period abroad. Finally, emigration is also part of the imaginary of many (especially young) Tunisians who consider leaving their country as a desirable option (one out of five aged 15 or more).<sup>6</sup>

In the 1990's, because of the new restrictive visa regime imposed by European countries, many Tunisians wishing to work in Europe were no longer able to cross the Mediterranean regularly. As a result, informal sea-crossings to Italy began, with southern Sicily and its minor islands Lampedusa and Pantelleria serving as the landing points.<sup>7</sup>

Gradually, Tunisia also became a springboard to Europe for people from other North African and sub-Saharan countries, who mainly entered the country's territory by air or by land, by crossing the Libyan or, to a lesser extent, the Algerian border.<sup>8</sup> Thus, Tunisia also turned to a transit country. At the same time, increasing numbers of foreign workers<sup>9</sup> as well as students<sup>10</sup> from both the Maghreb<sup>11</sup> and sub-Saharan countries<sup>12</sup> settled in Tunisia, which eventually became a country of immigration, too.

As of January 2020, the population of foreign residents in Tunisia was estimated at 58,990, with men and women equally represented, accounting for 0.5% of the total population of 11,708,370.<sup>13</sup> Their regions of origin were the Arab Maghreb (37.0%), other African countries (36.4%), Europe (18.5%), the Middle East (6.5%) or other regions (1.6%).<sup>14</sup> According to a

<sup>3</sup> H. Boubakri, *Migration Policies of North African Countries Toward third Country Citizens*, EuroMedMig Policy Paper Series 6, September 2021.

<sup>4</sup> INS and ONM, *Enquête Nationale sur la Migration Internationale*, 7 December 2021. Online: <http://www.ins.tn/sites/default/files/publication/pdf/Rapport%20de%20l%27enqu%20nationale%20sur%20la%20migration%20internationale%20Tunisia-HIMS.pdf>, p. 15.

<sup>5</sup> Ivi, p. 34.

<sup>6</sup> Ivi, p. 4.

<sup>7</sup> H. Boubakri, *La Tunisia nel contesto euro-maghrebino. Controllo dei movimenti migratori e diritti dei migranti*, in P. Cuttitta and F. Vassallo Paleologo (eds.), *Migrazioni, frontiere, diritti*, Edizioni Scientifiche Italiane, Naples 2006.

<sup>8</sup> H. Boubakri, *Migrations de transit entre la Tunisie, la Libye et l'Afrique subsaharienne: Etude à partir du cas du Grand Tunis*, Rapport présenté à la Conférence régionale sur 'Les migrants dans les pays de transit : partage des responsabilités en matière de gestion et de protection', Istanbul, 30 September – 1 October 2004, pp. 14-16.

<sup>9</sup> H. Boubakri, *Migrations de transit entre la Tunisie, la Libye et l'Afrique subsaharienne: Etude à partir du cas du Grand Tunis*, cit.

<sup>10</sup> H. Boubakri and S. Mazzella, *La Tunisie entre transit et immigration : politiques migratoires et conditions d'accueil des migrants africains à Tunis*, "Autrepart", 36 (2005), pp. 149-165.

<sup>11</sup> H. Boubakri and M. Mandhouj, *Les étudiants marocains en Tunisie. Choix des filières médicales et stratégies de reproduction sociale*, in S. Mazzella (ed.), *La mondialisation étudiante. Le Maghreb entre Nord et Sud*, Khartala, Paris 2009, pp. 299-316; M. A. Ould Ahmedou Yacoub, *Les étudiants mauritaniens en Tunisie. Formation universitaire et stratégies familiales*, in S. Mazzella (ed.), *La mondialisation étudiante. Le Maghreb entre Nord et Sud*, Khartala, Paris 2009, pp. 283-298.

<sup>12</sup> S. Mazzella, *Étudiants africains dans les universités privées tunisiennes : nouvelle figure de l'étudiant « international »*, in Id. (ed.), *La mondialisation étudiante. Le Maghreb entre Nord et Sud*, Khartala, Paris 2009, pp. 327-347.

<sup>13</sup> INS and ONM, *Enquête Nationale sur la Migration Internationale*, cit., p. 57.

<sup>14</sup> Ivi, p. 597.

survey presented in the same report, 60% of them wished to remain in Tunisia,<sup>15</sup> while around two thirds of those wishing to leave aimed to return to their home countries.<sup>16</sup> The results regarding the intentions to leave or remain would likely be very different if such a survey was carried out today, after the series of xenophobic attacks that started in February 2023 (see later in this section, as well as section 4, for details). More recently, in July 2023, Tunisian Interior Minister Kamal Feki declared that “the number of immigrants from sub-Saharan Africa in Tunisia is 80,000, including 17,000 in Sfax”,<sup>17</sup> while non-governmental sources estimate much lower numbers, between 20,000 and 50,000.<sup>18</sup>

## 2.2. *The Tunisian border regime*

Tunisia was among the first countries in the EU-neighbourhood to be targeted by the nascent externalization policies of the EU and its member states, which aimed at metaphorically shifting their borders outside EU territory after the entry into force of the Schengen agreements. Italy and Tunisia signed a first agreement on readmission and police cooperation in August 1998, and a second one in December 2003. Each country thus accepted to readmit into its territory its citizens residing irregularly in the other country. Tunisia was rewarded with increased development aid as well as reserved shares in legal immigration quotas to Italy.<sup>19</sup> In March 2003, Tunisia also ratified the Protocol against the smuggling of migrants that is part of the 2000 United Nations convention against transnational organized crime. In early 2004, “in response to Italian and EU pressure and concern over the increase in illegal migration from the Tunisian coast”,<sup>20</sup> Tunisia introduced three new laws. Two were aimed at tightening controls on boats.<sup>21</sup> The third introduced high penalties for smugglers as well as for a wide category of facilitators.<sup>22</sup> This law went as far as to introduce the obligation for anyone to denounce any activity related to smuggling that they would have knowledge of, thus potentially criminalizing any form of solidarity.

Tunisia stepped up border controls along its coastline, and from 2004 on the points of departure of sea-crossings to Italy shifted to Libya. From 2005 to the end of 2010, the number of departures from Tunisia was negligible. Not only sub-Saharan and other third country nationals, but also Tunisians themselves used to travel to Libya and embark from there.

<sup>15</sup> Ivi, p. 71.

<sup>16</sup> Ivi, p. 72.

<sup>17</sup> Tunisie Numérique, *Tunisia-Interior Minister: 1057 irregular African immigrants departed Tunisia voluntarily for their countries*, 30 July 2023. Online: <https://news-tunisia.tunisienumerique.com/tunisia-interior-minister-1057-irregular-african-immigrants-departed-tunisia-voluntarily-for-their-countries/>.

<sup>18</sup> Gnet News, *Crise des migrants : La Tunisie dépassée, le besoin d'une politique migratoire se fait sentir*, 7 August 2023. Online: <https://news.gnet.tn/crise-migrants-subsahariens-en-tunisie/>.

<sup>19</sup> P. Cuttitta, *I confini d'Europa a Sud del Mediterraneo. Strumenti e incentivi per l'esternalizzazione dei controlli*, in Id. and F. Vassallo Paleologo (eds.), *Migrazioni, frontiere, diritti*, Edizioni Scientifiche Italiane, Napoli 2006, pp. 13-40; Id., *Yearly Quotas and Country-reserved Shares in Italian Immigration Policy*, “Migration Letters” 5(1/2008), pp. 41-51.

<sup>20</sup> H. Boubakri, *Migrations de transit entre la Tunisie, la Libye et l'Afrique subsaharienne: Etude à partir du cas du Grand Tunis*, cit., p. 23.

<sup>21</sup> *Loi n° 2004-3 du 20 janvier 2004, modifiant et complétant le code de commerce maritime*, Journal Officiel de la République Tunisienne, n° 6, 20 janvier 2004; *Loi n° 2004-4 du 20 janvier 2004, modifiant et complétant le code de la police administrative de la navigation maritime*, Journal Officiel de la République Tunisienne, n° 6, 20 janvier 2004.

<sup>22</sup> *Loi organique n° 2004-6 du 3 février 2004, modifiant et complétant la loi n° 75-40 du 14 mai 1975, relative aux passeports et aux documents de voyage*, Journal Officiel de la République Tunisienne, n° 11, 6 février 2004.

In 2011, the year of the so-called Arab Spring, the fall of Ben Ali resulted in a power vacuum which *de facto* lifted border controls. Within few months, over 25,000 Tunisians took the chance to set off from their country's shores and reach Italy by sea. At the same time, nearly one million people fleeing Libya, including around 100,000 Libyan families<sup>23</sup> and hundreds of thousands third country (mostly sub-Saharan) nationals, crossed the Ras Jadir border and sought shelter in Tunisia. Libyans could more easily integrate into the social fabric of the country: first, because of their economic conditions;<sup>24</sup> second, because based on a 1973 bilateral agreement they have the right to enter Tunisia, as well as to reside and work there; third, because of the cultural affinity between the populations. This is also why Libyans (with only few exceptions) did not apply for refugee status. The other people escaping Libya were dependent on the reception mechanisms established by the international community instead (see section 3).

The new government, however, soon resumed police cooperation with Italy. A new bilateral agreement was signed on April 5<sup>th</sup>, 2011. Tunisia accepted to readmit Tunisian citizens arriving to Italy after that date. Border controls along the coastline were resumed as well, and departures from Tunisia almost zeroed in the next few years. All in all, the country's process of democratization did not result in significant reforms in the field of migration and migrants' rights, and "the core of Tunisia's immigration regime inherited from the authoritarian era [...] remained untouched".<sup>25</sup>

Departures from Tunisia to Italy, however, gradually increased again in the years following the terrorist attacks of 2015 (see section 4), despite the conclusion of the EU-Tunisia Mobility Partnership in 2014<sup>26</sup> and further informal agreements with Italy in 2017<sup>27</sup> and 2020,<sup>28</sup> as well as the adoption of a law against the trafficking of human beings in 2016, whose implementation seems to be mainly focused on containing migration and facilitating repatriations.<sup>29</sup> The number of departures from Tunisia skyrocketed in the period between 2020 and 2023. Pressure on the Tunisian government from Italy and other EU countries grew accordingly, and resulted in the signature of a memorandum of understanding between Tunisia and the EU on July, 16<sup>th</sup>, 2023. Based on this agreement, EU funding "for the provision of equipment, training and technical

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<sup>23</sup> H. Boubakri, *Migration et asile en Tunisie depuis 2011 : vers de nouvelles figures migratoires ?*, "Revue Européenne des Migrations Internationales" 31(3-4/2015), p. 27.

<sup>24</sup> Before the 2011 war, Libya's gross domestic product per capita was nearly three times as high as Tunisia's (source: <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD>).

<sup>25</sup> K. Natter, *Tunisia's migration politics throughout the 2011 revolution: revisiting the democratisation-migrant rights nexus*, "Third World Quarterly" 43(7/2022), p. 1558.

<sup>26</sup> European Commission, *EU and Tunisia establish their Mobility Partnership*, Press Release, 3 March 2014. Online: [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_14\\_208](https://ec.europa.eu/commission/presscorner/detail/en/IP_14_208).

<sup>27</sup> Ministero degli Affari Esteri, *Italia-Tunisia: Alfano stringe collaborazione con Tunisia su settori strategici*, 9 February 2017. Online: [https://www.esteri.it/it/sala\\_stampa/archivionotizie/comunicati/2017/02/italia-tunisia-alfano-stringe-collaborazione/](https://www.esteri.it/it/sala_stampa/archivionotizie/comunicati/2017/02/italia-tunisia-alfano-stringe-collaborazione/).

<sup>28</sup> ASGI, *Qual è il contenuto del recente accordo tra Tunisia e Italia?*, 7 December 2020.

Online: <https://sciabacaoruka.asgi.it/qual-e-il-contenuto-del-recente-accordo-tra-tunisia-e-italia/>. For agreements with other countries in the migration field see F. Raach, H. Sha'at and T. Spijkerboer, *Country Report Tunisia*. Asile WP5 Country Reports, 2022. Online: [https://www.asileproject.eu/wp-content/uploads/2022/08/D5.2\\_WP5-Tunisia-Country-Report-Final.pdf](https://www.asileproject.eu/wp-content/uploads/2022/08/D5.2_WP5-Tunisia-Country-Report-Final.pdf).

<sup>29</sup> C. Cassarini, *Fabriquer la traite, négocier la protection : échelles, acteurs et enjeux d'un dispositif transnational de contrôle des mobilités (Tunisie, Côte d'Ivoire)*, "L'Espace Politique" 46(1/2022). Online: <https://journals.openedition.org/espacepolitique/10981>.

support” for border management will increase. The parties also stress the aim to “improve the coordination of search and rescue operations at sea”, whereby “rescue operations” also include interceptions and forced returns to Tunisia. However, the agreement does not mention the readmission to Tunisia of third country nationals, and stresses that Tunisia does not see itself as “a country of settlement for irregular migrants” and that it will control “its own borders only”.<sup>30</sup> The next sub-section shows that the agreement was not able to reduce sea-borne arrivals in Italy.

### 2.3. *Sea-crossings: recent trends*

According to data of the Italian ministry of interior,<sup>31</sup> and as shown in Table 1, irregularized arrivals of Tunisians to Italy by sea skyrocketed from 5,181 (out of a total of 23,370 people arriving on Italian shores) in 2018 and 2,654 (out of 11,471) in 2019 to 12,883 (out of 34,154) in 2020, 15,671 (out of 67,477) in 2021 and a record 18,148 (out of 105,131) in 2022. The first eight months of 2023 show a slight decrease in absolute numbers (9,283 as of 31 August) despite the overall increase in arrivals (114,526, around two thirds of which from Tunisia).

**Table 1 – Italy: sea arrivals of Tunisian citizens (2017-2023)**

Year	Number of Tunisian citizens arrived on Italian shores	Total number of arrivals on Italian shores
2017	6,092	119,310
2018	5,181	23,370
2019	2,654	11,471
2020	12,883	34,154
2021	15,671	67,477
2022	18,148	105,131
2023 (as of 31 August)	9,283	114,526

Source: own elaboration of data from the Italian Ministry of Interior

If we include the number of people intercepted at sea and returned to Tunisia by the Tunisian authorities, we find that, “[b]etween January 2020 and mid-December 2021, Tunisian and Italian authorities intercepted slightly more than 53,000 Tunisians, out of 69,000 total migrants apprehended coming from Tunisia”.<sup>32</sup> These numbers testify to the lack of future perspectives that come with the economic and political crisis for (especially young) Tunisians.

While Tunisians were the overwhelming majority, there was also a significant increase in the number of foreign migrants embarking from Tunisia to Italy, which doubled from 2019 to 2020, and, again, from 2020 to 2021.<sup>33</sup> Sub-Saharanans may also arrive from Libya, but most of them cross the Algerian border. Once in Tunisia,<sup>34</sup> they reach the town of Kasserine and from there

<sup>30</sup> European Commission, *Memorandum of Understanding on a strategic and global partnership between the European Union and Tunisia*. Press release, 16 July 2023. Online: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_23\\_3887](https://ec.europa.eu/commission/presscorner/detail/en/ip_23_3887).

<sup>31</sup> <http://www.libertaciviliimmigrazione.dlci.interno.gov.it/it/documentazione/statistica/cruscotto-statistico-giornaliero>.

<sup>32</sup> M. Herbert, *Losing hope. Why Tunisians are leading the surge in irregular migration to Europe*, Global Initiative Against Transnational Organized Crime, January 2022. Online:

<https://globalinitiative.net/wp-content/uploads/2022/01/GI-TOC-Losing-Hope-Tunisia-Report-2021.pdf>, p. 8.

<sup>33</sup> Ivi, p. 10.

the port of Sfax.<sup>35</sup> Then, sub-Saharanans normally resort to more or less organized smuggling services for the sea crossing. Tunisians mostly organize their travel autonomously instead, with small groups of people collecting money and buying small boats that they then drive by themselves.<sup>36</sup>

**Table 2 – Italy: sea arrivals by country of embarkation (2017-2023)**

Year	from Tunisia	from Libya	from other countries	Total
2017	5,200	108,409	5,701	119,310
2018	5,799	12,977	4,594	23,370
2019	3,633	4,122	3,716	11,471
2020	14,685	13,012	6,457	34,154
2021	20,218	31,556	15,703	67,477
2022	32,371	53,310	19,450	105,131
2023 (as of 27 August)	73,827	33,880	5,155	112,862

Source: own elaboration of UNHCR data

All in all, the increase in crossings from Tunisia (see Table 2) was so high that in 2020, for the first time since 2004, arrivals in Italy from Tunisia (14,685) outnumbered those from Libya (13,012).<sup>37</sup> Tunisia surpassed Libya again in the last quarter of 2022,<sup>38</sup> and was still the main country of embarkation for people successfully attempting the Central Mediterranean crossing as of 30 April 2023: of the 42,201 people disembarked in Italy since the beginning of the year, 16,635 had embarked in Libya, 24,379 in Tunisia.<sup>39</sup> In the same period, a further 19,719 people were intercepted by the Tunisian authorities while trying to reach Italy.<sup>40</sup> After a further four months, the number of people arrived in Italy from Tunisia had more than tripled (73,827 as of 27 August), with the highest peaks being recorded from mid-June onwards. Interestingly enough, the signature of the EU-Tunisia deal on July, 16<sup>th</sup>, did not result in a decrease but rather in an increase in arrivals. These grew from 17,596 in the six weeks before the signature to 29,676 (+ 168,65%) in the following six weeks (see table 3).

**Table 3 – Italy: sea arrivals from Tunisia (June-August 2023)**

Total number of arrivals from Tunisia on Italian shores as of	Weekly arrivals from Tunisia on Italian shores

<sup>34</sup> C. Bonini, A. Candito and L. Martinelli, *I non grati*, Repubblica.it, 20 August 2023. Online: [https://www.repubblica.it/cronaca/2023/08/20/news/tunisia\\_studenti\\_person\\_e\\_non\\_grate\\_universita-411505808/](https://www.repubblica.it/cronaca/2023/08/20/news/tunisia_studenti_person_e_non_grate_universita-411505808/).

<sup>35</sup> L. Martinelli, *Al confine tra Tunisia e Algeria, con i migranti che sognano di sbarcare in Italia*, Repubblica.it, 4 June 2023. Online: [https://www.repubblica.it/esteri/2023/06/04/news/tunisia\\_algeria\\_migranti\\_sbarchi\\_italia-403024353/?ref=dr1a-2](https://www.repubblica.it/esteri/2023/06/04/news/tunisia_algeria_migranti_sbarchi_italia-403024353/?ref=dr1a-2).

<sup>36</sup> M. Herbert, *Losing hope...*, cit.

<sup>37</sup> UNHCR, *Italy sea arrivals dashboard – December 2020*, 29 January 2021. Online: <https://data2.unhcr.org/en/documents/details/84531>.

<sup>38</sup> UNHCR, *Italy sea arrivals dashboard – March 2023*, 11 May 2023. Online: <https://data.unhcr.org/en/documents/details/100615>.

<sup>39</sup> UNHCR, *Italy sea arrivals dashboard – April 2023*, 8 June 2023. Online: <https://data.unhcr.org/en/documents/details/101215>.

<sup>40</sup> FTDES, *Statistiques migration 2023*, 30 April 2023. Online: <https://ftdes.net/statistiques-migration-2023/>.

4 June	26,555		
11 June	26,799	5 – 11 June	244
18 June	27,644	12 – 18 June	845
25 June	30,549	19 – 25 June	2,905
2 July	33,860	26 June – 2 July	3,311
9 July	37,720	3 – 9 July	3,860
16 July	44,151	10 – 16 July	6,431
<b>16 July</b>	<b>44,151</b>	<b>Total 4 June – 16 July</b>	<b>17,596</b>
23 July	51,510	17 – 23 July	7,359
30 July	53,214	24 – 30 July	1,704
6 August	56,042	31 July – 6 August	2,828
13 August	61,743	7 – 13 August	5,701
20 August	68,058	14 – 20 August	6,315
27 August	73,827	21 – 27 August	5,769
<b>27 August</b>	<b>73,827</b>	<b>Total 17 July – 27 August</b>	<b>29,676</b>

Source: own elaboration of UNHCR data

What is new in 2023, besides the surge in the number of crossings, is that there are much fewer Tunisian than non-Tunisian citizens among the people arriving in Italy from Tunisia, with nationals from the Ivory Coast and Guinea making up 54% of the total number of arrivals from Tunisia in the first quarter of the year.<sup>41</sup> Moreover, many are women<sup>42</sup> and children.<sup>43</sup>

According to the testimonies collected by the UNHCR upon disembarkation in Italy, while there was also a growing number of sub-Saharan only transiting via Tunisia en route to Europe, most nationals from the Ivory Coast, Guinea and Cameroon “had been residing in Tunisia for long periods (at times, for several years) [...]. As reasons for leaving Tunisia, many referred to the increasingly difficult economic conditions in the country [...]. The insecurity fuelled by the February declarations against sub-Saharan migrants made by the Tunisian President contributed to additional movements out of Tunisia”.<sup>44</sup> Indeed, as explained in section 4, Tunisia’s recent authoritarian drift has also encouraged discriminatory and racist acts against the foreign population and black people, only few years after Tunisia’s adoption of a law on the elimination of all forms of discrimination.<sup>45</sup>

Finally, it must be reminded that sea-crossings cannot be safe in a context of prohibitionism. Growing numbers of departures from Tunisia result in growing numbers of casualties: a record 901 dead bodies were recovered off Tunisian coasts from 1 January to 20 July 2023.<sup>46</sup>

#### 2.4. Readmissions

<sup>41</sup> UNHCR, *Italy sea arrivals dashboard – March 2023*, cit.

<sup>42</sup> In early 2023, “[h]igh relative and absolute numbers of women were recorded among Ivorians (32%) and Cameroonians (24%), contributing to make this the sea route with the highest share of women among sea arrivals to Italy” (ibidem).

<sup>43</sup> C. Bonini, A. Candito and L. Martinelli, cit.

<sup>44</sup> UNHCR, *Italy sea arrivals dashboard – March 2023*, cit.

<sup>45</sup> Loi organique n°50 du 23 octobre 2018 relative à l’élimination de toutes formes de discrimination raciale, *Journal Officiel de la République Tunisienne*, n° 86, 26 octobre 2018.

<sup>46</sup> T. Amara, *Tunisia recovers 901 bodies of drowned migrants off its coast this year*, 26 July 2023. Reuters.com. Online: <https://www.reuters.com/world/africa/tunisia-recovered-901-bodies-drowned-migrants-off-its-coast-this-year-2023-07-26/>.

With regard to readmissions, the above mentioned agreements with Italy were not the only ones: Tunisia concluded readmission agreements with further EU countries (Austria, Belgium, France and Greece) as well as with Switzerland.<sup>47</sup> Readmissions to Tunisia, however, also take place from other EU countries on an informal basis. The average return rate from EU countries to Tunisia remains low: 22% in 2019<sup>48</sup> and 14% in 2021.<sup>49</sup> The degree of cooperation from the Tunisian authorities varies a lot from member state to member state, regardless of the existence of a readmission agreement.<sup>50</sup>

Importantly, repatriations through readmission procedures are not voluntary. They are rather deportations or forced returns. As demonstrated by Cassarino,<sup>51</sup> the reintegration of returnees is much more problematic if the decision to return is not voluntary and the migration project is abruptly interrupted. Moreover, Tunisians awaiting deportation in Italian detention centres are, first, often subjected to inhuman and degrading treatment, also including arbitrary medical treatment with psychiatric drugs.<sup>52</sup> Second, they are not even informed about the possibility to avail themselves of those schemes co-funded by the EU and the Italian government, and implemented by the IOM, that provide financial and logistical support to those who accept to return 'voluntarily'.<sup>53</sup> As a result, they are particularly vulnerable already before being returned. After their deportation, people do not receive any assistance from the Tunisian authorities either. The lack of support for forced returnees "likely reinforces their physical, psychological, economic and social vulnerability".<sup>54</sup> As a result, their future will likely materialize in either "a new crossing attempt or marginalisation".<sup>55</sup>

### 3. Civil society and solidarity initiatives

#### 3.1. *The Ben Ali era*

Under Ben Ali, migration was a sensitive issue, one that should not be addressed publicly, while censorship and repression made the free development of independent civil society organizations impossible. The few existing ones were either under direct control of the regime or

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<sup>47</sup> J.-P. Cassarino, *Tunisia's bilateral agreements linked to readmission*, in Id., *Governments' official bulletins and internal documents*. Online: <https://www.jeanpierreccassarino.com/datasets/ra/tunisie/>.

<sup>48</sup> European Commission, *Report from the Commission to the Council. Assessment of third countries' level of cooperation on readmission in 2019, Annex 1. Tunisia*, 2021. Online: <https://www.statewatch.org/media/2292/eu-com-readmission-annex-1-tunisia.pdf>, p. 85.

<sup>49</sup> European Commission, *Report from the Commission to the Council. Assessment of third countries' level of cooperation on readmission in 2021*, 8 December 2022. Online: <https://www.statewatch.org/media/3734/eu-com-readmission-assessment-report-2021-15812-22.pdf>, p. 163.

<sup>50</sup> European Commission, *Report from the Commission to the Council. Assessment of third countries' level of cooperation on readmission in 2019, Annex 1*, cit., p. 86; Id., *Report from the Commission to the Council. Assessment of third countries' level of cooperation on readmission in 2021*, cit., pp. 165-166.

<sup>51</sup> J.-P. Cassarino, *Le retour et la réinsertion des migrants à travers le prisme des cycles migratoires*, "Mondi Migranti" (3/2015), pp. 105-121.

<sup>52</sup> L. Rondi and L. Figoni, *Des migrants enrôlés sous sédatifs dans les centres d'expulsion en Italie*, Inkyfada.com, 23 May 2023. Online: <https://inkyfada.com/fr/2023/05/23/enquete-migrants-medicaments-expulsion-tunisie-italie/>.

<sup>53</sup> EuroMed Rights, *Return Mania. Mapping policies and practices in the EuroMed Region. Chapter 4. The Policy of Forced Returns Between Italy and Tunisia*, April 2021. Online: [https://euromedrights.org/wp-content/uploads/2021/04/EN\\_Chapter-4-Italy-Tunisia-1.pdf](https://euromedrights.org/wp-content/uploads/2021/04/EN_Chapter-4-Italy-Tunisia-1.pdf), p. 13.

<sup>54</sup> Ivi, p. 4.

<sup>55</sup> Ivi, p. 13.



systematically harassed and persecuted.<sup>56</sup> As a consequence, civil society engagement in the field of migration hardly existed, and migration was nearly absent from the public discourse. This was clearly the case with regard to foreign migrants living in or transiting through Tunisia. For example, the location, and even the existence, of detention centres was kept secret.<sup>57</sup> But this was the case with regard to irregularized Tunisian migrants abroad as well, since the very existence of unauthorized migration of Tunisian citizens was perceived as an accusation against the Ben Ali regime: according to a representative of the *Association familles des victimes des migrations irrégulières*, “before the revolution, one could not say anything about poverty and the need to migrate”.<sup>58</sup> As the spokesperson of the *Association La Terre pour Tous* put it: “until 2011, if you talked about the migrants who went missing at sea during the crossing, they would put you in prison”.<sup>59</sup> As a consequence, support to foreign (transit) migrants did not go beyond basic humanitarian assistance provided either by the government-friendly Red Crescent<sup>60</sup> (that was and still is responsible for the identification of asylum seekers) or, more or less covertly, by Caritas, while advocacy by independent organizations such as the LIDH (Ligue Tunisienne des Droits de l’Homme), the main Tunisian human rights organization, was very limited. The International Organization for Migration (IOM) was allowed to open its Tunis office in 2001 after pressures from the Italian on the Tunisian government, and its existence was long entirely dependent on Italian governmental projects, which aimed at preventing Tunisian emigration and initially did not engage in activities supporting foreign migrants. The UNHCR, instead, only had a liaison office in Tunisia until 2011. Despite Tunisia being a signatory to the 1951 Refugee Convention, it had not adopted an asylum law, and the UNHCR’s prerogatives and degree of independence were very limited. The UNHCR office was only staffed with one honorary representative, chosen by the UN agency from a list of names provided by the Tunisian government. The UNHCR honorary representative was not granted access to detention centres and could thus not verify whether there were potential asylum seekers among the detainees. He could only receive the asylum seekers that had been selected by the Red Crescent in the latter’s reception centres. The relevant applications were then examined by the honorary representative together with a UNHCR officer based in Geneva. Decisions to grant refugee status (only 7 in 2002 and, again, in 2003), however, could be revoked any time by the Tunisian government.<sup>61</sup>

### 3.2. *The post-revolution era*

In 2011, several factors related to the Tunisian Revolution and the Libya war led to a historical turn. First, as described above, tens of thousands Tunisians attempted the sea-crossing to Italy, while a much higher number of refugees arrived from neighbouring Libya. Second, fundamental

<sup>56</sup> S. Deane, *Transforming Tunisia. The Role of Civil Society in Tunisia’s Transition*. International Alert, London, February 2013. Online: <https://www.international-alert.org/wp-content/uploads/2021/08/Tunisia-Civil-Society-Role-EN-2013.pdf>; R. Weilandt, *Divisions within post-2011 Tunisia’s secular civil society*, “Democratization” 26(6/2019), pp. 959–974.

<sup>57</sup> P. Cuttitta, *Italien und Deutschland sind auf einer Linie*, “Jungle World”, 1 September 2004. Online: <https://jungle.world/artikel/2004/36/italien-und-deutschland-sind-auf-einer-linie>; Id., *I confini d’Europa a Sud del Mediterraneo. Strumenti e incentivi per l’esternalizzazione dei controlli*, cit.

<sup>58</sup> Interview with Paolo Cuttitta, Tunis, 25 January 2016.

<sup>59</sup> Interview with Paolo Cuttitta, Tunis, 19 January 2016.

<sup>60</sup> The National Red Cross and Red Crescent Societies have, by definition, an auxiliary role to state authorities.

<sup>61</sup> P. Cuttitta, *Die Abschottung beginnt in der Wüste*, in Pro Asyl (ed.), *Heft zum Tag des Flüchtlings*, June 2005, pp. 32–33. Online: [https://www.proasyl.de/wp-content/uploads/2015/12/PRO\\_ASYL\\_Broschuere\\_TdF2005.pdf](https://www.proasyl.de/wp-content/uploads/2015/12/PRO_ASYL_Broschuere_TdF2005.pdf).

rights such as the freedom of speech and association were finally recognized. The combination of these factors was crucial for future developments in the field of migration. Many international NGOs set foot in Tunisia for the first time to manage the 2011 'migration crisis'. The main stage for the relevant activities was the Choucha camp, that was established in the middle of the desert, just few kilometers away from the Libyan border and the coastline, at the end of February. It hosted people from up to 60 nationalities, of whom two thirds were Somali (27%), Eritrean (24%) or Sudanese (16%),<sup>62</sup> all fleeing the Libya war. The UNHCR's 'liaison office' was turned into a 'country office', and immediately took up the coordination of the Choucha camp. Within two years, the overwhelming majority of the guests were either relocated to safe countries or repatriated, and the camp was officially closed by UNHCR. Only few thousands of the former guests remained in Tunisia. Institutional assistance was extremely limited, including for refugees.

At the same time, an impressive number of NGOs were established by the local population. Just two years after the ousting of Ben Ali, Tunisia counted "14,966 associations, that is, one association for every 724 inhabitants".<sup>63</sup> Several of them engaged in migration-related activities. Besides formal assistance offered within humanitarian schemes, an important contribution was provided by spontaneous initiatives of individual volunteers,<sup>64</sup> especially with regard to the help provided to Libyan refugees,<sup>65</sup> who were often hosted by Tunisian families. Spontaneous, informal solidarity became thus an important driver in what has been called Tunisia's revolutionized space of migration.<sup>66</sup>

Last but not least, in the years following the Revolution, foreign migrants in Tunisia were able to establish a number of community-based organizations, mainly aimed at fostering mutual solidarity within the group.

Another important consequence of the so-called Arab Spring was that Tunisian media were able to report about issues related to migration and asylum. Finally, while these topics never became prominent in their agenda, they were no longer ignored by policymakers either. In sum, the 2011 Tunisian revolution and Libya war made immigration more visible in Tunisia,<sup>67</sup> and Tunisians "lost their fear to politicize and mobilize around the issue of migration and border control".<sup>68</sup>

<sup>62</sup> P. Dourgnon and H. Kassas, *Refugees in and out North Africa: a study of the Choucha refugee camp in Tunisia*, "European Journal of Public Health" 24(1/2014), pp. 6–10.

<sup>63</sup> E. Eyster and E. Paoletti, *Expanding protection space in Libya and Tunisia after the Arab Spring. Reflections on UNHCR's evolving role in mixed migration*, in F. Ippolito and S. Trevisanut (eds.) *Migration in the Mediterranean. Mechanisms of International Cooperation*, Cambridge University Press, Cambridge 2015, p. 144.

<sup>64</sup> H. Boubakri, *Migration et asile en Tunisie depuis 2011 : vers de nouvelles figures migratoires ?*, cit.; Id. and S. Potot, *De l'élan citoyen à la mise en place d'une politique migratoire en Tunisie: l'accueil des réfugiés de Libye en 2011*, "Migrations Societé" 24(143/2012), pp. 121-137; E. Eyster, H. Chalchoul and C. Lalève, *Proud to be Tunisian*, "Forced Migration Review" 39 (June/2012), p. 28.

<sup>65</sup> K. E. Hoffman, *Local hosting and transnational identity*, "Forced Migration Review" 39(June 2012), pp. 12-13.

<sup>66</sup> G. Garelli and M. Tazzioli, *Tunisia as a Revolutionized Space of Migration*, Palgrave Macmillan, New York 2017.

<sup>67</sup> C. Cassarini, *L'immigration subsaharienne en Tunisie : de la reconnaissance d'un fait social à la création d'un enjeu gestionnaire*, "Migrations Societé" 179 (2020), pp. 43-57.

<sup>68</sup> I. Bartels, *Reconfiguration of Tunisian Migration Politics after the 'Arab Spring' - The Role of Young Civil Society Movements*, in I. Schäfer (ed.), *Youth, Revolt, Recognition. The Young Generation during and after the "Arab Spring"*, Mediterranean Institute Berlin (MIB)/HU Berlin, Berlin 2015, p. 63.

From 2013 onwards, the arrival of thousands of Syrian refugees<sup>69</sup> also contributed to these developments.

In sum, as the president of the Médenine regional committee of the Red Crescent put it, “the revolution has been one for the migrants as well: now, we can talk about them, we can carry out humanitarian work for them”.<sup>70</sup>

In such context, what was and what is the impact of Tunisia-based civil society initiatives on the Euro-North African border regime? Academic research has found that Tunisian organizations, all potentially critical of restrictive border policies, were *de facto* excluded from consultations and negotiations leading to policy-making processes defining EU policies towards Tunisia in the migration field.<sup>71</sup> The EU sees Tunisian NGOs rather as potential implementing partners of its externalization policies. Consequently, EU programmes aimed at supporting civil society as part of the democratization process – whereby democracy serves as a disciplinary tool to contain mobility<sup>72</sup> – selectively privilege those organizations that can best serve externalization.<sup>73</sup> In the end, NGOs’ opposition to European border externalization in Tunisia can only be indirect and/or limited.<sup>74</sup>

Hereafter we mention four examples of Tunisian non-governmental solidarity initiatives of the post-revolution period: the initiative Boats 4 People and the associations *La terre pour tous* and *Le Pêcheur*, that all have Mediterranean sea-crossings as their main concern, as well as the NGO FTDES. Then we briefly touch on the role of community-based organizations.

The FTDES (*Forum tunisien pour les droits économiques et sociaux*) is the Tunisian Forum for Economic and Social Rights. It was founded in 2011 and has several local branches throughout the country. Since its establishment, the FTDES has always been vocal in denouncing unlawful migration policies, such as arbitrary detention and deportation.<sup>75</sup> Its contribution has been crucial to linking the issue of migration with that of democracy building in post-revolutionary Tunisia.<sup>76</sup> In doing this, the FTDES has paid attention to the *harragas* (this is how the – mostly young – Tunisians who ‘burn’ the border to Europe are called) as well as to foreign migrants and refugees in Tunisia.

In 2011, the long-established LTDH and the newly founded FTDES, together with other African and European non-governmental partners, set up a coalition called “Boats 4 People”,

<sup>69</sup> H. Boubakri, *Migration et asile en Tunisie depuis 2011 : vers de nouvelles figures migratoires ?*, cit.

<sup>70</sup> Interview with Paolo Cuttitta, Tunis, 2 February 2016.

<sup>71</sup> E. Roman, *EU’s migration policies in the eyes of “partner” countries’ civil society actors: The case of Tunisia*, “Global Affairs” 5(3/2019), pp. 203–219.

<sup>72</sup> M. Tazzioli, *Spaces of Governmentality. Autonomous Migration and the Arab Uprisings*, Rowman & Littlefield, London 2015.

<sup>73</sup> S. Dini and C. Giusa, *Externalising migration governance through civil society. Tunisia as a case study*, Palgrave, Basingstoke 2020.

<sup>74</sup> P. Cuttitta, *Non-governmental/civil society organizations and the EU-externalization of migration management in Tunisia and Egypt*, “Population, Space and Place”, 26(7/2020), pp. 1-13.

<sup>75</sup> FTDES, *Détention arbitraire à El Ouardia : Le ministère de l’Intérieur multi-récidive*, 26 February 2021. Online: <https://ftdes.net/detention-arbitraire-a-el-ouardia-le-ministere-de-linterieur-multi-recidive/>. “Tunisian law does not contain specific provisions providing for administrative immigration or pre-removal detention” (GDP and FTDES, *Tunisia. Issues related to immigration detention*, August 2020. Online: <https://www.globaldetentionproject.org/wp-content/uploads/2020/08/GDP-and-FTDES-Submission-to-CRC-Tunisia.pdf>, p. 4).

<sup>76</sup> V. Geisser, *Tunisie, des migrants subsahariens toujours exclus du rêve démocratique*, “Migrations Société” 31(3/2019), pp. 6-7.

aimed at defending the rights of migrants at sea and at making the Mediterranean “a space of solidarity”.<sup>77</sup> This initiative tried to support the families of dead or missing migrants in their attempts to shed light on the fate of their loved ones. Moreover, it organized public actions to campaign for the freedom of movement and against the violence of border control policies. Such actions were supposed to include missions at sea to document, denounce and prevent human rights violations<sup>78</sup> – forerunning what search and rescue NGOs started doing only few years later – but did not go beyond one sea-crossing from Italy to Tunisia in 2012. In the summer of 2011, the campaign “From one shore to another: lives which matter” was launched by the families of about 250 young people who had left Tunisia on five different boats between March and May that year.<sup>79</sup> Relatives of other people who went missing in following incidents joined the campaign in 2012. These shipwrecks had all remained undocumented except one for which no official truth had been established.

“Lacking definitive and reliable proof concerning what really happened during and after the sea journey, many families recognized, or believed that they had recognized, their sons in some of the videos shown by Italian and French newscasts, and in some Italian newspapers [...]. A few relatives received SMS or calls from the migrants during the journey, announcing that they had been rescued or that Italian shores were close. This is why many families strongly believed that their sons were still alive”.<sup>80</sup>

Since then, first as an informal group, then as an association called *La terre pour tous* (the earth for everyone), they have organized demonstrations in Tunis and journeys to Italy to claim truth and justice for their loved ones from both the Tunisian and the Italian government. In solidarity with the freedom of movement, they hold these governments accountable for border deaths and disappearances.<sup>81</sup>

*Le Pêcheur* is the fishermen’s association of Zarzis, an important port city in Tunisia’s south. Their members have always provided support in the form of food, water or fuel to people at sea whose boats were still able to continue their journey.<sup>82</sup> In 2018, the president, Chamseddine Bourrassine, and five further members of the association were arrested by the Italian authorities because, after coming across a migrant boat in distress, they had towed it towards Italian waters.<sup>83</sup> Protests were organized by the Tunisian civil society calling for the release. The families of the

<sup>77</sup> Boats 4 People, *Petits bateaux: papier*, 2017. Online: <https://boats4people.org/wp-content/uploads/2017/04/petitbateaumer.pdf>.

<sup>78</sup> Boats 4 People, *Pour une Méditerranée libre, solidaire et sans morts en mer*, 2012. Online: <https://boats4people.org/wp-content/uploads/2017/04/B4P-flyer-FR.pdf>.

<sup>79</sup> F. Oliveri, ‘Where are Our Sons?’ *Tunisian Families and the Repolitization of Deadly Migration Across the Mediterranean by Boat*, in L. Mannik (ed.) *Migration by Boat: Discourses of Trauma, Exclusion and Survival*, Berghahn, New York/London 2016, p. 161.

<sup>80</sup> Ivi, pp. 161-162.

<sup>81</sup> P. Cuttitta, *Non-governmental/civil society organizations and the EU-externalization of migration management in Tunisia and Egypt*, cit.; M. Tazzioli, ‘From one shore to the other’: other revolutions in the interstices of the revolution. An interview with Imed Soltani and Federica Sossi, ‘Antipode’ 50(3/2018), pp. 804-812.

<sup>82</sup> P. Cuttitta, *Non-governmental/civil society organizations and the EU-externalization of migration management in Tunisia and Egypt*, cit.

<sup>83</sup> A. Chemlali, *Rings in the Water: Felt Externalisation in the Extended EU borderlands*, ‘Geopolitics’, DOI: 10.1080/14650045.2023.2198125, 2023.

missing migrants were also part of this mobilization. According to anthropologist Valentina Zagaria, a demonstration in front of the Italian Embassy “really helped to put pressure on Italian and Tunisian authorities”.<sup>84</sup> After three weeks, the fishermen were released.<sup>85</sup>

Among the local initiatives that were made possible by the democratization process, an important role is also played by community-based organizations established by foreign migrants, such as the Association des Ivoiriens Actifs de Tunisie (ASSIVAT) and the Association des Ivoiriens actifs de Sfax (AIVAS), to mention but two within the largest nationality group.<sup>86</sup> Community-based organizations have the double aim of providing mutual support among the members and alerting the Tunisian public opinion about the conditions of (mostly African) migrants in the country. Besides nationality, other kinds of belonging can provide the basis for migrant associations.

“Among the most active sub-Saharan organizations is the Association of African Students and Trainees in Tunisia (AESAT), whose objective is to create a network of solidarity to help sub-Saharan students (most of whom work at the same time in the informal sector to finance their studies) and to challenge the Tunisian authorities on the daily discrimination and racism they suffer from”<sup>87</sup>.

Community-based organizations, insofar as they are not co-opted by international organizations and governmental donors into the mechanisms of humanitarian migration management,<sup>88</sup> could be further explored as sites where horizontal (and often mutual) solidarity is performed, and power unbalances or asymmetries are reduced or less visible, as opposed to usual types of support offered by international or local NGOs and even activist organizations, that rest on the traditional asymmetry between benefactors and beneficiaries. In the same vein, kinship solidarity among Tunisians, as suggested by sociologist Mahdi Mabrouk with reference to Tunisia’s south,<sup>89</sup> is a terrain of analysis that may help shed light on the role played by family and tribal relationships in the construction of individual migration trajectories.

#### 4. The authoritarian backlash

The period since the revolution has not been only one of mobilization for the freedom of movement and of solidarity with people on the move. The fact that migration became part of daily life also sparked negative reactions. Several factors contributed to turning the phenomenon of foreign migration to Tunisia from the exception to the norm. First, there were new arrivals of foreign citizens: Syrians started arriving after the outbreak of the civil war in their country, while

<sup>84</sup> H. Mzalouat, Across Africa, families of migrants lost at sea join forces for comfort and justice. Inkyfada.com, 11 September 2022. Online: <https://inkyfada.com/en/2022/09/11/families-lost-migration-zarzis-tunisia/>.

<sup>85</sup> Besides those from Zarzis, fishermen from all over Tunisia often had to turn “to humanitarian actors to rescue people on makeshift boats or to provide a dignified burial for those lifeless bodies washed up by the sea” (V. Geisser, *Tunisie, des migrants subsahariens toujours exclus du rêve démocratique*, p. 9).

<sup>86</sup> C. Cassarini, *L’immigration subsaharienne en Tunisie : de la reconnaissance d’un fait social à la création d’un enjeu gestionnaire*, cit.

<sup>87</sup> V. Geisser, *Tunisie, des migrants subsahariens toujours exclus du rêve démocratique*, cit., p. 10.

<sup>88</sup> C. Cassarini, *L’immigration subsaharienne en Tunisie : de la reconnaissance d’un fait social à la création d’un enjeu gestionnaire*, cit.

<sup>89</sup> I. Ziadia, *Immigration through Serbia, the new hope for the youth of Tataouine*, Inkyfada.com, 5 September 2022. Online: <https://inkyfada.com/en/2022/09/05/immigration-serbia-new-hope-youth-tataouine/>.

each year hundreds of (mostly sub-Saharan) people who had embarked for Italy from neighbouring Libya went adrift in Tunisian waters, which resulted in them being intercepted and brought ashore by the Tunisian Coast Guard.<sup>90</sup> They are called *les rescapés de la mer* (the rescued from the sea). Second, a small minority of the refugees who had entered the country in 2011 remained in Tunisian territory. The stabilization of migration as a structural phenomenon, and the growing visibility of migrants, did not only inspire solidarity initiatives. They also generated feelings of insecurity and sparked racist and other anti-migrant sentiments among the Tunisian population.

At the same time, economic and political developments caused a gradual backlash against democracy.<sup>91</sup> In 2015, three terrorist attacks in Sousse and Tunis did not only prompt the government to adopt exceptional security measures impacting on the population's fundamental rights, also including prolonged periods of curfew until early 2016, but also had devastating and long-lasting effects on the tourism industry. Consequences on the rights of migrants, and on the approach of authorities to the migration issue, were visible immediately after the 2015 terrorist attacks. As Boubakri points out,

“the mobility of both Tunisians and foreigners no longer arises only in terms of border controls and management of flows but also in terms of the risks that these movements represent at the security level, which paves the way for the return of a security, even militarist, approach to migration flows”.<sup>92</sup>

To make but one example, the Tunisian-Libyan border crossing point of Ras Jadir was repeatedly closed as part of the measures adopted against terrorism, but this impacted on the mobility of all. Other internal measures, such as the innumerable check-points spread all over the territory to intercept potential terrorists, also had an indirect impact on the free movement of undocumented foreign migrants, as it increased the risk for them to be identified as ‘illegal’ and consequently arrested and deported. Similarly, access to migrant support initiatives could be limited by circumstances unrelated to migration control. The number of migrants visiting the Caritas office in the premises of the Tunis Cathedral dropped dramatically after plain-clothes policemen were deployed to guard the entrances of the church, identifying and searching all the visitors, as the Christian temple had been classified as a potential target of terrorist attacks.<sup>93</sup> In the following years, the economic crisis was further exacerbated by the COVID-19 pandemic and the Ukraine war, resulting in high inflation and unemployment rates and increasing numbers of families living under the threshold of poverty. Economic and social instability, in turn, paved the ground for a bloodless coup led by president Saïed. Between 2021 and 2022, Saïed declared a state of exception, suspended the parliament and changed the constitution, granting himself an almost unlimited power.<sup>94</sup>

<sup>90</sup> MSF, *Forgotten in Tunisia. Stories and testimonies of migrants fleeing violence*, 22 August 2017. Online: <https://msf.exposure.co/forgotten-in-tunisia>.

<sup>91</sup> C. Günay and F. Somavilla, *Tunisia's democratization at risk*, “Mediterranean Politics” 25(5/2020), pp. 673-681.

<sup>92</sup> H. Boubakri, *Migration et asile en Tunisie depuis 2011 : vers de nouvelles figures migratoires ?*, cit., p. 35.

<sup>93</sup> The head of the Tunis Caritas mission in an interview with Paolo Cuttitta, Tunis, 25 January 2016.

<sup>94</sup> B. Rouland, V. Bachmann and K. Bendana, *The ignorance of dignity: The contagion of populism in Tunisian-European relations*, “Political Geography” (2023). DOI: 10.1016/j.polgeo.2023.102960.

Human rights are now heavily restricted, and civil society faces limitations resembling those of the Ben Ali era, with opposition leaders arbitrarily arrested and prosecuted.<sup>95</sup> Law 54 of September 13<sup>rd</sup>, 2022, on combating crimes related to information and communication systems has posed a serious threat to the freedom of expression. In the world press freedom index compiled by Reporters without Borders, Tunisia fell from the 73<sup>rd</sup> position occupied in 2021 to the 94<sup>th</sup> in 2022 and the 121<sup>st</sup> in 2023. Journalists, activists and opponents to the regime have been prosecuted under law 54,<sup>96</sup> as well as under the 2015 counter-terrorism law and the Criminal Code. Some have been accused of conspiracy because they met with foreign diplomats who are regularly accredited to Tunisia, including diplomats from France, Italy, and the United States.<sup>97</sup> This is little wonder as Saïed's action has also heavily impacted on the independence of the judiciary: first, by dissolving the High Judicial Council, then, by dismissing 57 magistrates.<sup>98</sup> On February, 21<sup>st</sup>, 2023, Saïed held a public speech in which he addressed sub-Saharan migrants as 'hordes' and accused them of aiming at transforming the demographic composition of Tunisia and turning the country from an Arab to an African one.<sup>99</sup> Saïed's speech came just a month after a visit to Tunis of the Italian ministers of interior and foreign affairs, Piantedosi and Tajani. Large-scale arbitrary arrests<sup>100</sup> and deportations followed in the next days and weeks, along with racist attacks on black Africans operated by young Tunisians, while many migrants lost their jobs and housings, as they were fired by their employers or evicted by their landlords.<sup>101</sup> Foreign African embassies organized repatriation flights to protect their citizens. Some – 1,057 until June 2023<sup>102</sup> – accepted this option, while many others attempted the sea-crossing to Italy. President Saïed also put forward the argument of the trafficking crime. Importantly, he did this not only to justify tougher measures against irregular migration, but also to delegitimize human rights groups and solidarity actors. These are subtly equated to criminals in the president's narrative: "Those who are behind this phenomenon are traffickers of human beings who claim at the same time to defend human rights".<sup>103</sup> This fuelled mistrust among the Tunisian population towards human rights organizations and other NGOs, who are also suspected of

<sup>95</sup> Human Rights Watch, *Tunisia: Free Arbitrarily Detained Ex-Prime Minister*, 11 April 2023. Online: <https://www.hrw.org/news/2023/04/11/tunisia-free-arbitrarily-detained-ex-prime-minister>.

<sup>96</sup> A. Zaghdoudi, *A new blow to freedom of expression in Tunisia*, 28 March 2023. Online: <https://www.accessnow.org/a-new-blow-to-freedom-of-expression-in-tunisia/>.

<sup>97</sup> I. Ziadia, "Conspiracy Against State Security". *Empty Files to Eliminate Opposition*, Inkyfada.com, 24 March 2023. Online: <https://inkyfada.com/en/2023/03/24/conspiracy-state-security-opposition-tunisia/>.

<sup>98</sup> Human Rights Watch, *Tunisia: Free Arbitrarily Detained Ex-Prime Minister*, cit.

<sup>99</sup> Al Jazeera, *Tunisia's Saïed says migration aimed at changing demography*, 22 February 2023. Online: [https://www.aljazeera.com/news/2023/2/22/tunisia-saied-says-migration-aimed-at-changing-demography?traffic\\_source=KeepReading](https://www.aljazeera.com/news/2023/2/22/tunisia-saied-says-migration-aimed-at-changing-demography?traffic_source=KeepReading).

<sup>100</sup> In the first three months of 2023, 3453 people were arrested for illegal stay (FTDES, *Statistiques migration 2023*, cit.).

<sup>101</sup> Amnesty International, *Tunisia, President's racist speech incites a wave of violence against Black Africans*, 10 March 2023. Online: <https://www.amnesty.org/en/latest/news/2023/03/tunisia-presidents-racist-speech-incites-a-wave-of-violence-against-black-africans/>; Migration-control.info, *On the racist events in Tunisia – Background and Overview*, 6 March 2023. Online: <https://migration-control.info/on-the-racist-events-in-tunisia-background-overview/>.

<sup>102</sup> Tunisie Numérique, cit.

<sup>103</sup> Présidence Tunisie, Facebook post. 21 February 2023. Online: <https://www.facebook.com/Presidence.tn/posts/pfbid02gkXqJK8EByDtaRHhJQeSmEBMhHutAcGa3az5V3NEFzr9Rdsqm11qsmusGA53zra4l>.

receiving money from abroad. Indeed, as pointed out by Geisser,<sup>104</sup> “international NGOs, local solidarity associations and critical Tunisian intellectuals are accused of being ‘criminals’ and ‘traitors’ to the state” by the Tunisian president’s supporters, in whose eyes “the question of human rights appears secondary to the imperatives of national security and reason of state”. Saïed’s speech triggered many actions in solidarity with sub-Saharan migrants. A large anti-racist demonstration was organized in downtown Tunis on February, 23<sup>rd</sup>. Petitions circulated on social networks. The high commission for audiovisual communication also rushed a statement calling on the audio-visual media not to engage in broadcasting hate speech towards immigrants. On March, 8<sup>th</sup>, at the Rio Theater in the capital, a group of artists organized a solidarity day titled “Tunisian Artists Against Racism”, including performances of arts as diverse as dancing, singing, poetry, plastic arts and stand up. During the entire month of Ramadan, activists in Kabariya, a popular area in the Tunisian capital, provided 2,000 Iftar tables to passers-by and African students, under the slogan ‘no one will get hungry in Kabarya’. Several grassroots groups promoted initiatives aimed at spreading information about abuses, circulating appeals for urgent needs, collecting donations, coordinating aid etc.<sup>105</sup> Finally, the Antifascist Front organized a press conference on April, 13<sup>th</sup>, to alarm the public opinion on the situation of immigrants and refugees.

Faced with these reactions, the president published a statement denying any racist sentiments from the government, condemning any form of discrimination and announcing a number of measures in favor of immigrants on March, 5<sup>th</sup>.<sup>106</sup> However, abuses did not end. Instead, they culminated in clashes between sub-Saharan people and parts of the local population in Sfax in early July 2023, resulting in the collective deportation of hundreds of people to the Libyan and Algerian desert borders, which in turn caused several casualties in both border areas.<sup>107</sup> The question remains open as to whether and to what extent Tunisian activists and solidarity groups will be able to effectively resist the current authoritarian drift.

## 5. Safe country?

According to human rights organizations, Tunisia was neither a safe country of origin nor a safe third country already before the authoritarian turn.<sup>108</sup> As a coalition of Tunisian and international

<sup>104</sup> V. Geisser, *Tunisie, la chasse aux migrants subsahariens est ouverte : comment la pionnière de la démocratie dans le monde arabe est devenue un théâtre d'un racisme d'État*, “Migrations Société” 35(1/2023), pp. 12-13.

<sup>105</sup> See for example the Facebook group “Citoyen·e·s contre le racisme : groupe d'aide et de soutien”: <https://www.facebook.com/groups/727953738961056>.

<sup>106</sup> Présidence Tunisie, Facebook post, 5 March 2023. Online: <https://www.facebook.com/100064458289062/posts/pfbid02DUC2mJPKoVPbzX5kE9SdVvk2KwquL7h6vnexU8bCvcovsytzC7sRSAajCX7yQ611kl/?app=fbl>.

<sup>107</sup> Al Jazeera, *NGOs lose contact with Tunisian migrant group, bodies found*, 11 July 2023. Online: <https://www.aljazeera.com/news/2023/7/11/ngos-lose-contact-with-tunisian-migrant-group-bodies-found>; Id., *At least 27 people found dead in desert after expulsion from Tunisia: Libya*, 9 August 2023. Online: <https://www.aljazeera.com/news/2023/8/9/at-least-27-people-found-dead-in-desert-after-expulsion-from-tunisia-libya>; Human Rights Watch, *Tunisia: Crisis as Black Africans Expelled to Libya Border*, 6 July 2023. Online: <https://www.hrw.org/news/2023/07/06/tunisia-crisis-black-africans-expelled-libya-border>.

<sup>108</sup> FTDES, *Les ports tunisiens ne sont pas sûrs pour les migrant.e.s.*, 30 September 2019. Online: <https://ftdes.net/les-ports-tunisiens-ne-sont-pas-surs-pour-les-migrant-e-s-les-etats-membres-de-lue-devraient-assumer-leurs-responsabilites/>.



NGOs pointed out,<sup>109</sup> this is even more so after the xenophobic drift outlined in the previous section. Still, Tunisia is on the list of safe countries of origin adopted by the Italian government. As a result, refugee status determination of Tunisian asylum seekers in Italy is made with an accelerated procedure.<sup>110</sup>

As regards the protection of asylum seekers in Tunisia, the situation has not substantially improved since the revolution. Despite pressures from the EU,<sup>111</sup> and a draft law that has long reached an advanced stage,<sup>112</sup> no asylum law has been adopted, because the protection of asylum seekers has never been a priority for Tunisian policymakers. These have been more concerned with issues such as terrorism, unemployment, financial crisis and the COVID-19 pandemic. Moreover, they fear that establishing an effective asylum system would end up attracting more unwanted migrants to Tunisia, and make forced returns of third country nationals from Europe to Tunisia possible. For these reasons, the UNHCR's activities are not actively supported by the government, and refugees and asylum seekers have only "limited access to essential services".<sup>113</sup> The system has not significantly changed, with only people from few nationalities being admitted to the asylum procedure managed by the UNHCR local branch, and with the Red Crescent being still in charge of the preliminary selection. The asylum seekers' access to the labour market is very limited, and rejected asylum seekers are not granted an effective right to judicial remedy.<sup>114</sup> Tunisia is not safe for other categories of migrants either. People on the move still run the risk of being informally deported and abandoned at the desert borders to Libya or Algeria under Saïed,<sup>115</sup> just as it was the case under Ben Ali<sup>116</sup> and in the post-revolution period.<sup>117</sup> Those who are intercepted at sea are often faced with the violent practices of Tunisian Coast Guard officers

<sup>109</sup> FTDES, *Tunisia is neither a safe country of origin nor a place of safety for those rescued at sea*, 17 April 2023. Online: <https://ftdes.net/en/la-tunisie-nest-ni-un-pays-dorigine-sur-ni-un-lieu-sur-pour-les-personnes-secourues-en-mer/>.

<sup>110</sup> R. Ben Amor and M. Costa, *La Tunisie entre la classification de pays sûr et la réalité d'un pays à la dérive*, "Diritto, Immigrazione e Cittadinanza" (3/2021). Online: <https://www.dirittoimmigrazionecittadinanza.it/allegati/fascicolo-n-3-2021/810-templatetunisia/file>.

<sup>111</sup> For the 2015–2018 period alone, the EU gave UNHCR Tunisia 900,000 Euro for expanding and formalising the country's protection space. The main aim was the adoption of an asylum law (cf. Délégation de l'Union européenne en Tunisie. Rapport 2015. Coopération de l'Union européenne en Tunisie, 2016. Online: [http://eeas.europa.eu/archives/delegations/tunisia/documents/projets/rapport\\_cooperation\\_2015\\_fr.pdf](http://eeas.europa.eu/archives/delegations/tunisia/documents/projets/rapport_cooperation_2015_fr.pdf)).

<sup>112</sup> M. A. Zayani, *La protection des réfugiés en Tunisie. Bilan provisoire d'un projet de loi perplexe!*, Les Cahiers du FTDES, Juin 2019. Online: <https://ftdes.net/la-protection-des-refugies-en-tunisie-bilan-provisoire-dun-projet-de-loi-perplexe/>.

<sup>113</sup> S. Jaballah, *EU-Tunisian Policy of Managing Migration Across the Mediterranean: Addressing Regular and Irregular Flows*, Arab Reform Initiative, 20 June 2023. Online: <https://www.arab-reform.net/publication/eu-tunisian-policy-of-managing-migration-across-the-mediterranean-addressing-regular-and-irregular-flows/>.

<sup>114</sup> P. Cuttitta, *Non-governmental/civil society organizations and the EU-externalization of migration management in Tunisia and Egypt*, cit., pp. 4-5.

<sup>115</sup> Alarm Phone, *Chain of push-backs from Tunisian ports to the Libyan desert!*, 3 October 2021. Online: <https://alarmphone.org/en/2021/10/03/chain-of-push-backs-from-tunisian-ports-to-the-libyan-desert/>; Human Rights Watch, *Tunisia: Crisis as Black Africans Expelled to Libya Border*, cit.

<sup>116</sup> P. Cuttitta, *Die Abschottung beginnt in der Wüste*, cit.; Id., *Yearly Quotas and Country-reserved Shares in Italian Immigration Policy*, cit.

<sup>117</sup> G. Garelli and M. Tazzioli, cit., pp. 32-34.

who reportedly beat people with sticks, attempt to sink boats and ask money in exchange for rescue,<sup>118</sup> or leave boats adrift after stealing the engine.<sup>119</sup>

In March 2023, following the massive evictions and persecutions of black people, over 200 refugees, asylum-seekers and migrants started a sit-in outside the UNHCR offices, requesting humanitarian evacuation. After over three weeks of protest, as UNHCR proved unable to assist them, some “entered its premises, causing some material damage, and leading to tense interactions with local police forces”.<sup>120</sup> These intervened at the request of the UN agency,<sup>121</sup> violently evicted the protesters and arrested “up to 150 people”.<sup>122</sup> More protesters were arrested over the next few days. This speaks to the ambiguous nature of the UNHCR, which is traditionally split between its mandate to protect refugees and asylum seekers and the loyalty to host governments, as well as donor states, whose policies often stand in stark contrast to the rights and the well-being of the UNHCR’s beneficiaries.<sup>123</sup> In Tunisia, UNHCR is also known for having provided state authorities with technological equipment for border management and migration control,<sup>124</sup> thus exceeding its humanitarian mandate to embrace security-related activities.

## 6. Conclusions

From a European perspective, Tunisia is a country of both origin and transit of migration. At the same time, it has long become a country of immigration. Tunisia has recently surpassed Libya as the main country of embarkation for people (both Tunisian and foreign nationals) attempting the sea-crossing to Italy.

This report has reconstructed the gradual involvement of Tunisia in the European migration and border regime, by summarizing the main international agreements concluded and national measures adopted from the 1990’s to present day.

The report has also provided examples of civil society initiatives (both local and international) aimed at supporting the freedom of movement, in solidarity with migrants and asylum seekers in Tunisia.

<sup>118</sup> Alarm Phone, *Deadly policies in the Mediterranean: Stop the shipwrecks caused off the coast of Tunisia*, 19 December 2022. Online: <https://alarmphone.org/en/2022/12/19/deadly-policies-in-the-mediterranean/>.

<sup>119</sup> Alarm Phone, *~200 people in distress off #Kerkennab!*, 9 March 2023. Online: [https://twitter.com/alarm\\_phone/status/1633733346164371456](https://twitter.com/alarm_phone/status/1633733346164371456).

<sup>120</sup> UNHCR, *UNHCR is deeply disturbed by the violent protests that occurred at its Tunis premises and urges for dialogue and de-escalation*, 11 April 2023. Online: <https://data.unhcr.org/en/documents/details/100065>.

<sup>121</sup> Afroplanete, *80 migrants arrêtés, Le HCR suspend temporairement l'examen des dossiers de demandeurs d'asile et de migrants africains à Tunis*, 12 April 2023. Online: <https://afroplanete.com/2023/04/immigration/brouillon-auto80-migrants-arretes-le-hcr-suspend-temporairement-l'examen-des-dossiers-de-demandeurs-dasile-et-de-migrants-africains-a-tunis-video/>.

<sup>122</sup> FTDES, “If we stay here we are going to die”. 29 April 2023. Online: <https://ftdes.net/en/العربية-إذا-بقينا-هنا-سنموت/>.

<sup>123</sup> P. Cuttitta, *Non-governmental/civil society organizations and the EU-externalization of migration management in Tunisia and Egypt*, cit.; Valluy, *Contribution à une sociologie politique du HCR: le cas des politiques européennes et du HCR au Maroc*, TERRA-Editions, Collection ‘Etudes’, May 2007. Online: <http://www.reseau-terra.eu/article571.html>.

<sup>124</sup> UNHCR, *Communiqué de presse. Rencontre du Représentant du Haut-Commissaire des Nations Unies pour les Réfugiés en Tunisie avec le Ministre de l’Intérieur: Don d’équipements pour la gestion des frontières*, 8 October 2015. On file with authors.

While the 2011 revolution introduced the freedom of association, allowing for the establishment of civil society organizations and their engagement in migration-related activities, the economic and political crisis of the last years resulted in a heavy backlash against democracy, which also affected migrants and asylum seekers, as well as the organizations supporting them.

In early 2023, a xenophobic speech by president Saïed sparked anti-migrants sentiments among the population, resulting in instances of generalized violence on black people in the following months. Many sub-Saharanans had no other choice but to try to reach Italy by sea. While there was a reaction from civil society in support of the migrant population under attack, the current authoritarian drift may further restrict the room for manoeuvre of activists and solidarity groups in the country.

While Tunisia has never been a safe country for asylum seekers, recent developments show that the situation is deteriorating, and that the country is not safe for Tunisian citizens either.

In this context, the number of sea-crossings and border deaths keeps growing despite the much advertised agreement between Tunisia and the EU of July 2023.

The case of Tunisia demonstrates once again that European border externalization does not reach its aim of reducing irregularized migration. It only fuels racist sentiments, exclusionary policies and inhuman practices in the EU-neighbourhood, supporting authoritarian regimes rather than solidarity, democracy and the rule of law.