

TUNISIA IS NOT A PLACE OF SAFETY

SOS
MEDITERRANEE

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Context

In February 2023, after two years of an overall degradation of the political and socio-economic situations in Tunisia, the Tunisian president, Kaïs Saïed, made a statement incriminating sub-Saharan Africans. His speech amplified existing racist sentiments among a certain part of the population and triggered an [increase in discrimination, violent attacks and collective expulsions](#). Following these events, the situation has been deteriorating for Black African foreigners in Tunisia.

In the beginning of July 2023, there were reports of stabbings, stone-throwing and violent clashes between Sub-Saharan Africans and residents of Sfax, Tunisia's second-largest city. As described by media reports, «[a genuine black man hunt](#)» has begun. [In a report of July 2023, Human Rights Watch](#) affirmed that Tunisia is not a safe place for Black African foreigners, who have been subjected to «beatings», «arbitrary detentions» and «theft of money and personal belongings» by the Tunisian authorities in recent months. In police stations, some victims have been subjected to «electric shocks» and «arbitrary arrests based on their skin colour».

Forced pushbacks of Black African foreigners on land, along and across the country's borders with Algeria

Sea crossings from Tunisia

In the first half of 2023, Tunisia surpassed Libya as the primary point of departure for boats arriving in Italy, according to UNHCR.

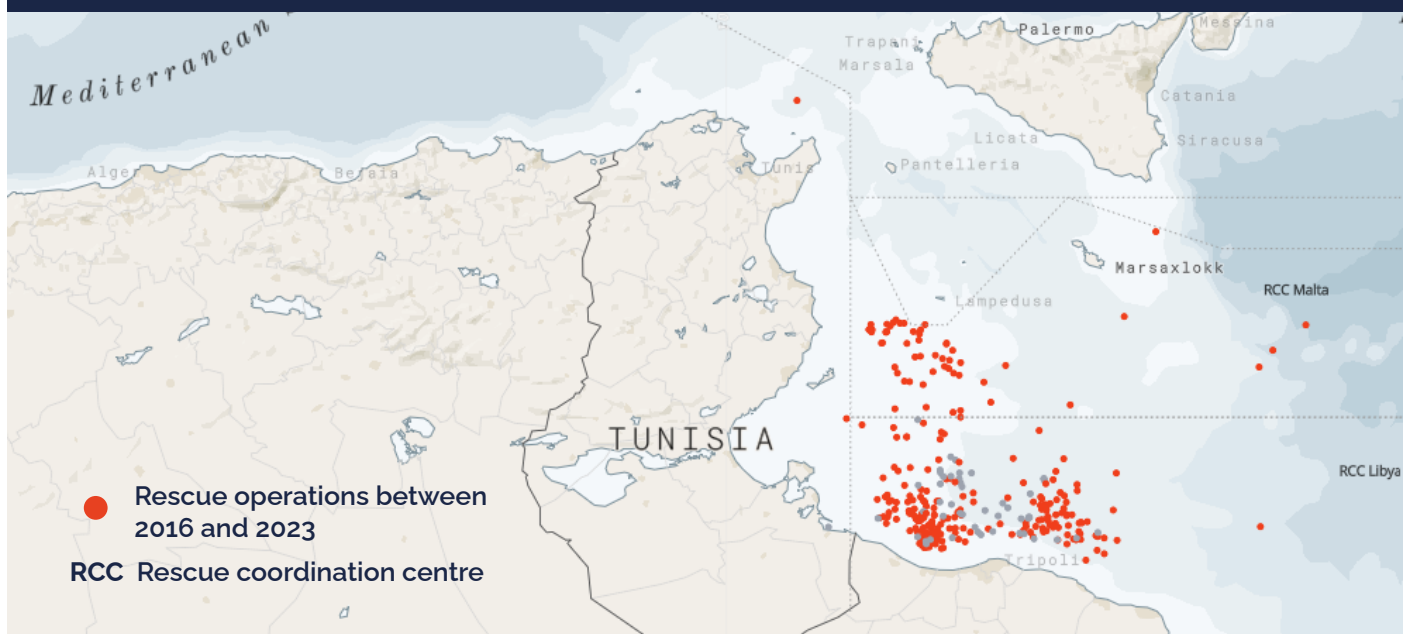
- 52 % departed from Tunisia between January and July 9 2023
- 43 % departed from Libya

and Libya, have been reported in recent years and increased over the past months.

[In July 2023, Tunisian security forces in Sfax rounded up hundreds of people from sub-Saharan Africa, including children, and dropped them in a no man's land between the Tunisian and Libyan borders, where they remained trapped without food or water.](#) In addition, Human Rights Watch reported in October 2023 that over 100 people from multiple African countries, who had been intercepted at sea and returned to Tunisia by the Coast Guard, were collectively expelled to the border with Algeria in September 2023.

Furthermore, the Tunisian Coastguards, who are the ones managing potential disembarkations and transfers, have been reported as being violent, putting the lives of people in distress at sea at further risk, according to [Human Rights Watch reports](#).

SOS MEDITERRANEE RESCUE OPERATIONS SINCE 2016





TESTIMONIES COLLECTED BY SOS MEDITERRANEE

In August 2023, Ocean Viking completed multiple rescues of boats that departed from Tunisia. Testimonies shared by many survivors with the team onboard match the reports of events mentioned above.

A young couple from Ivory Coast who lived and worked in Tunisia for two years reported that racist tensions had recently made it impossible for them to work or find a safe place to live in Tunisia.

A 27-year-old man from Ivory Coast who worked in Tunisia for four years reported to the team that he had been forced to flee because of the current situation in the country. He explained that Black people were expropriated, beaten, injured or even killed and that women were raped. It was no longer possible to find a safe place to live or work, or to be heard by the police. It was impossible to ask for justice, because no one would listen to them.

A survivor reported that he was chased from his house during the night and deported to the desert with his brother and cousin who eventually died. Another reported that he was attacked with a machete by civilians just because "he is Black". Another survivor presented injuries after being beaten behind the head, causing a reduced visual acuity.

The medical team onboard Ocean Viking observed frequent specific types of injuries amongst the population of survivors who departed from Tunisia. Several men from Cameroon and Ivory Coast presented lower limb injuries caused by attacks conducted with sharpened pieces of wood. The wounds look quite unusual and survivors consulted our medical team because it was still painful or/and because they were worried that there was still wood in it.

A person from Benin who was in Tunisia told our crew that if taxi drivers were seen with sub-Saharanans in their cars, they would face prison, and that access to basic items such as SIM cards is not allowed. He described a climate of "man hunts" where civilians wanting to provide help would also be denounced by their neighbours.

Some survivors reported making multiple attempts to flee Tunisia by sea. Some of them told our crew that they witnessed shipwrecks and saw bodies floating in the water close to the beach as well as later during the journey. They reported having seen fish eating these dead bodies.

Some people also reported that they had been intercepted by the Tunisian Coastguards or approached by fishermen who conducted dangerous manoeuvres to steal the engine of the boat they were trying to flee on.

Legal analysis

According to the [2004 Guidelines on the treatment of persons rescued at sea, a rescue is considered to terminate with the disembarkation of survivors in a «place of safety»](#) (6.12).

The same regulation considers that a place of safety is a place where "the survivors' safety of life is no longer threatened and where their basic human needs (such as food, shelter and medical needs) can be met". It also includes the "need to avoid disembarkation in territories where the lives and freedoms of those alleging a well-founded fear of persecution would be threatened". It also refers to the prohibition on returning survivors to "a place where there are substantial grounds for believing that the person would be in danger of being subjected to torture", as well as to protect them against direct or indirect refoulement.

As described by the testimonies above, physical violence, discrimination, arbitrary arrests and endangerment at sea can all be qualified as acts of ill-treatment and torture. In Tunisia, sub-Saharan populations have very limited access to their fundamental freedoms and are subject to regular persecution backed up by a wave of xenophobia and institutionalised discrimination. As such, in Tunisia, the safety of life of sub-Saharan populations cannot be guaranteed anymore.

In addition, the forced displacements to the borders through the desert, and the increased interception of sub-Saharan populations in Tunisia qualify as violations of the non-refoulement principle, enshrined in international law, as it applies to all forms of expulsion, regardless of nationality or migration status.

Further readings

- **Amnesty International:** [Tunisia : Carving up the Constitution represents a threat to human rights, Amna Guellali, October 2021](#)
- **OHCHR:** [Tunisia must immediately stop hate speech and violence against migrants from south of Sahara, UN Committee issues early warning, April 2023](#)
- **Euromed Rights:** [Anatomy of a Forced Deportation to Libya, July 2023](#)
- **UN news:** [Racist rhetoric in Tunisia must stop, independent UN experts warn, April 2023](#)
- **Human Rights Watch:** [Tunisia: No Safe Haven for Black African Migrants, Refugees, April 2023](#)

CONCLUSION

In the current context described above, Tunisia does not meet the legal requirements to be considered as a Place of Safety to disembark people rescued at sea.