



SUPPORTING THE TUNISIAN POPULATION'S ACCESS TO THEIR RIGHTS

Third progress Report



Photo: Civil society Organizations team-building activity facilitated by UNDP, Djerba - July 24, 2020

January 2020- December 2020

Summary

ACRONYMS	3
PROJECT SUMMARY	4
PROJECT DESCRIPTION	5
RESULTS ACHIEVED.....	8
MONITORING AND EVALUATION.....	19
LESSONS LEARNED	20
FINANCIAL SITUATION	20

ACRONYMS

- **ARP:** Assembly of the Representatives of the People
- **ASF:** *Avocats sans Frontières* (Lawyers without Borders)
- **CDIS:** Comité de défense et d'intégration sociale (Committee of Defense and Social Integration)
- **CSM:** *Conseil Supérieur de la Magistrature* (High Judicial Council)
- **CSO:** Civil Society Organisation
- **NHRI:** National Human Rights Institute (*Instance des Droits Humains*)
- **NCSC:** National Center for state courts
- **NGO:** Non-Governmental Organisation
- **INLCTP:** National Authority of Fight Against Trafficking in Persons (*Instance Nationale de Lutte Contre la Traite des Personnes*)
- **INPT:** National Authority for the Prevention of Torture (*Instance Nationale pour la Prévention de la Torture*)
- **OHCHR:** Office of the United Nations High Commissioner for Human Rights
- **ONAT:** *Ordre National des Avocats de Tunisie* (Tunisian Order of Lawyers)
- **NCSC:** National Center for State Courts
- **UNDAF:** United Nations Development Assistance Framework
- **UNDP:** United Nations Development Programme
- **UNESCO:** United Nations Educational, Scientific and Cultural Organization
- **UNFPA:** United Nations Population Fund
- **UNGA:** United Nations General Assembly
- **UNICEF:** United Nations Children's Fund
- **UNODC:** United Nations Office on Drugs and Crime
- **UNOPS:** United Nations Office for Project Services

PROJECT SUMMARY

Project Title:	Supporting the Tunisian population's access to their rights
Project Duration:	October 2017 – December 2021
Implementing Agency:	UNDP (in partnership with OHCHR)
Total Budget:	USD 1,200,000.00
Contributions from financial partners:	USD 1,000,000.00 (Netherlands) USD 200,000.00 (UNDP/BPPS)
Link to the expected outcomes and outputs of the country programme:	<p>Outcome 1 UNDAF: By 2019, Civil, political and administrative institutions are fully operational, in accordance with the universal principles of human rights, democracy and gender equality</p> <p>Output 1.1 CPD: The capacities of the institutions guaranteeing the rule of law are strengthened, ensuring better access to justice and security, especially for the most vulnerable people, in compliance with international standards</p>
Date of the Report:	29/06/2021
Focal points – National partners:	<p><u>Ministry of Justice:</u></p> <ul style="list-style-type: none"> - Ms. Raja Boussema, in charge of international cooperation - <u>High Judicial Council:</u> Mr. Akram Mouhli, in charge of international cooperation <u>INPT</u> - Mr. Fethi Jarray, President <u>INLCTP</u> - Ms. Raoudha Laabidi, President
Focal Point – UNDP:	Mr. Corrado Quinto, Chief Technical Advisor on justice and human rights

PROJECT DESCRIPTION

Relevance of the Programme

Since 2011, UNDP has been supporting national efforts to ensure the protection and the promotion of human rights in Tunisia. According to the context analysis, it is appropriate and necessary to continue to support Tunisian authorities and institutions in order to advance the implementation of the legal and institutional framework planned by the 2014 Constitution and to meet Tunisia's international obligations regarding the protection and promotion of human rights.

Funded by the Government of the Netherlands, the joint UNDP/OHCHR programme *Supporting the Tunisian population's access to their rights ("access to rights")* is in line with the "United Nations Development Assistance Framework - UNDAF" for 2015-2019 signed with the Tunisian Government in 2014; Axis I on "Democratic governance"; as well as Axis III on "Social protection and equitable access to quality social services".

For UNDP, the joint programme will contribute to:

- Output 1.1 of the 2015-2019 Country Programme Action Plan signed with the Ministry of Foreign Affairs in December 2014;
- UNDP Strategic Plan 2018-2021, especially with the Signature Solution 2 "Strengthen effective, inclusive and accountable governance";
- UNDP's Global Programme for Strengthening the Rule of Law and Human Rights 2016-2020, contributing to the achievement of 5 of its 7 outputs;

It is also part of the achievement of the Sustainable Development Goals (SDGs) 5 (gender equality), 10 (reduced inequalities) and 16 (peace, justice and strong institutions).

The programme will strive to contribute to the achievement of Sustainable Development Goal 16 on Peace, Justice and Strong Institutions and the Sustaining Peace Agenda by:

- ✓ Operationalising key national institutions and processes lined up to promote democratic governance, consolidating the rule of law and fostering citizenship;
- ✓ Ensuring that communities, in particular youth, women and vulnerable groups, benefit from and contribute to efforts aimed at promoting local development, strengthening access to justice and security and social cohesion;
- ✓ Allowing Tunisia to demonstrate progress towards delivering peaceful, fair and inclusive societies.

The programme will contribute to addressing recommendations to Tunisia during the third cycle of the Universal Periodic Review, summarized in the letter sent by the High Commissioner for Human Rights to the Minister of Foreign Affairs in October 2017.

Finally, the "access to rights" Programme also contributes to the achievement of the UNDP portfolio "Sustaining peace through the promotion of a peaceful, just and inclusive society in Tunisia" ("ODD16+ portfolio") funded mainly by the Government of the Netherlands in 2018. All the project documents

related to the “access to rights” Programme, signed in 2018 and 2019, in addition to those to be signed later, contribute to outputs 1 and 2¹ of the “ODD16+ portfolio”.

Scope and structure of the Programme

The “access to rights” Programme is a joint initiative of the United Nations Development Programme (UNDP) and the Office of the High Commissioner for Human Rights (OHCHR). It aims at supporting the Tunisian authorities in reinforcing the main national institutions ensuring the protection and the promotion of human rights, particularly for women and vulnerable groups, in order to improve their accessibility while meeting international standards.

To this end, a series of complementary interventions are foreseen, aimed at: improving access to justice through initiatives that strengthen the judicial and penitentiary institutions of the Governorate of Medenine, inform citizens about their rights and accompany them in the measures to be adopted to bring their claims to the courts; improving the access to those institutions that represent the national human rights framework (Constitutional Court, Human Rights Institution, National Mechanism for Torture Prevention, and the National Authority of Fight Against Trafficking in Persons).

In addition to consolidating the collaboration with well-established governmental institutions like the Ministry of Justice, independent institutions like the High Judicial Council, judicial institutions like the Administrative Tribunal and the independent bodies recently created like the national mechanism for torture prevention and the national institute against trafficking in human beings, the joint programme aims at supporting the creation of the Constitutional Court and the Human Rights Institution. The new Constitution adopted in January 2014 strengthens the rights and freedoms of the population and provides for the creation of a new national Human Rights Institution (IDH – Instance des droits de l’Homme) responsible for ensuring respect of freedoms and human rights. This body will replace the High Committee for Human Rights and Fundamental Freedoms (CSDHLF – Comité Supérieur des droits de l’Homme et des Libertés Fondamentales).

In line with the objectives set by UNDP in its 2015-2019 Country Programme Action Plan for Tunisia (CPAP) signed with the Government of Tunisia in December 2014, UNDP prepared a Project Initiation Plan (PIP) intended to support the effective implementation of such institutions and define the future support, which will be provided in order to ensure their operationalization and build their credibility among Tunisian populations. The PIP also allowed UNDP to further define the support to be provided to reinforce access of vulnerable populations to these institutions and to justice.

The “access to rights” UNDP/OHCHR joint programme is composed of several project documents drafted in close collaboration with State and independent institutions. The aim of the “access to rights” programme was to present in a harmonious and coherent way the various interventions we were planning with the different partners mentioned above. The programme is, therefore, considered as an umbrella that covers the specific project documents we would sign with State and independent institutions. While

¹ Output 1: Key national institutions and processes aimed at promoting democratic governance and public accountability, consolidating the rule of law and fostering citizenship are operationalized

Output 2: Communities, in particular youth, women, and vulnerable groups, benefit from and contribute to efforts made at fostering local development, strengthening access to justice and security, and promoting social cohesion.

drafting and finalizing project documents a series of preliminary and preparatory activities were implemented with each of the partner institutions.

In April 2019, a project document was signed with the Ministry of Justice focusing on improving access to justice in the governorate of Medenine.

In June 2019, a project document was signed with the High Judicial Council focusing on strengthening its capacities (strategic plan, financial autonomy, organigram etc.) and improving the independence of the judiciary. Another project document has been finalized with the two independent bodies on torture prevention (INPT) and the fight against human trafficking (INLCTP) in December 2019.

A long-term assessment was conducted in 2018, which produced three additional project documents supporting the Administrative Tribunal, the Constitutional Court and the Human Rights Institution (IDH). All these documents will be finalized with the respective partners as soon as they are created and/or ready for such collaboration. Several preliminary and preparatory activities have been carried out since the beginning of the ongoing “access to rights” programme in order to pave the way for the successful implementation of upcoming projects. Such preparatory activities will continue to be implemented before the signature of the remaining project documents.

All these project documents have the same structure, composed of three outcomes and a variety of expected outputs.

OUTCOME 1

The independence, accessibility and capacity of State institutions in charge of protecting and promoting the rights of the people are strengthened to enable them to better fulfil their mandate

OUTCOME 2

People, especially women and vulnerable people, are informed of their rights and accompanied before state institutions responsible for ensuring the protection and promotion of their rights

OUTCOME 3

State and civil society actors produce and share knowledge of good practices in terms of protection and promotion of human rights at the local, national, regional and international level

RESULTS ACHIEVED

This third progress report presents all the results achieved by the programme in 2020, using funds provided by the Government of the Netherlands and UNDP (through the Rule of Law Global Programme).

The financial contribution from the Government of the Netherlands was aimed at supporting the assessment and drafting phases of the “Supporting Tunisian populations’ access to their rights” project, as well as the finalization of the projects’ documents and implementation of the related actions.

The **assessment** was conducted in 2017-2018 with the different stakeholders using the same methodology, which includes meetings with partners, data collection, verification of information, desk review, and field missions. While conducting the assessment, we were able to implement several activities in line with the foreseen action and our partners’ action plans.

Based on the assessment’s results, three project documents have been signed and are currently being finalized, one for each of the national counterparts engaged in the assessment phase (Ministry of Justice, High Judicial Council, Independent bodies on torture prevention and anti-trafficking), while others are still in pipeline (Administrative Tribunal, the precursors of the Human Rights Institute and the Constitutional Courts).

The following results have been achieved with each national counterpart:

Ministry of Justice

The “Access to justice project document was signed in April 2019, after the UNDP Local Project Appraisal Committee (LPAC) was organized to validate the project proposal with all the stakeholders involved (Ministry of Justice, Ministry of Foreign Affairs, Presidency of the Government, NGOs).

In February 2019, The Hague Institute for Innovation on Law (Hiil) invited a representative of the Ministry of Justice, a representative of the Presidency of the Government, and our Chief Technical Advisor (CTA) to the 9th annual Innovating Justice Forum, in The Hague. The participation to the Forum allowed the Tunisian delegation to have a clearer idea on how justice accelerators labs could help Tunisia to better achieve SDG 16.

Moreover, as 2019 was the year of the holding of presidential and legislative elections and within the framework of Output 1 “supporting the independence and accessibility of institutions”, the Programme organized three training sessions on electoral disputes. Those trainings targeted the prosecutors in the courts of first instance, the heads of the penal chambers of the courts of first instance, and the district judges to strengthen their expertise in electoral crime classifications and specificities regarding to their fundamental role in examining the electoral disputes. The trust in UNDP’s mandate facilitated the organization and acceptability of such training, despite the resistance of prosecutors to external training. It is also, through the partnership between UNDP and the Ministry of Justice, that the capacity building

activities allowed judges/prosecutors from diverse regions to take part in such training, and to ensure their inclusion in the process.

Logistical support for the courthouses of Medenine and Harboub prison

In 2019, the Ministry of Justice showed interest in improving local institutions' infrastructures. Therefore, visits were organized with the national partner and UNOPS to identify what equipment was needed for the refurbishment of the first instance court in Medenine and the prison of Harboub.

Thus, in partnership with NCSC, Medenine courthouses have been integrated, in 2020, to the monthly statistics report software. Clerks have been trained to use it and can now update statistics regularly.

In fact, NCSC trainers have developed a statistic report application validated by the Ministry of Justice and generalized in all judicial courts. In accordance with Outcome 1, the aim of this activity was to support Medenine Courts to get used to this application and electronically submit the monthly report. Two sessions have been organized since February 2020 allowing the training of 22 clerks on how to manipulate the application.

In order to guarantee access to justice during the COVID-19 pandemic, prisons were provided with raw materials, allowing 133 inmates to produce 200 000 masks and 6 800 protective suits for detainees, CGPR workers, and people working in courthouses. This initiative not only provided them with protection, also allowed inmates to have an income that could be shared with their dependents.

Strengthening judicial institutions accountability to improve citizens' trust

The perception survey carried out in 2019 demonstrated a certain degree of satisfaction among the population (between 19.8% and 40%) regarding the integrity of the stakeholders of the judiciary chain.

Thus, resource persons who will oversee the training of judicial officers on investigations techniques, organize workshops for police/prosecution to improve their collaboration, and identify what populations training should target, have been selected. The project aims at improving the perception of accountability among populations, through the training of legal professionals in Medenine (including court clerks, lawyers, bailiffs, and police officers) on behaviors that may impair the perception of accountability and good governance.

A training in which nine judges and six lawyers participated took place in December 2020 as a start to a series of training on the topics mentioned above.

Providing guidance for vulnerable groups, women in particular

Following the call of proposals launched in August 2019 and a working session for improving the proposals that had been received, five CSO's were chosen to sign financing agreements during 24 July 2020's COPIL. They aim at organizing activities to inform and raise awareness among populations, particularly women, on their rights and to help them navigate the judicial system to access said rights. Since the agreement signature, the chosen associations started to implement the preparatory activities of their projects:

Association *ADESM*:

- Training for 20 disabled persons on their right to justice in December 2020
- Hearing and orientation session for women with disability in December 2020

Association *Ain* :

- Legal Orientation caravan in Benguerdane in October 2020

Association *Jlij* :

- Identification of the beneficiary of the project in December 2020

Association *Commerçant de Benguerdane*:

- Training session on commercial law for traders in October 2020

Association *Jeunes et sciences*:

- Focus group on access to justice in October 2020

Reinforcing legal aid services and structures (in partnership with ASF)

This year's interventions were shaped on the capacity building of lawyers and social workers on the techniques of reception and communication that took place in 2019. Workshops have been held to allow for the exchange of experience between law professionals. Furthermore, capacity-building (training of trainers' model) was delivered to six lawyers who will oversee training sessions for social workers on legal topics.

A similar workshop as the one that took place last year on the care of women victims of violence was organized. 50 stakeholders took part in a training session aiming to enhance the understanding of the magistrates, the police officers in Medenine, doctors, child protection services, social workers, and CSOs on the provisions of law n°2017-58 which is fundamental to improving their response to cases of women victims of violence. Furthermore, the programme organized a similar training session for seven lawyers, allowing them to better accompany victims of gender-based violence benefiting from the program.

Dissemination of the ADELA program (in partnership with ASF)

The objective of this activity is to provide vulnerable groups with judicial guidance. People benefitting from this program are selected based on vulnerability criteria, those include: their economic situation, the state of their current accommodation, health conditions, and the nature of their legal problem.

This activity allows vulnerable people to obtain a definitive court decision and to highlight structural malfunctioning that may endanger good justice management.

The ongoing of this activity allowed:

- ✓ 300 vulnerable people benefitting from this programme;
- ✓ 132 lawsuits taken care of (Medenine, Sidi Bouzid, Gafsa, and Kasserine);
- ✓ 83% of the beneficiaries are women.

Legal consultations are provided by DPS, CDIS and Tidar Zarzis (CSO), and advisory meetings are held regularly and continuously, according to each body's needs and request.

The solutions that have been adopted as part of this project contribute to knowledge-building and to the national justice reform process.

The conduct of a perception survey on access to justice in the governorate of Medenine

Two perception surveys were conducted regarding access to justice in the governorate of Medenine: 1) a qualitative survey on the performance of stakeholders; 2) a quantitative survey on the perception of legal knowledge of users.

- 1) Qualitative survey: 42 semi-structured interviews, including 40 individual interviews and two group interviews were conducted, and involved 46 institutional actors in the judicial and penitentiary chain. Said interviews were about their perception of the moral integrity of other

stakeholders and contractors and significant deficiencies that have an impact on the institutional response in Medenine and how they interact/collaborate with each other.

- 2) Quantitative survey: 344 justice users at the Court of Appeal, the Court of first instance and at the district courts of Djerba and Medenine, 60 inmates incarcerated at the civil prison of Harboub, 40 persons visiting their relatives incarcerated at the same prison, 33 justice users at the real estate court. A total of 477 justice users.
- Topics that had been addressed at the courthouses: understanding of law and individual rights, the (physical, geographic, financial: allocated time budget) accessibility of the courthouse, the proficiency, availability, neutrality and integrity of the stakeholders, and trust in the current Tunisian judiciary system;
 - Topics that had been addressed at the prison: understanding of individual rights, conditions of detentions, relationship with the penitentiary administration and allocated time budget by relatives and time dedicated to visits, and assessment of the visits;
 - Topics raised by the interviews with actors in the chain: the prevalence of phenomenon, the effectiveness of institutional responses, institutional partnerships and coordination, integrity, the place of women.

The following section contains some of the key results of the survey explaining certain aspects of the access to justice among users.

1. In relation to the level of knowledge of rights and laws in the field of justice:

The survey showed that about two thirds of the users do not know about their rights and the existing laws and among the remaining third, who say they know them, around 12.3% said they had sufficient or even good knowledge.

Tableau (1) : Les niveaux des connaissances des droits et des lois en matière de justice (en %)

Usagers	Services judiciaires	Services du tribunal Immobilier	Visiteurs de la prison	Personnes détenues	Moyenne
Absence de connaissances	68,6	70	66,7	59,3	66,2
Connaissances très limitées	22,1	23,3	15,4	25,1	21,5
Connaissances suffisantes	5,8	6,7	15,4	13,6	10,4
De bonnes connaissances	3,5	0	2,6	1,7	1,9

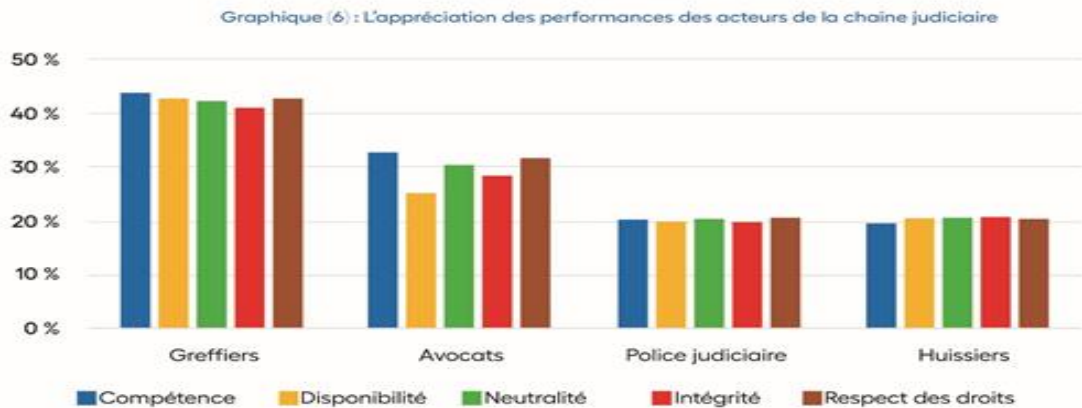
2. In terms of the time budget allocated by these users, which is an essential element in assessing users' accessibility to justice services, the survey revealed the following data:

- The average time to reach a court in Medenine (from his place of residence, all means of transport combined) is about **two hours and ten minutes** (130 minutes);
- Their average monetary expenditure, during these trips, was considered high or even very high by users. Around **36 dinars**: 16 dinars for transport costs, ten dinars for catering costs and ten dinars for administrative costs (purchase of stamps, photocopies, etc.);

- For visitors to Harboub Civil Prison: they spend, for a one-way trip, on average **two hours 47 minutes** to reach the prison from their place of residence;
- The expenses incurred are extremely high. They were estimated to be up to **253 dinars** for a single visit (62 dinars of average expenditure made by the visitor to reach the prison and 191 dinars in favor of the detainee).

3. The users' evaluations of the performance of the actors met during the examination of their cases by the courts, particularly: (i) professional competence, (ii) availability (listening and empathy), (iii) neutrality, (iv) integrity, and (v) respect for rights.

The analysis of the results shows that only court clerks obtained scores of around four out of ten (or around 40%) in all of the dimensions proposed to users' appreciation, such as illustrated in the following graphic:



Strengthening international cooperation on access to justice

UNDP facilitated the participation of representatives of the Ministry of Justice to the international conference on legal aid in September 2020 with the aim of giving the MoJ the opportunity to share lessons learned from the first COVID-19 affected semester and see how other countries were facing similar challenges related to access to justice during a pandemic. The CGPR presented the efforts that were made during the pandemic to guarantee physical distancing and to provide persons deprived of liberty, stakeholders, judges, and ministries' staff with masks and protective suits with the support of UNDP to its partners' response to the pandemic to guarantee a humane treatment to detainees and to strengthen the authority's capacity to adjust its intervention during the crisis.

A closing document arose from this conference for the purpose of adopting a roadmap to improve access to justice during the COVID-19 pandemic. This document also included a call to action to spread government funding to sustain the legal aid efforts and to collaborate to produce technical guides.

UNDP Tunisia also provided the translation into Arabic of the Pathfinders' report "[Justice for All and the Public Health Emergency](#)". It has been used and still will be used to facilitate the dialogue between state actors involved in managing the pandemic.

High Judicial Council:

Signature of the project document

A new joint project to support the Tunisian High Judicial Council was launched in June 2019.

Strengthening the members' planification proficiency

In 2019, nine members of the CSM took part in a study visit to the Italian High Judicial Council and the Council of State. The objective of the study visit was to learn about the working process of Italian High Judicial Council committees in relation to the plenary assembly, and the rules of functioning of the commissions. Regarding the Italian Council of State, the visit aimed at learning about the operating mechanisms and administrative management of the Council. This visit, would allow the CSM to consider the appropriate best practices and experience, related to its mission, in its management.

One of the main objectives of the project is to support the improvement of the CSM members' proficiency on several topics, including legal drafting techniques in order to improve their capacities to promote the council role in drafting/reforming laws. In 2020, 22 members received legal drafting training, in line with the project's outcome to strengthen the institution's capacities. This training also entails the support of the CSM in elaborating a strategic plan 2020-2023, consolidating visions and objectives, which could be translated by the project.

With the aim of improving the Council's strategic planning and programing capacity UNDP supported the CSM in elaborating its first strategic plan 2020-2023 with its operational action plan. These plans were adopted by the Council but not published and presented to different stakeholders yet.

However, the COVID-19 pandemic had an important impact on the High Judicial Council project. The Council had to rethink its working method, availability, adaptability, and strategy to guarantee access to justice for citizens in all times.

Guaranteeing the continuity of the Council's work during the pandemic

Due to the COVID-19 pandemic, the strategic plan for 2020-2021, has to be updated in order to reorganize the Council's priorities and manage the continuity of courts work. For these reasons, UNDP supported the CSM and by elaborating a contingency plan in which the priorities in the justice sector have been highlighted and the digitalization plan has been introduced to guarantee the continuity of the service provided by courthouses during a health crisis.

UNDP supported the High Judicial Council by:

- Providing them with material to stop the spread of the virus (e.g.: disinfecting products and plexiglass screens);
- Preparing a contingency plan to help the Council managing courts during the pandemic;
- Updating the Councils' website and its Facebook page.

Furthermore, the Council was supported in reforming the criteria of judges' mutations, this change reduced the number of claims.

The population's perception of the independence of justice and the role of the Council

The Council agreed to carry out a perception survey on the independence of the judiciary and the role of the CSM. Its members with the UNDP team in charge of the project have drafted it then approved the terms of reference, and it will be in Arabic and French. The field survey will be launched in 2021. Knowing

the population's perception of the CSM will allow the Council to emphasize its priorities in terms of communication.

Constitutional Court

Translation and dissemination of TACL annual conference papers

According to the Constitution, the ARP shall elect the first four of twelve members of the Constitutional Court. Parliament has failed on four separate occasions to elect members of the court. In the meantime, the Temporary Authority to review the constitutionality of law projects has been established.

In 2017, the Tunisian Association of Constitutional Law (TACL) held a conference discussing the work of the Temporary Authority to review the constitutionality of law projects.

TACL was created in 1981 and is primarily composed of constitutional law professors and other practitioners. It has been working on several topics related to human rights and constitutional institutions and regularly holds conferences to discuss said topics.

The collaboration between the UNDP/OHCHR joint programme and the TACL started at the end of 2018. Considering its significant contribution in the field of academic research on the national constitutional context, the programme offered the Association to publish the TACL's latest document. This collaboration not only allows the Association to accelerate the publishing process (that used to last for over two years), also to translate the articles written in Arabic or French to the opposite language, allowing a better accessibility of the document to researchers and contribute to the future Constitutional court's work.

2020 was the year where the TACL took time to review the translation suggested by UNDP and to improve its quality. The TACL's activities have been suspended because of the pandemic and its members were mainly dedicated to delivering online courses within universities, which affected the progress made to review the document and provide a final version of the publication.

UNDP will continue its support to review and edit the document and facilitate the graphic design of the publication in order to present it to the public and to distribute it to relevant authorities and university libraries.

Human Rights Institution

The Law n°51-2018 establishing the new HRI builds on Articles 125 and 128 of the Constitution, which guarantees the establishment of the Human Rights Institution (HRI). The program supported the drafting process in 2018 as well as the selection process of the new HRI board members in 2019.

Supporting the new HRI members' selection process

The law creating the Institution indicates that it is composed of nine members, after the long application process, the parliamentary electoral commission shared the results of the selection process. However, due to the complexity of the situation in the country, the General Assembly of the Parliament failed to list the election of the HRI (which consists of the final step of the process) as one of its priorities. It is indirectly admitted that the election will not take place with the actual Parliament.

In March 2019, a joint OHCHR-UNDP delegation held a hearing session at the ARP, with the parliamentary electoral commission tasked with shortlisting candidates for the HRI membership. The delegation expressed concerns regarding: the tight application deadlines, a probable limited number of applicants, and probable under-representation of woman in the HRI as well as regrets to hold the meeting at the mid-terms of these deadlines. Moreover, the delegation expressed its interest to support the commission efforts to further guarantying an inclusive and transparent election process.

OHCHR and UNDP supported the parliamentary electoral commission tasked with the preselection of the new HRI members through the organization of a press conference on the selection process, followed by an open public debate.

The review of applications has not been scheduled by the Parliament in 2020. We are still monitoring the agenda of the Parliament in order to prepare the implementation phase of our possible future support to the NHRI when it is created.

National Authority for the Prevention of Torture

Exchanging experiences with international counterparts

Each national prevention mechanism (NPMs) set up by the Optional Protocol to the Convention against Torture has a singular experience according to the environment in which it evolves. The perpetual evolution of techniques and know-how thanks to the lessons drawn from each person's experience constitutes an abundant source of knowledge which forms a great basis for exchange between these mechanisms. NPMs often face challenges and points of common interest, hence the importance of promoting partnerships and cooperation.

In December 2019, the President of INPT, its Secretary General, the President of the commission of visits and the President of the commission of external relations held a study visit to the Italian Mechanism for the Prevention of Torture. The objectives of said visit were: 1) to learn about the functioning of the two NPMs and the terms of international cooperation; 2) to analyze the repatriation of Tunisians from Italy to Tunisia and the control role that the two NPMs should play; and 3) to lead to the negotiation and signature of a cooperation protocol between the National Authority for the Prevention of Torture and its Italian counterpart.

As a continuous effort in line with the support already provided to INPT in 2016, 2017, 2018, and 2019, the joint programme supported in 2020 the organization of the fourth international symposium for the various national prevention mechanisms. The symposium's topic was "Monitoring places of deprivation of liberty during COVID-19" and was held both in person and online (*via* Zoom). The event offered the possibility for national, regional, and international mechanisms to share their experiences.

Prisoner's guide and prison law manual

In 2019 and 2020, a group of experts, the staff of the INPT, the Ministry of Justice and the Directorate General for Prison and Rehabilitation (DGPR) with the technical and financial support of the Council of Europe gathered to elaborate "the Manual of Tunisian prison law" and "the Prisoner's Guide in Tunisia".

These books(lets) aim to inform on the principles and rules of good prison organization and on the good practices and treatment of detained persons. • The Guide is primarily intended for detained persons to inform them of their rights and obligations, but it is also an essential working tool for DGPR staff.

- The Manual is more technical and intended for practitioners (lawyers, magistrates, civil society associations specializing in the protection and promotion of human rights). It is a real innovative working tool since it incorporates the applicable legal standards through the Tunisian context.

The UNDP/OHCHR joint programme provided technical support in the final phase of revision and editing. Between December 2019 and February 2020 copies of the guide were distributed in five prisons. Distribution in other prisons has been interrupted due to the COVID-19 pandemic and should be continued in 2021.

Improving the National Authority's capacities in logistics and communication

A minibus was equipped to become a mobile office, allowing the work and travel of six to eight people. The minibus will allow access to people with reduced mobility and to guarantee anonymity for victims of torture.

In order to increase awareness about torture and to inform populations about their rights and about the National Authority's mandate, a video was produced and published on social media on the role of the Authority in the prevention of torture and ill-treatment in places of deprivation of liberty such as violence against women, as part of the "16 days of activism against gender-based violence".

In order to communicate in depth on the National Authority's work, both on a national and international level – particularly with its counterparts, all the reports have been translated to French and/or English.

Analyzing the population's perception and knowledge of the National Authorities' work

A workshop was held in September 2020 gathering the National Authority for the Prevention of Torture and the National Authority of Fight Against Trafficking in Persons. This workshop allowed both National Authorities to discuss and approve the content of "National survey on the knowledge and perceptions of the Tunisian populations on torture and trafficking in persons and on the role of the National Authority for the Prevention of Torture and the National Authority of Fight Against Trafficking in Persons". The field survey will be launched in 2021.

A similar survey was launched in 2017 on the perception of the National Authority for the Prevention of Torture's role, 75% of the people interrogated had never heard about the National Authority, 81% of them did not know about the law creating the National Authority and 54.1% thought the State's efforts to prevent torture to be inefficient. It is important to update those data in order to develop a new baseline for the project. Said baseline will allow to better target populations during communication campaigns, to facilitate the access to National Authorities, to be more efficient in helping victims of torture and to prevent torture, and to provide victims with tools allowing them to better assert their rights.

Awareness-raising on torture and informing on the National Authority's work

In June 2020, UNDP supported the National Authority in the organization of an online seminar to inform on its actions to protect persons deprived of their liberty during the pandemic and the coordination between the different authorities. The online seminar was accessible in Arabic, French, English, and sign language.

To celebrate Nelson Mandela Day, an event was organized at the *Cité de la culture* in Tunis. The President of the National Committee of Prisons, his Excellency the Ambassador of South Africa and CSOs gathered

to discuss the collaboration between State actors and the civil society to rethink the prevention of torture, the rehabilitation of detainees and how to improve detention conditions.

Building resilience to crisis

The COVID-19 pandemic postponed training sessions. However, UNDP supported the National Authority in elaborating a “crisis management process” in order to: identify potential threats, elaborate a “resilience strategy” to have an effective response to adversity, and to handle the crisis, thus guaranteeing the continuity of the National Authority’s work.

Building resilience benefits victims and persons deprived of liberty, allowing them to seize authority and the different mechanisms in order to access their rights, no matter how exceptional the circumstances may be.

Furthermore, during the general lockdown and the targeted lockdowns, the National Authority visited places of deprivation of liberty. The conclusions of those visits were presented to national and international experts, and CSOs during a “workshop on vulnerable people’s deprivation of liberty during COVID-19” supported by UNDP.

National Authority of Fight Against Trafficking in Persons

The National Authority fulfilling its international commitments

- **Meeting the UN Special Rapporteur**

The project met with the UN Special Rapporteur on Trafficking in Human Beings, especially Women and Children, Ms. Giammarinaro, in Rome, in March 2019.

The Special Rapporteur outlined the work done by the Belgian, French, Dutch and Portuguese authorities, indicating them as possible examples to be taken into consideration for exchange visits on subject related to the INLCTP action plan. One of the goals of that meeting was to prepare a potential future visit of the UNSR in Tunisia. We will continue working on this opportunity with the aim of raising awareness on delicate topics related to human trafficking and business and human rights.

At that time, Ms. Giammarinaro was working on a report on trafficking in the workplace (private sector) to be submitted to the UN General Assembly. This is certainly a topic on which INLCTP will benefit from the support of the UNDP/OHCHR joint programme, in addition to the work UNDP is doing in its Project Initiation Plan on Business and Human Rights funded by the Dutch through the Rule of Law Global Programme.

- **Alliance 8.7**

In September 2015, all UN member States adopted the 2030 Sustainable Development Goals. Alliance 8.7 provides a platform for partners to come together to share information, promising practices, lessons learnt, and to demonstrate progress.

Tunisia is one of the pathfinder countries that committed to significantly accelerate action and to work with partners to achieve Target 8.7. The different ministries involved, international organizations, and NGOs held several strategic meetings in order to share their different points of view regarding their fields of action. A series of meetings reuniting the partners took place aiming at intensifying the work being done by focusing on accelerating action to eradicate forced labor, modern slavery, human trafficking, and child labor.

The strategic document developed through this collaboration guides the “access to rights” programme concerning its programme with the National Authority of Fight Against Trafficking in Persons g. It serves as a guideline in order to adjust its action with the recommendations presented by international and national partners.

Celebrating the National Day for the Abolition of Slavery

In 2019, 23 January 2020 was decreed a National Day for the Abolition of Slavery.

Held in the Kasbah’s city hall (in Tunis city center) on 23 January 2020, the celebration of the National Day for the Abolition of Slavery allowed participants to engage in activities commemorating the abolition of Slavery. The history of slavery from 1846 to 2020 in Tunisia was shared to the audience. The National Authority presented its 2019 report on Human Trafficking in Tunisia. A symbolic march was then organized in Souk El Berka in the Medina, a place where slave trades used to be held.

Blue Heart Campaign against Human Trafficking

Like in 2019, the National Authority took part this year in the “Blue Heart Campaign”, a global awareness-raising initiative created by the United Nations Office on Drugs and Crime (UNODC). For this occasion, the National Authority held a press point followed by a conference and a debate with students and members of CSOs to involve the Tunisian youth in fighting human trafficking. The Minister of Justice, the Minister of Women, Family, Youth and Seniors, a representant of the Ministry of Interior and the President of the National Authority also participated. This event was the opportunity to present new sensitizing tools and trainings developed by the National Authority in the framework of prevention and raising-awareness on human trafficking among the population.

Logistic support

To allow the access to people with reduced mobility and anonymity for victims of human trafficking, the needs of development at the INLCTP headquarters have been identified with an architect. The work should start in 2021.

Building resilience

To face the COVID-19 pandemic, a “Crisis Management Process” has been adapted with the support of an expert in strategic planning. This support shall strengthen the National Authority’s adapting capacities and help it provide an efficient response to exceptional circumstances. The “Crisis Management Process” was based on the experience of COVID-19 to allow the National Authority to anticipate similar crises that could threaten the continuity of its activities.

Informing the populations of the National Authority’s work

The annual report of the INLCTP (2016-2017) has been translated to French and English.

Furthermore, in the context of “the 16 days of activism against gender-based violence”, the National Authority was supported in the making of a raising-awareness video. This video was the opportunity for Raoudha Laabidi, President of the INLCTP to explain the role of the National Authority in fighting human trafficking.

Analyzing the population's perception of the National Authority's work

The INLCTP joined the INPT in a workshop to discuss the content of a survey that will be launched in 2021. It will be the first time that the INLCTP launches a survey. Said survey will provide the National Authority with data evaluating the population's perception of the INLCTP, allowing it to establish a baseline. The field survey will be launched in 2021.

Supporting CSOs working with victims of human trafficking

Five CSOs working on the prevention and the protection of victims of human trafficking in Tunis, Jendouba, Ben Guerdane, Djerba, and Gabes have signed a "Memorandum of Understanding" awarding them a grant to support their projects. These CSOs offer complementary support to those given by the National Authority. Their projects aim at a socio-economic reintegration of victims and at providing them with medical, psychological, and legal support. Said projects will be executed in 2021.

SALIENT FACTS IN FIGURES

The Perception survey and the study / analysis of the situation at the beginning and at the end of the access to justice in Medenine were conducted successfully, the recommendations of the study will be presented in the end of 2021 to stakeholders.

The INPT and INLCTP have agreed on the content of a perception survey. The analysis of the data will allow both National Authorities to determine their baseline to communicate efficiently about their work.

Five associations in Medenine have signed a financing agreement to support their projects. Said projects aim at informing and raising awareness among populations about their rights.

The High Judicial Council proceeded with a mid-term readapting of its Annual Plan in order to adapt its strategy to the impacts of the COVID-19 pandemic.

All institutional partners have been provided with logistic support to continue working safely during the pandemic and to guarantee the access to justice for all despite the health crisis.

MONITORING AND EVALUATION

A monitoring and evaluation expert, in coordination with technical experts, constantly monitors the progress of the project's indicators. The three project documents signed with the Ministry of Justice, the High Judicial Council, and the two independent bodies on torture prevention and human trafficking clearly explain their monitoring systems based on the criteria decided during the Local Project Appraisal Committee (LPAC) and approved by the Steering Committee.

The elaboration of baseline in partnership with the Ministry of Justice for the project relating to improving the access to justice in the governorate of Medenine will be helpful for the evaluation of the results achieved compared to the targets of the project.

LESSONS LEARNED

- 1.) The close follow-up of CSOs has shown that they should be provided with more capacity-building, especially in results-oriented reporting, and administrative and financial management. Although they have taken part in training – provided by UNDP- they still have major weaknesses in these fields;
- 2.) The trust relationship with partners, along with UNDP's expertise foster national partner to request different types of support. The Ministry of Justice has indeed requested UNDP support in the prevention of COVID-19, as well as the elaboration of the new strategic vision and operational plan for 2022-2026, including the judiciary mapping and results oriented budgeting for 2022;
- 3.) The sanitary crisis and the restrictive measures postponed activities and training. However, all partner institutions have restructured their work and rethought their strategy in order to face the pandemic:
 - INPT: Measures decided by the Government to stop to contain the pandemic, the INPT has diversified its field of action, organizing visits at "new" places of deprivation of liberty (quarantine centers...),
 - INLCTP: The pandemic has had a significant impact on human trafficking, especially on most vulnerable populations. This drove the INLCTP to explore new partnerships to support victims and persons at risks,
 - CGPR: to limit the spread of the virus in the prison of Harboub and in the governorate of Medenine courthouses, the CGPR was provided with raw material to produce protective suits and masks. Detainees, CGPR workers, and people working in courthouses had access to those protections,
 - CSM: to guarantee access to justice in times of COVID, the CSM had to rethink its Annual Plan. Such circumstances helped the Council to build resilience and to continue working despite the health crisis,
- 4.) All partner institutions have had to adapt their working methods and tools, using alternative means of communications (conference calls, webinars...). This allowed them to improve their computer literacy and accelerated the way towards digitalization.

FINANCIAL SITUATION

Total Budget of the project: USD 1,200,000

Total contribution from the Dutch Government: USD 1,000,000

Expenditure as on 31 December 2020: USD 321 118 or 43% of the available Netherland's first and second instalment (USD 750,000)

Table 1 - Cumulative expenditure as of December 31, 2020 - Summary by donor (in USD)

Donor	Committed contribution	Contribution received	Expenses				%	Balance
			2018	2019	2020	Total		
						Expenses		
BPPS	200 000	200 000	183 032	16 968	-	200 000	100%	0
Nederland	1 000 000	750 000	65 586	193 026	62 506	321 118	43%	428 882
TOTAL	1 200 000	950 000	248 618	209 994	62 506	521 118	55%	428 882

SIGNATURE

For UNDP

Name: **Steve Utterwulghe**

Position: **UNDP Resident Representative in Tunisia**

Signature: *Steve Utterwulghe*

Date: 29 / 06 / 2021