

# TUNIS (regional)

COVERING: Morocco/Western Sahara, Tunisia



The regional delegation based in Tunisia, which has been operating since 1987, regularly visits people deprived of their freedom in Tunisia to monitor their treatment and conditions of detention. It addresses issues of humanitarian concern arising from the aftermath of the Western Sahara conflict. It promotes implementation of IHL by the authorities, including its integration into national legislation and into training programmes for the armed forces. The Red Crescent Societies in the region are essential partners in this process.

## YEARLY RESULT

Level of achievement of ICRC yearly objectives/plans of action

**MEDIUM**

## KEY RESULTS/CONSTRAINTS

### In 2013:

- ▶ against a backdrop of increased insecurity, dialogue with authorities and military/security forces, as well as training courses and other events, contributed to gaining respect and acceptance for applicable norms and the Movement
- ▶ in Tunisia, efforts to reform the prison sector continued despite being slowed down by the prevailing situation, which impeded certain ICRC activities, in the health sector, for example
- ▶ even so, the efforts above resulted in the launching of a project by the Interior Ministry to enhance respect for detainees under interrogation and the opening of a first probation office to encourage the use of alternative sentencing
- ▶ contact with the Moroccan authorities, the Polisario Front and pertinent organizations made little headway in clarifying the fate of people who went missing in connection with the Western Sahara conflict
- ▶ Sahrawi amputees received treatment at an ICRC-supported physical rehabilitation centre, despite security concerns temporarily curtailing operations at the centre and causing its relocation
- ▶ although progress in domestic IHL implementation was slow, the National Council for Human Rights in Morocco, with ICRC support, established a department specifically for promoting IHL

## EXPENDITURE (in KCHF)

Protection	1,961
Assistance	1,650
Prevention	1,331
Cooperation with National Societies	723
General	-

**5,665**

of which: Overheads 345

## IMPLEMENTATION RATE

Expenditure/yearly budget	<b>97%</b>
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## PERSONNEL

Mobile staff	15
Resident staff (daily workers not included)	35

PROTECTION	Total
<b>CIVILIANS (residents, IDPs, returnees, etc.)</b>	
Red Cross messages (RCMs)	
RCMs collected	38
RCMs distributed	39
Phone calls facilitated between family members	1,848
People located (tracing cases closed positively)	34
<b>PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)</b>	
ICRC visits	
Detainees visited	17,859
Detainees visited and monitored individually	161
Number of visits carried out	54
Number of places of detention visited	20
Restoring family links	
RCMs collected	88
RCMs distributed	54
Phone calls made to families to inform them of the whereabouts of a detained relative	54

ASSISTANCE	Targets	Achieved
<b>CIVILIANS (residents, IDPs, returnees, etc.)</b>		
Economic security, water and habitat (in some cases provided within a protection or cooperation programme)		
Essential household items	Beneficiaries	15
Physical rehabilitation		
Centres supported	Structures	1
Patients receiving services	Patients	500

## CONTEXT

The assassination of two prominent opposition figures in February and July caused a political upheaval in Tunisia and stalled the political transition. The security situation across the country deteriorated. Confrontations between protesters and law enforcement officers, targeted attacks against security forces, and clashes between military/security forces and armed individuals suspected of endangering State security, including near the border with Algeria and Libya, reportedly led to arrests and casualties. Presidential and legislative elections did not take place.

In Morocco, the population continued to struggle through the economic crisis and public confidence in the government's ability to improve the situation dwindled.

Sub-Saharan migrants continued to arrive in Morocco or pass through Tunisia on their way to Europe.

The potential security repercussions of the armed conflict in Mali continued to be a source of regional concern. The status of Western Sahara remained a contentious issue; no progress was made in the negotiations between the Moroccan government and the Polisario Front. The mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) was extended to April 2014. Families in both Moroccan- and Polisario Front-controlled areas of Western Sahara were still waiting for news of relatives who went missing during the 1975–91 conflict. Mines/explosive remnants of war (ERW) from this period continued to menace the local population.

## ICRC ACTION AND RESULTS

The Tunis regional delegation continued to focus on the protection of detainees and civilians in Tunisia, including those separated from and/or seeking news of their relatives.

Given the situation in the region, it became even more important to garner support for humanitarian principles, IHL, international human rights norms applicable to arrest and detention, and Movement activities. To this end, the ICRC sustained dialogue with Moroccan and Tunisian authorities and military/security forces. Contact with the media, universities and other influential civil society actors broadened public awareness of humanitarian principles and the ICRC's work, particularly for detainees. In Morocco, the ICRC focused on these activities as a headquarters agreement had yet to be finalized.

ICRC delegates visited detainees in Tunisia and reported on their treatment and living conditions, in confidence, to the authorities. Although the prevailing situation slowed down work and impeded certain activities, detaining authorities received ICRC support for advancing penitentiary reform.

The Interior Ministry, following up an ICRC report, launched a project promoting respect for detainees under interrogation and created a working group to that end. Members of the working group shared best practices with peers during a study tour abroad; instructors at the prison directorate's school became mobile trainers in prison management practices for colleagues after completing a course organized with ICRC help; and the Interior and Justice Ministries received recommendations for improving the curriculum of the prison directorate school.

Tunisia's first-ever probation office, established to tackle overcrowding, drew on ICRC expertise to set various activities in

motion. The ICRC met with magistrates, judicial officials and police/National Guard officers and updated them on the office's work; it also promoted the use of alternative sentencing.

Discussions with the Health and Justice Ministries led to an agreement aimed at enhancing prison health services by transferring responsibility for them to the Health Ministry. However, no further decisions were taken in this regard, which impeded implementation as well as planned ICRC support. Nonetheless, inmates in four detention facilities had access to better health care after the ICRC provided medical supplies and renovated an infirmary in one prison.

Sahrawi amputees and other disabled people benefited from physiotherapy/limb-fitting services at an ICRC-supported physical rehabilitation centre near Tindouf, in south-western Algeria, even after its relocation on the Rabouni hospital's premises because of security concerns. In the Moroccan-administered part of Western Sahara, the Moroccan Red Crescent/ICRC conducted risk-education sessions for communities in mine/ERW-contaminated areas and helped some mine victims restore/improve their livelihoods.

People dispersed by conflict, migration or other circumstances restored/maintained contact with their relatives through Movement family-links services; for instance, these services benefited people in the Choucha camp on the Tunisian side of the border with Libya, until its closure mid-year, and families who visited relatives detained in Afghanistan. Owing to prevailing conditions, an assessment of their needs could not be carried out.

The ICRC continued to encourage the Moroccan authorities, the Polisario Front and relevant organizations to clarify the fate of people who went missing during the Western Sahara conflict, but without much success. As the situation did not favour dialogue on the issue, a planned assessment of the needs of the families of missing persons was cancelled.

During discussions with the authorities, including national IHL committees and members of parliament, implementation of IHL was encouraged. Although this progressed slowly, Morocco's National Council for Human Rights established a department specifically for promoting IHL.

The Moroccan Red Crescent and the Tunisian Red Crescent developed their operational capacities with ICRC support – financial, material, technical and training. Movement partners coordinated their activities regularly.

## CIVILIANS

### Separated relatives restore/maintain contact

People at the Choucha camp in Tunisia, who had fled Libya in 2011, restored/maintained contact with relatives through family-links services run by Tunisian Red Crescent/ICRC teams. This confirmed the local National Society branch's ability to continue providing these services to the few hundred people left in the area after the camp's closure in June. Elsewhere in Tunisia and in the wider region, families dispersed by conflict, migration or other circumstances – including migrants who had left Libya by boat and were rescued by the Tunisian coast guard – also benefited from these services. Prevailing conditions did not allow assessments of the needs of such people to take place in Tunisia. In northern Morocco, migrants – living in the forest out of necessity – notified Moroccan Red Crescent/ICRC teams of their most pressing

concerns during first-aid courses and information sessions on family-links services, which was helpful for developing a broader response to their needs.

Family-links services also helped families in Morocco and Tunisia maintain contact with relatives detained/interned abroad. For instance, one Tunisian detainee's son was able to meet his father – at the Parwan detention facility in Afghanistan – after nine years. One person who had returned to Tunisia after being released from the US internment facility at Guantanamo Bay Naval Station in Cuba resettled in his community with ICRC material assistance.

Volunteers from the Moroccan and Tunisian National Societies bolstered their ability to provide family-links services through training and on-the-job mentoring, and the Moroccan Red Crescent signed a cooperation agreement with the ICRC on restoring family links.

### **Families remain without news of missing relatives**

The ICRC continued to encourage the Moroccan authorities and the Polisario Front to clarify the fate of people missing in connection with the Western Sahara conflict. Two meetings were held with Morocco's National Council for Human Rights, centring on the pending caseload of missing people, but they yielded no results. While ICRC discussions with the "Sahrawi Red Crescent" (mandated to deal with the issue of missing persons) made little headway in strengthening the Polisario Front's commitment to working with the ICRC in this area, two meetings with a Sahrawi NGO dealing with such matters provided information on a few cases. Conditions on both sides were such that a planned assessment of the needs of the families of missing persons (see *Context*) could not be carried out; no training course on the management of human remains took place.

Dialogue with the Tunisian authorities on helping families of people reportedly missing in relation to migration or conflicts/violence abroad continued. Some families, with the ICRC's advice, initiated legal proceedings to obtain official recognition of the disappearance of their relatives in Lebanon. Because of the situation in Tunisia, limited support was provided to the growing number of families requesting help in locating their relatives in the Syrian Arab Republic or in having their remains repatriated (see *Syrian Arab Republic*).

### **PEOPLE DEPRIVED OF THEIR FREEDOM**

In Tunisia, the ICRC visited some 17,800 detainees – including those under arrest and interrogation – held in 20 detention facilities, including two juvenile centres, one centre for migrants and a few police stations; the visits were carried out according to the organization's standard procedures and monitored treatment and living conditions. Detainees held on security charges were followed-up individually and other vulnerable inmates – minors, women and foreigners – received special attention. Detainees contacted their families or consular representatives using family-links services. After these visits, the detaining authorities, including the *gendarmerie*, received, in confidence, the ICRC's findings and recommendations for improvements, including in connection with the treatment of particularly vulnerable inmates. The frequent shuffling of people in key positions, because of the political environment (see *Context*), slowed down cooperation, notably with the health and justice authorities, and some projects as well. Two areas in particular taxed the ICRC's resources: the newly established probation office and detainees on hunger strike (see below).

Dialogue with Polisario Front representatives continued, with a view to resuming visits to detainees under the group's responsibility – as agreed in principle in 2009.

### **Tunisian officials launch measures to improve prison management**

The Interior Ministry followed up a 2012 ICRC report on detainees' treatment during interrogation: it launched a project to enhance respect for detainees' rights, particularly for those held on remand, and created a working group specifically for this purpose. At an ICRC-supported training course in this connection, 25 senior members of the military judiciary, the National Guard and the Justice Ministry's prison directorate explored the possibility of reaching this objective – increasing respect for detainees' rights – through improved project management. Members of the working group went on a study tour to Switzerland, which gave them an opportunity to exchange ideas with their peers about prison management and monitoring and sanction mechanisms to ensure procedural compliance. After completing a twelve-week prison management course co-organized with the prison directorate, 20 penitentiary instructors became mobile trainers for their colleagues. The Interior and Justice Ministries received a report on the curriculum of the prison directorate's school, which also contained recommendations for improvements.

In coordination with the authorities concerned, other actors involved in judicial/penitentiary reform were contacted, with a view to winning their support in addressing the needs of detainees, particularly minors.

### **Tunisia's first probation office extends follow-up to persons on conditional release**

Staff at the probation office in Sousse – the first of its kind in Tunisia, established in 2012 to tackle overcrowding in prisons – started following up cases of persons sentenced to community service, with ICRC help. Beginning in September, the office extended this to cover persons on conditional release.

Magistrates, Justice Ministry officials and/or police/National Guard officers learnt more – at briefings/meetings supplied with up-to-date information – about the use of alternative sentencing as a means of rehabilitation and about its impact on the size of the prison population. The finalization of a draft bill establishing probation services on a wider scale remained pending.

The acceptance criteria for participation in a prison rehabilitation programme were due to be revised, but that, too, did not take place.

### **Stalled dialogue hampers initiatives to secure detainees' access to health care**

Discussions with the Health and Justice Ministries early in the year led to an agreement aimed at enhancing prison health services, including psychological treatment, by transferring responsibility for them to the Health Ministry. However, no further decisions were taken in this regard, which impeded implementation of the agreement. This also impeded the signature of an agreement with the ICRC for improving detainees' access to health care over the long term, through a pilot initiative envisaged with the authorities after a 2012 ICRC health assessment report.

Nonetheless, 1,900 detainees in Tunisia's second-largest prison, and some inmates in three detention facilities that were taking part, in principle, in the pilot initiative, had better access to health

services thanks to donations of medical supplies/equipment. Some 500 inmates in one prison became less exposed to health risks following an anti-scabies campaign. The Tunisian medical board's president attended a regional meeting in Amman on medical ethics in the prison sector (see *Jordan*).

A number of inmates, especially those requiring close medical attention – such as detainees on hunger strike – benefited from increased health monitoring.

In all, 3,300 inmates saw their living conditions improve following repairs to prison facilities and other initiatives carried out with the prison directorate – such as the installation of fire detection/alarm systems in one prison housing 700 inmates, the renovation of one prison infirmary serving 1,900 detainees, and upgrades to cooking and sanitation infrastructure for 700 inmates in another facility. Blankets kept 2,350 of them warm at night, while some others received a few essential items. The training of prison guards in first aid and in recommended hygiene practices had yet to take place.

## WOUNDED AND SICK

### Security concerns affect services for disabled Sahrawis at physical rehabilitation centre

At the end of April, an ICRC-supported physical rehabilitation centre near Tindouf, in south-western Algeria, serving Sahrawi amputees and other disabled people living in nearby refugee camps, temporarily curtailed its operations owing to heightened security concerns. In September, it was moved to a safer location on the premises of the Rabouni hospital. Despite these setbacks, 500 people benefited from the centre's physiotherapy/limb-fitting services; others restored their mobility using wheelchairs and crutches provided by the centre. An assessment of needs for similar services in the refugee camps began at year's end. With ICRC supervision, six assistant technicians/physiotherapists enhanced their skills on the job, bolstering the sustainability of these services.

In the Moroccan-administered part of Western Sahara, communities learnt how to negotiate the dangers posed by mines/ERW through risk-education sessions conducted by trained Moroccan Red Crescent teams. Similar sessions in the Polisario Front-controlled part of Western Sahara had yet to take place.

Five families of mine victims (30 people) restored a degree of self-sufficiency through Moroccan Red Crescent micro-economic initiatives.

## AUTHORITIES, ARMED FORCES AND OTHER BEARERS OF WEAPONS, AND CIVIL SOCIETY

### Authorities and public broaden their understanding of humanitarian principles

Against a backdrop of increased insecurity, contact with the authorities, military/security forces, penitentiary staff in Tunisia (see *People deprived of their freedom*), and influential civil society members built awareness of and support for IHL, international human rights law, humanitarian concerns, including those related to the Health Care in Danger project, and the Movement's humanitarian activities. Meetings/round-tables – with religious/traditional leaders and representatives of political groups, regional/international bodies, including MINURSO, and NGOs dealing with detention-related issues – broadened understanding of IHL and the ICRC's work.

Dialogue with Moroccan authorities focused on finalizing a headquarters agreement.

Media coverage of the ICRC's activities, particularly for detainees, enabled the public to become more familiar with the subjects mentioned above; much of this coverage was based on briefings and ICRC press materials and other publications, including new bulletins. Journalists learnt more about IHL and equipped themselves to report on humanitarian affairs through courses at home and/or abroad (see *Egypt*).

### Military/security officers enhance their knowledge of IHL and applicable norms/standards

During meetings with Tunisian authorities, the ICRC advocated respect for human rights norms applicable in law enforcement operations, including those related to the use of force (see *People deprived of their freedom*). At a course co-organized with a security forces' school, senior Interior Ministry officials, high-ranking officers and officers-in-training learnt more about international human rights law and internationally recognized standards applicable to arrest and detention. Around 100 police officers on deployment to peacekeeping missions abroad attended ICRC-supported briefings on similar topics.

At briefings/seminars organized with Moroccan or Tunisian military forces, including at the most prestigious military establishments, over 300 officers learnt more about IHL and the ICRC. Other military officers from the region did the same at a course organized by the Tunisian armed forces' medical services, with the support of the Canadian and Swiss Defence Ministries and the ICRC. Tunisia's reorganized National Defence Institute held a conference for military and civilian defence experts, at which IHL was the first subject of discussion; the ICRC took part in this event.

No course on weapon contamination-related issues for Moroccan military officers took place.

### National Human Rights Council in Morocco establishes department to promote IHL

In its efforts to advance domestic IHL implementation, the Moroccan National Human Rights Council, with ICRC support, created a department specifically to promote IHL, in line with the country's 2011 constitution. In Tunisia, owing to the political situation no progress was made in adopting draft laws on the repression of war crimes, the protection of cultural property and the Movement's emblems.

In both Tunisia and Morocco, to help advance domestic IHL implementation and its incorporation in military/security forces' doctrine, training and operations and to stimulate interest in IHL in academic circles, military and civilian magistrates, National Human Rights Council members, parliamentarians, a member of Tunisia's national IHL committee, and lecturers/researchers refined their knowledge of IHL and their teaching skills at a train-the-trainer course and seminars/round-tables abroad, one of which took place in Beirut (see *Lebanon*).

### Academic institutions incorporate IHL modules in curricula

Universities were given support to incorporate IHL in their curricula, with a view to boosting students'/future magistrates' interest in the subject. They included one Moroccan university and three Tunisian institutions, selected after an assessment of IHL teaching capacities in the country, one of which completed the integration of IHL with its public law course.

Forty-two students from Tunisia and other African countries tested their IHL skills at national/regional moot court competitions.

## RED CROSS AND RED CRESCENT MOVEMENT

The region's National Societies drew on financial, material, technical and training support from the ICRC to increase their operational capacities.

In line with an agreement signed in 2012, Tunisian Red Crescent first-responders, in coordination with the International Federation, received first-aid/medical equipment; and over 100 staff/volunteers learnt first-aid skills. Other staff/volunteers, including instructors, underwent training in project management,

restoring family links, and communication techniques/IHL promotion; they also participated in workshops abroad. With ICRC guidance, the National Society improved existing systems for financial management and for integrating the Safer Access Framework.

The Moroccan Red Crescent provided mine-risk education for communities in the Moroccan-administered part of Western Sahara (see *Civilians*), using jointly developed teaching techniques and information materials. Three branches enhanced their capacities with ICRC-provided furniture/equipment.

Movement components met regularly to coordinate their activities.

MAIN FIGURES AND INDICATORS: PROTECTION		Total		
<b>CIVILIANS (residents, IDPs, returnees, etc.)<sup>1</sup></b>				
<b>Red Cross messages (RCMs)</b>			UAMs/SCs*	
RCMs collected		38		
RCMs distributed		39		
Phone calls facilitated between family members		1,848		
<b>Tracing requests, including cases of missing persons<sup>2</sup></b>			Women	Minors
People for whom a tracing request was newly registered		73	20	23
People located (tracing cases closed positively)		34		
	<i>including people for whom tracing requests were registered by another delegation</i>	1		
Tracing cases still being handled at the end of the reporting period (people)		164	22	22
<b>UAMs/SCs*, including unaccompanied demobilized child soldiers</b>			Girls	Demobilized children
UAMs/SCs newly registered by the ICRC/National Society		3		
UAM/SC cases still being handled by the ICRC/National Society at the end of the reporting period		7		
<b>PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)<sup>1</sup></b>				
<b>ICRC visits</b>			Women	Minors
Detainees visited		17,859	587	269
Detainees visited and monitored individually		161	8	1
Detainees newly registered		132	4	1
Number of visits carried out		54		
Number of places of detention visited		20		
<b>Restoring family links</b>				
RCMs collected		88		
RCMs distributed		54		
Phone calls made to families to inform them of the whereabouts of a detained relative		54		
People to whom a detention attestation was issued <sup>3</sup>		11		

\* Unaccompanied minors/separated children

1. Tunisia
2. Not including people missing as a consequence of the Western Sahara armed conflict
3. Attestations also delivered to persons formerly held as a consequence of the Western Sahara armed conflict

MAIN FIGURES AND INDICATORS: ASSISTANCE		Total	Women	Children
<b>CIVILIANS (residents, IDPs, returnees, etc.)</b>				
<b>Economic security, water and habitat (in some cases provided within a protection or cooperation programme)</b>				
Essential household items	Beneficiaries	15	17%	
<b>PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)<sup>1</sup></b>				
<b>Economic security, water and habitat (in some cases provided within a protection programme)</b>				
Essential household items	Beneficiaries	2,360		
Water and habitat activities	Beneficiaries	3,300		
<b>Health</b>				
Number of visits carried out by health staff		35		
Number of places of detention visited by health staff		6		
<b>WOUNDED AND SICK</b>				
<b>Physical rehabilitation<sup>2</sup></b>				
Centres supported	Structures	1		
Patients receiving services	Patients	500	114	143
New patients fitted with prostheses	Patients	9		1
Prostheses delivered	Units	8		
	<i>of which for victims of mines or explosive remnants of war</i>	7		
New patients fitted with orthoses	Patients	16	5	2
Orthoses delivered	Units	36	9	4
	<i>of which for victims of mines or explosive remnants of war</i>	4		
Patients receiving physiotherapy	Patients	461	111	129
Crutches delivered	Units	111		
Wheelchairs delivered	Units	8		

1. Tunisia
2. Physical rehabilitation centre near Tindouf (south-western Algeria) for disabled Sahrawis