



# ***Trafficking in women: from the Republic of Côte d'Ivoire to Tunisia***

ASGI



## Contents:

1. Introduction.....	3
2. Women’s rights and protection of the victims of trafficking in Côte d’Ivoire.....	5
3. Trafficking of women from Côte d’Ivoire to Tunisia .....	10
4. Women’s rights and protection of the victims of trafficking in Tunisia.....	13
5. Conclusions.....	19

---

Research by Giacomo Ciarniello  
ASGI Sciabaca&Oruka Project Supervision

Report completion date - April 2024

# 1. Introduction

The special attention paid to women victims of trafficking from Côte d'Ivoire is based on the observed and significant increase in the number of people arriving in Italy from this country via the central Mediterranean route and the growing percentages of females.<sup>1</sup> Since 2019, the International Organisation for Migration has reported a correlation between this increase in women arriving from Côte d'Ivoire and situations of trafficking and serious exploitation.<sup>2</sup> Data collected on a national scale currently confirm this trend. A comparison between the latest available data collected by national anti-trafficking bodies for 2022 and data for previous years indicates is a significant increase (+36%) in people arriving from Côte d'Ivoire.<sup>3</sup>

In addition, it must be borne in mind that, according to data reported by the United Nations High Commissioner for Refugees,<sup>4</sup> Tunisia in 2023 became the main “boarding” country for migrants travelling to Italy.<sup>5</sup> Inasmuch, in the light of these considerations, this report will seek to describe the main *push factors* underlying the migration process between Côte d'Ivoire, Tunisia and Italy. Specifically, paragraph 2 analyses the state of women's rights in Côte d'Ivoire; paragraph 3 describes the dynamics underlying the migratory flows

---

<sup>1</sup> UNHCR, ‘Italy Weekly Snapshot – 25 March 2024’ <<https://data.unhcr.org/en/documents/details/107490>>.

<sup>2</sup> OIM, ‘Migration Feminine en Côte d'Ivoire, Les parcours des migrantes de retour’ (2019) <<https://returnandreintegration.iom.int/en/resources/report/migration-feminine-en-cote-divoire-le-parcours-des-migrantes-de-retour>>; OIM, ‘Vittime di tratta nella rotta del Mediterraneo centrale: focus sulle donne provenienti dalla Costa d'Avorio, dalla tratta in Tunisia al rischio di re-trafficking in Italia’ (2019) <<https://italy.iom.int/sites/g/files/tmzbd11096/files/documents/briefingoinvittimeditratta.pdf>>.

<sup>3</sup> Osservatorio Interventi Tratta, ‘Relazione sulle attività del Numero Verde Anti-tratta Report 2021’ (2022) <<https://osservatoriointerventitratta.it/report/>>.

<sup>4</sup> UNHCR, ‘Italy Weekly Snapshot - 17 July 2023’ <<https://data.unhcr.org/en/documents/details/101988>>.

<sup>5</sup> According to data published by the United Nations High Commissioner for Refugees, between 1 January and 16 July 2023 44,151 people arrived in Italy from Tunisia, yet only some of them were Tunisian nationals: they are increasingly people from West Africa.

between Côte d'Ivoire and Tunisia; and, lastly, paragraph 4 examines the state of women's rights in Tunisia. In both countries investigated, a far-reaching discrepancy emerges between *de jure* rights and factual reality. Factual reality is characterised by various forms of gender violence and violations of human rights. This contributes remarkably to the condition of significant vulnerability which women experience, whereby they are particularly exposed to *trafficking* processes.

Faced with the increase in arrivals from Tunisia, cooperation by the European Union and Italy with Tunisia itself has been progressively strengthened: on the one hand, the Memorandum of Understanding between the EU and Tunisia was signed on 16 July 2023 - the EU committed to support migration management policies with significant economic resources; on the other, Italy has intensified relationships and financial support with the aim of preventing arrivals by sea.

Policies designed to strengthen control apparatus and block mobility from Tunisia have been implemented by Italy and the EU despite the fact that, as of February 2023, Tunisian institutions began promoting an openly racist and discriminatory policy regarding migrants, culminating in the practice of mass deportations to the desert areas on the borders with Algeria and Libya.

Analysis of trafficking dynamics between Côte d'Ivoire and Tunisia and the condition of victims is useful for better understanding the context in which outsourcing policies take place and operate and the consequences they may have as regards failing to protect the rights of the migrants involved.

A broad range of sources was used to draft the report, including international organisations, government data, non-governmental organisations and media. The traceability of the sources used to discuss this topic is assured by the footnotes and hyperlinks included herein.

## 2. Women's rights and protection of the victims of trafficking in Côte d'Ivoire

Although human rights violations in the country have decreased since the post-election crisis of 2010 and 2011,<sup>6</sup> the state of human rights protection in Côte d'Ivoire presents several critical aspects. These include serious violations such as forced disappearance, inhuman and degrading treatment, life-threatening prison conditions, arbitrary arrests and detentions, serious issues concerning the independence of the justice system, restrictions on freedom of expression and the media, severe government corruption, lack of investigations and accountability for gender-based violence, including domestic violence, female genital mutilation and violence against the LGBTQ+ community.<sup>7</sup>

As regards the state of women's rights in Côte d'Ivoire, analysis of sources, from journalism to statistical data, highlights a reality that differs significantly from the commitments signed through international and regional treaties. Côte d'Ivoire ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1995 and an additional protocol in 2012.<sup>8</sup> On a regional level, Côte d'Ivoire ratified the

---

<sup>6</sup> UN Security Council, 'Final progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire', S/2017/89 (31 January 2017) <<https://digitallibrary.un.org/record/858385?v=pdf>>.

<sup>7</sup> ECOI, '2022 Country Report on Human Rights Practices: Côte d'Ivoire' (2023) <<https://www.ecoi.net/en/document/2089133.html>>.

<sup>8</sup> Regarding the status of ratifications of international human rights treaties in Côte d'Ivoire, see: <[https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?Treaty=CEDAW&Lang=en](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Treaty=CEDAW&Lang=en)>; for more details, see: CNDH, 'Recueil de textes relatif à l'interdiction et à la répression des actes de violences basées sur le genre' (2022) <<https://cndh.ci/wp-content/uploads/2015/10/INT-CNDH-RECUEIL-VBG-DEF.pdf>>.

Maputo Protocol in 2011.<sup>9</sup> On a national level, on the other hand, Article 4 of the country's constitution<sup>10</sup> prohibits any kind of discrimination; Article 35 establishes that the State and public institutions guarantee the promotion, development and protection of women; Articles 36 and 37 respectively promote the involvement of women in political and public life and equality between women and men on the employment market.<sup>11</sup> Furthermore, the Universal Periodic Review working group report in 2019 highlights that the new Constitution in 2016 banned infibulation and also promoted gender equality.<sup>12</sup>

Nevertheless, Côte d'Ivoire still maintains a patriarchal social structure, where women suffer from discrimination in every area of life. This statement is supported by significant data: the literacy rate for women aged 25-64 is 35%, compared to 49.7% for men<sup>13</sup>. Only 41.1% of women are active on the employment market.<sup>14</sup> In addition, approximately 24% of the female population in employment is below the international poverty line (compared to 19.8% for men).<sup>15</sup> Furthermore, women are highly exposed to socially

---

<sup>9</sup> UA, Protocol to the African Charter on human and peoples' rights on the rights of women in Africa, Maputo, 11 July 2003, ratified on 5 October 2011.

<sup>10</sup> Loi N. 886 du 8 Novembre 2016 portant Constitution de la République de Côte d'Ivoire 2016, see Articles 4, 35, 36, 37  
<[https://www.fonctionpublique.gouv.ci/assets/rubriques/documentation/documentation\\_nouvelle\\_constitution\\_ci\\_\(09112016\).pdf](https://www.fonctionpublique.gouv.ci/assets/rubriques/documentation/documentation_nouvelle_constitution_ci_(09112016).pdf)>.

<sup>11</sup> MFFE, '*Statistiques relatives à la situation de la femme en Côte d'Ivoire*' (2021)  
<[https://famille.gouv.ci/Tmffe/STATISTIQUES\\_RELATIVES\\_A\\_LA\\_SITUATION\\_DE\\_LA\\_FEMME\\_%20VF.pdf](https://famille.gouv.ci/Tmffe/STATISTIQUES_RELATIVES_A_LA_SITUATION_DE_LA_FEMME_%20VF.pdf)>.

<sup>12</sup> Human Rights Council, '*Report of the Working Group on the Universal Periodic Review, Côte d'Ivoire*' (2019) A/HCR/42/6 <<https://digitallibrary.un.org/record/3814536?v=pdf>>.

<sup>13</sup> UNESCO, '*GAL Country Profiles: Côte d'Ivoire*' (December 2021)  
<<https://www.uil.unesco.org/sites/default/files/medias/files/2022/03/GAL%20Country%20profile%20-%20Co%CC%82te%20d%27Ivoire.pdf>>.

<sup>14</sup> Bertelsmann Stiftung, '*BTI 2020 Country Report - Côte d'Ivoire*' (2020)  
<[https://btiproject.org/fileadmin/api/content/en/downloads/reports/country\\_report\\_2020\\_CIV.pdf](https://btiproject.org/fileadmin/api/content/en/downloads/reports/country_report_2020_CIV.pdf)> p. 21.

<sup>15</sup> UN Woman Data Hub, '*Country Fact Sheet - Côte d'Ivoire*' (consulted on 2 April 2024)  
<<https://data.unwomen.org/country/cote-divoire>>.

accepted practices that constitute forms of gender violence. For example, Female Genital Mutilation (FGM) is widespread, despite being banned by law.<sup>16</sup> In this regard, as indicated in the 'FGM in Côte d'Ivoire' Report by NGO 28 Too Many, approximately 36.7% of women aged between 15 and 49 are subjected to FGM practices. The same report highlights a greater exposure to the risk of FGM for women living in rural areas compared to women living in urban areas. It also highlights that such practices are more widespread in the northern and north-eastern regions of the country.<sup>17</sup>

Another consolidated practice in Côte d'Ivoire, alongside gender violence, concerns forced marriages. Although a law reform in 2019<sup>18</sup> standardised the legal age for marriage as 18 for both sexes, approximately 27% of girls are married before the age of 18 and approximately 7% before the age of 15.<sup>19</sup> These marital bonds often turn into situations of abuse, violence and exploitation. Against this background, a serious problem of cultural stigmatisation is highlighted as regards reporting, since marital violence is considered to be a personal issue that should be resolved at home. This is also joined by a lack of effective accountability on the part of the judicial system against the perpetrators of such violence. Consequently, cases of domestic and other gender violence are rarely reported to the authorities.<sup>20</sup>

---

<sup>16</sup> Art. 5 Loi N. 886 du 8 Novembre 2016 portant Constitution de la République de Côte d'Ivoire 2016; Loi n. 98-757 du 23 Décembre 1998.

<sup>17</sup> 28 Too Many, '*FGM in Côte d'Ivoire: Short Report*' (March 2020) <<https://www.fgmcri.org/country/cote-divoire/>>.

<sup>18</sup> Loi n. 2019-570 du 26 Juin 2019 relative au mariage, <[https://www.famille.gouv.ci/public/documents/doc\\_drcc/loi\\_2019-570\\_sur\\_le\\_mariage.pdf](https://www.famille.gouv.ci/public/documents/doc_drcc/loi_2019-570_sur_le_mariage.pdf)>; see also: Human Rights Watch, '*Côte d'Ivoire marriage reform - a step for women*' (24 July 2019) <<https://www.hrw.org/news/2019/07/24/cote-divoire-marriage-reform-step-women>>.

<sup>19</sup> Girls not brides, '*Child marriage atlas*' (consulted on 2 April 2024) <<https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/cote-divoire/>>.

<sup>20</sup> Save the Children, '*Spotlight Series: Ending child marriage for gender equality*' (2021) <<https://resourcecentre.savethechildren.net/document/spotlight-series-ending-child-marriage-gender-equality/>>.

Human Rights Watch points out that the country's Penal Code dated 2019 assumes consent to sexual intercourse within marriage that may prevent victims of marital rape from successfully pursuing criminal charges.<sup>21</sup> The combination of these factors means that Côte d'Ivoire stands 153rd in the world Gender Inequality Index ranking.<sup>22</sup>

As regards internal trafficking, the law condemns trafficking in human beings at a constitutional level (Article 5) and governs the fight against trafficking with law no. 2016-1111 dated 8 December 2016.<sup>23</sup> However, despite the existence of such provisions, the “*Trafficking in Persons*” report<sup>24</sup> prepared in 2023 by the United States Department of State (US DoS) classifies the country in TIER 2, since the minimum standards regarding the

---

<sup>21</sup> HRW, ‘*World Report 2020 - Côte d'Ivoire*’ (14 January 2020) <<https://www.hrw.org/world-report/2020/country-chapters/cote-divoire>>.

<sup>22</sup> The Gender Inequality Index is a composite measure that reflects inequality between women and men through three different dimensions: reproductive health (maternal mortality rate and adolescent birth rate), empowerment (share of parliamentary seats held by women and share of population with at least a secondary level of education) and labour market participation (work force participation rate); see UNDP, ‘*Human Development Report 2021-2022*’ (2022) <[https://hdr.undp.org/system/files/documents/global-report-document/hdr2021-22pdf\\_1.pdf](https://hdr.undp.org/system/files/documents/global-report-document/hdr2021-22pdf_1.pdf)>.

<sup>23</sup> Pursuant to Law no. 2016-1111, the consent of the victim, parents or a third-party having authority over the victim cannot be invoked as a reason for justification by traffickers (Article 5). A prison sentence of 10 to 20 years and a fine of between 10 million and 50 million francs are envisaged (Article 7). If trafficking is managed by an organisation, the prison sentence is 20 years (Article 8). Ivorian or foreign traffickers can be declared guilty if they are the material authors of trafficking as well as if they were accomplices of traffickers, even the crime was committed abroad (Articles 16 and 17). If the victim is a minor, the child's best interests and specific needs are taken into account; if the minor has no legal representative or if the legal representative is unsuitable for safeguarding the minor's best interests, the public prosecutor has the power to designate a new one (Article 19). Moreover, the State takes steps to ensure that victims, witnesses and their families have sufficient protection if their safety is threatened (Article 21), ensures the implementation of national assistance programs for victims of trafficking (Article 22), legal assistance and the issue of identity documents to Ivorian citizens who survived trafficking and reside abroad (Article 24).

<sup>24</sup> US DOS, ‘*Trafficking In Persons Report 2023: Cote d'Ivoire*’ (2023) <<https://www.state.gov/reports/2023-trafficking-in-persons-report/cote-divoire/>>.



protection of persons subjected to trafficking are not met.<sup>25</sup> The Report highlights major critical issues in various key areas for the protection of people who have survived trafficking,<sup>26</sup> in particular: reception facilities and services, especially for adults, appear to be inadequate; in 2023, for the fourth consecutive year, the Intergovernmental Committee against Trafficking (CNLTP) did not receive the funding allocated for its activities; law enforcement agencies do not receive specialist training in relation to trafficking, nor appropriate resources to investigate cases of trafficking and identify survivors effectively.<sup>27</sup>

As is well-known, trafficking involves various forms of exploitation which differ depending on the gender of the victims. Women and girls subjected to trafficking in Côte d'Ivoire generally end up in forms of exploitation in the domestic sector, catering or sex work. Trafficking for purposes of sexual exploitation and labour exploitation in the country mainly involves Nigerian, Burkinabé, Ivorian, Malian and Moroccan women, especially in the cocoa producing regions and the northern and western mining regions. Furthermore, according to the above-mentioned US DoS report, several international organisations and local law enforcement agencies have reported an expansion of the network of Ivorian migrant traffickers based in Tunisia following operations financed by European governments with the

---

<sup>25</sup> The '*Trafficking in Persons Report*' refers to the minimum standards of protection that persons who survive trafficking must receive, as provided for by international sources as well as US regulatory sources (Trafficking Victims Protection Act).

<sup>26</sup> The decision to use the English term "survivor" instead of "victim" of trafficking - a term commonly used in regulatory texts and legal language - arises from considerations deriving from critical victimology and seeks to avoid secondary victimisation phenomena. See, among others: Jennifer Middleton, Amber McDonald, *Creating Sanctuary: Trauma-Informed Change for Survivors of Trafficking and Commercial Sex Exploitation*, in J. Winterdyk, J. Jones (Eds.), *The Palgrave International Handbook of Human Trafficking*, Palgrave MacMillan, 2020, p. 583 ff. Irina Churakova, *Psychological Care and Support for the Survivors of Trafficking*, *ibid.*, p. 801 ff. For historical notes on the debate around this choice of terminology, see A. Derks, *From white slaves to trafficking survivors: notes on the trafficking debate*, paper presented at the Conference on Migration and Development, May 4-5, 2000.

<sup>27</sup> US DOS, '*Trafficking In Persons Report 2023: Cote d'Ivoire*' (2023) <<https://www.state.gov/reports/2023-trafficking-in-persons-report/cote-divoire/>>.

aim of stemming migratory flows.<sup>28</sup>

In conclusion, the distinctly patriarchal social structure that forces Ivorian women into constant submission to male authority and exposes them to serious violations of human rights is the main *push factor* towards migration, with the major risk that Ivorian women resort to the trafficking network. This condition of far-reaching exposure to violence in the country of origin is exacerbated during the migration process. In addition, economic prospects and a significantly better quality of life than can be achieved in the country of origin are the main *pull factors*.

### **3. Trafficking of women from Côte d'Ivoire to Tunisia**

There has been a considerable increase in trafficking of Ivorian women to Tunisia since 2014, approximately two years after the abolition of the visa requirement for travel between the two countries. This initiative was implemented by the Tunisian government since several Tunisian companies were operating in Côte d'Ivoire in important business sectors, such as international trade and catering. Originally, Tunisia's intention was to facilitate the movement of local promoters to the sub-Saharan continent. However, following the political unrest in Côte d'Ivoire between 2010 and 2011 and as a result of the surge in inflation in the country's economy, very low wages and the high rate of youth unemployment, trafficking networks made up of Ivorians and foreigners alike developed and consolidated, exploiting the fact that an Ivorian passport allows visa-free movement

---

<sup>28</sup> US DOS, 'Trafficking In Persons Report 2023: Cote d'Ivoire' (2023) <<https://www.state.gov/reports/2023-trafficking-in-persons-report/cote-divoire/>>.

between Côte d'Ivoire and Tunisia.<sup>29</sup>

In most cases, the recruitment of Ivorian girls and women who are then trafficked takes place through friends, relatives and acquaintances, i.e. people who are part of their social network and who in most cases know their families of origin. However, in recent years, there has been a marked increase in the use of social media by recruiting agents (so-called  *passeurs* ) who push people into the trafficking circuit.<sup>30</sup>

Travel is mainly by direct flights from Abidjan to Tunis. Alternatively, transfers may take place overland involving many possible routes: the Tunisian route,<sup>31</sup> the Libyan route<sup>32</sup> and the Moroccan route.<sup>33</sup>

It is important to emphasise that, when signing the informal agreement with the trafficker, women are generally unaware that they will be forced to undergo a period of exploitation formally intended to repay the debt incurred for the trip. This period begins on reaching Tunisia where, first of all, their passports are taken away, thereby creating a situation of subjection to the trafficker, a high risk of expulsion and, consequently, increased vulnerability to trafficking.<sup>34</sup>

---

<sup>29</sup> Olfa Belhassine, 'Ivorian Domestic Workers in Tunisia: Modern-Day Slavery' (6 luglio 2023) <<https://medfeminiswiya.net/2023/07/06/ivorian-domestic-workers-in-tunisia-modern-day-slavery/?lang=en>>.

<sup>30</sup> OIM, 'Migration Feminine en Côte d'Ivoire, Le parcours des migrantes de retour' (2019) <<https://returnandreintegration.iom.int/en/resources/report/migration-feminine-en-cote-divoire-le-parcours-des-migrantes-de-retour>> p. 26.

<sup>31</sup> There are two alternative itineraries to the Tunisian route:

- Cote d'Ivoire, Mali (Bamako, Gao), Algeria (Temanrasset, Debdeb), Tunisia (Tunis, Sfax);
- Cote d'Ivoire, Burkina Faso, Niger, Libya and Tunisia, crossing the Libya-Tunisian border in the direction of Tunisia in an attempt to escape the violence and abuse suffered in Libya.

<sup>32</sup> The Libyan route usually includes this itinerary: Cote d'Ivoire, Mali, Algeria, Libya.

<sup>33</sup> The Moroccan route takes women to Spain (Ceuta and Melilla) and the Canary Islands.

<sup>34</sup> US DOS, 'Trafficking In Persons Report 2023: Cote d'Ivoire' (2023) <<https://www.state.gov/reports/2023-trafficking-in-persons-report/cote-divoire/>>.

The most common area of exploitation in Tunisia is the domestic sector. Girls are usually forced to work as maids in the homes of Tunisian families, undernourished and in degrading conditions. They often suffer sexual abuse from the employer and find themselves in a condition of domestic slavery. In the Tunisian context, the housekeeping profession is socially despised. This means that the sector has struggled to recruit workers over the last two decades, especially “live-in” housekeepers who reside in their employers’ homes. This has seen the formation of a mediation system with Tunisian families looking for “maids”, on international and local levels, in order to recruit people into the domestic exploitation market.<sup>35</sup> Furthermore, the “*Trafficking in Persons: Tunisia*” Report prepared by US DoS in 2023 highlighted that women subjected to domestic servitude and other forms of forced labour, whose employers hold them in debt bondage, are further exploited by nightclub owners, who falsely promise to pay the women’s debts in exchange for work in the clubs as waitresses, only to force these women into performing sex work.<sup>36</sup>

In 2016, 45% of the women assisted by the Tunisian Terra d’Asilo NGO were Ivorian. In 2022, Tunisian authorities identified approximately 372 female trafficking survivors of Ivorian nationality, approximately 66% of all trafficked women identified in Tunisia.<sup>37</sup> As reported by the same NGO, trafficked women in Tunisia are usually held in a state of subjection similar to slavery for a period of between three months and two years. One survivor in five finds themselves in this situation for more than two years. Even if a woman manages to escape from the place of segregation, the only

---

<sup>35</sup> Olfa Belhassine, ‘*Ivorian Domestic Workers in Tunisia: Modern-Day Slavery*’ in Medfeminiswiya (6 luglio 2023) <<https://medfeminiswiya.net/2023/07/06/ivorian-domestic-workers-in-tunisia-modern-day-slavery/?lang=en>>.

<sup>36</sup> US DOS, ‘*Trafficking In Persons Report 2023: Tunisia*’ (2023) <<https://www.state.gov/reports/2023-trafficking-in-persons-report/tunisia/#:~:text=Of%20the%20560%20identified%20victims,were%20victims%20of%20%E2%80%9Cillegal%20adoption>>.

<sup>37</sup> CeSPI, ‘*Mobilizing Women: le donne nella società tunisina del post 2011*’ (2022) <[https://cespi.it/sites/default/files/documenti/wps\\_13gennaio\\_def\\_ita.pdf](https://cespi.it/sites/default/files/documenti/wps_13gennaio_def_ita.pdf)> p. 10.

possibility of arriving in Europe is to rely on the trafficking network once again, incurring a new debt to embark on the central Mediterranean route, thereby increasing the risk of *re-trafficking*.<sup>38</sup>

## 4. Women's rights and protection of the victims of trafficking in Tunisia

Tunisia's democratic transition process, which began in 2011, laid the foundations for important innovations from a legislative point of view, especially as regards women's rights. The 2014 constitution, law 58 in 2017 against gender violence and, finally, the 2018 National Action Plan on Women, Peace and Security were important steps forward as regards consolidating the country's formal obligations in terms of gender-based human rights, as well as full recognition of the role of women in decision-making processes. However, despite these legislative innovations, which effectively interpreted the demands of the feminist movement in the aftermath of 2011, there is still a huge gap between *de jure* rights and factual reality. The impact of these achievements never materialised as a substantial change in society on behalf of women, not even before the changed political context, from 2019 onwards, recreated the conditions for the country's gender policies to back-pedal. Cultural, social and economic aspects slow down and obstruct the path towards gender equality and the full involvement of women in all spheres of the country's political, social and economic life.<sup>39</sup>

---

<sup>38</sup> Luca Rondi, 'L'ombra della tratta di esseri umani sulle donne in viaggio dalla Costa d'Avorio' in *Altraeconomia* (26 aprile 2023) <<https://altreconomia.it/lombra-della-tratta-di-esseri-umani-sulle-donne-in-viaggio-dalla-costa-davorio/>>.

<sup>39</sup> CeSPI, 'Mobilizing Women: le donne nella società tunisina del post 2011' (2022) <[https://cespi.it/sites/default/files/documenti/wps\\_13gennaio\\_def\\_ita.pdf](https://cespi.it/sites/default/files/documenti/wps_13gennaio_def_ita.pdf)> p. 10.

One indicator that captures the general situation in the country as regards gender inequality is the gender gap identified by Georgetown for WPS, which ranks Tunisia 96th out of 177 countries surveyed with an index of 0.669 (maximum 1).<sup>40</sup> The main problems concern the lack of material tools to enable genuine economic emancipation of women. Arab Barometer polls (2022)<sup>41</sup> suggest that structural limitations still hinder women's access to the employment market. These include constraints deriving from the imbalance in care burdens within the family and the lack of childcare services, as well as the persistence of low wages and the priority given to men in obtaining employment. This last item in the investigation is confirmed by analysing data regarding income inequality: according to data compiled by the national report on the implementation of the 2021 United Nations Sustainable Development Goals, 55.9% of men in the country have their own income, while the percentage for women stands at around 19.3%.<sup>42</sup> Furthermore, according to data reported by the World Bank, female employment stands at around 28% (the maximum reached in the 2010-2021 time frame is 28.9%). In this context, women frequently occupy subordinate roles and are often relegated to the domestic work sector.<sup>43</sup> In addition, the same source reports that the illiteracy rate is still very high among women, compared to men, especially in rural and inland areas. The latest available data (2014) indicate that women have an illiteracy rate four times higher than men (10% men and 40% women).<sup>44</sup>

---

<sup>40</sup> Georgetown Institute for Women, Peace and Security, 'Women, Peace and Security Index 2021/2022' (2022) <<https://giwps.georgetown.edu/country/tunisia/>>.

<sup>41</sup> Arab Barometer, 'Tunisia Country Report' (2021-2022) <<https://www.arabbarometer.org/wp-content/uploads/AB7-Tunisia-Report-EN.pdf>>.

<sup>42</sup> OHCHR, 'Rapport National Volontaire Sur La Mise En Oeuvre Des Objectifs De Développement Durable En Tunisie. High-level Political Forum on Sustainable Development' (2021) <[https://sustainabledevelopment.un.org/content/documents/279442021\\_VNR\\_Report\\_Tunisia.pdf](https://sustainabledevelopment.un.org/content/documents/279442021_VNR_Report_Tunisia.pdf)> p. 191.

<sup>43</sup> See also: <<https://data.worldbank.org/country/TN>>.

<sup>44</sup> See also: <<https://data.worldbank.org/country/TN>>.

The gender gap is accentuated in rural areas. Net of official estimates - which suggest only one-third of women residing in rural areas are registered in the national security system<sup>45</sup> - it is estimated that 500,000 women contribute to the development of the agricultural sector.<sup>46</sup> Informal female work with families or seasonal gang-mastering jobs aggravate the marginalisation and precariousness of women.<sup>47</sup>

The goal of economic independence for women living in rural areas is made even harder to achieve by the absence of a law ensuring equal succession rights for agricultural land. Furthermore, the gap between urban and rural areas is also evident as regards access to technology, another factor affecting the attainment of gender equality.<sup>48</sup>

In addition, according to the independent newspaper Inkyfada, it is estimated that femicides have also increased. This is not only because of the intensification of gender violence, but also the failure of authorities to respond to the appeals of women in difficulty.<sup>49</sup> The report published by Human Rights Watch, *So What If He Hit You? Addressing Domestic Violence in Tunisia*,<sup>50</sup> noted that, despite the enactment of Law no. 58-2017 - one of the

---

<sup>45</sup> Feten Mbarek, 'Rural Women in Tunisia: The Dilemmas of Informal and Feminized Labour' (2022) <<https://assafirarabi.com/en/47274/2022/09/06/rural-women-in-tunisia-the-dilemmas-of-informal-and-feminized-labour/#note1>>.

<sup>46</sup> Chokri Gharbi, 'Femmes agricultrices : Une main forte dans la sécurité alimentaire' in La Presse (14 August 2020) <<https://lapresse.tn/70577/femmes-agricultrices-une-main-forte-dans-la-securite-alimentaire>>.

<sup>47</sup> Lilia Blaise, 'En Tunisie, le sort tragique des ouvrières agricoles' in Le Monde (9 May 2019) <[https://www.lemonde.fr/afrique/article/2019/05/09/en-tunisie-le-sort-tragique-des-ouvrieres-agricoles\\_5459999\\_3212.html](https://www.lemonde.fr/afrique/article/2019/05/09/en-tunisie-le-sort-tragique-des-ouvrieres-agricoles_5459999_3212.html)>.

<sup>48</sup> Lilia Blaise, 'En Tunisie, le sort tragique des ouvrières agricoles' in Le Monde (9 May 2019) <[https://www.lemonde.fr/afrique/article/2019/05/09/en-tunisie-le-sort-tragique-des-ouvrieres-agricoles\\_5459999\\_3212.html](https://www.lemonde.fr/afrique/article/2019/05/09/en-tunisie-le-sort-tragique-des-ouvrieres-agricoles_5459999_3212.html)>.

<sup>49</sup> Inkyfada, 'Women on borrowed time, from abuse to femicide' (December 2021) <<https://inkyfada.com/en/2021/12/14/women-on-borrowed-time-inkyfada-podcast/>>.

<sup>50</sup> HRW Human Rights Watch, '“So What If He Hit You?” Addressing Domestic Violence in Tunisia' (8 December 2022) <<https://www.hrw.org/report/2022/12/08/so-what-if-he-hit-you/addressing-domestic-violence-tunisia>>.

most innovative against domestic violence in the Middle East and North Africa - the protection of women as regards domestic violence by Tunisian authorities appears to be insufficient. Authorities do not systematically respond, investigate or provide protection to women who report violence. Moreover, lack of funds for support services, such as shelters, has left many survivors with nowhere to escape. At the same time, Human Rights Watch found that most Tunisian women, especially in rural areas, are unaware of the measures and services available under Law No. 58-2017.<sup>51</sup>

The level of protection of women's rights has significantly regressed under President Saïed. Although its "made to measure" Constitution - adopted by means of a national referendum in July 2022 characterised by an official abstention rate of 69.5% - states that women and men "are equal in rights and duties and are equal in front of the law without any discrimination", Article 5 establishes that "Tunisia belongs to the Islamic Ummah [community/nation]", whereby the achievement of the goals of Islam is a responsibility of the State. Such provisions could be used to justify attacks on women's rights based on interpretations of religious precepts, as other states in the region have done.<sup>52</sup>

Furthermore, Decree-Law 2022-55 dated 15 September 2022 amended Tunisian electoral law by eliminating the provisions that sought to partially promote the proportion of women in Parliament. Previously, the law required that parliamentary election candidate lists should have an equal number of men and women. Under the amended law, Tunisians elect Members of Parliament individually, without provisions ensuring gender equality among candidates. Consequently, to date, only 25 women sit in the new 161-seat

---

<sup>51</sup> HRW Human Rights Watch, '*Tunisia: Domestic Violence Law Not Protecting Women*' (8 December 2022) <<https://www.hrw.org/news/2022/12/08/tunisia-domestic-violence-law-not-protecting-women>>.

<sup>52</sup> HRW Human Rights Watch, '*World Report 2024 - Tunisia*' (11 January 2024) <<https://www.ecoi.net/en/document/2103188.html>>.



assembly.<sup>53</sup> In addition to this, Tunisian law continues to discriminate against women in inheritance rights. Saied has also expressed his firm opposition to the reform of pertinent legislative provisions as discussed in parliament in 2019.<sup>54</sup>

However, as regards protection against trafficking in Tunisian law, the organic anti-trafficking Law 2016-61 was issued in July 2016 with the aim of criminalizing sex and labour trafficking.<sup>55</sup> Following this intervention by the Legislator, the National Authority for the Fight Against Trafficking of Human Beings was established. It is a government agency dedicated to the internal coordination of anti-trafficking initiatives and the identification of persons subjected to trafficking.<sup>56</sup> However, despite the efforts described above, local NGOs report a lack of sufficient staff and resources to provide appropriate assistance to survivors of trafficking. They highlight that the government's visa waiver process for survivors is slow and cumbersome, thereby creating considerable difficulties in providing them with timely assistance. Official identification procedures and other limitations as described above often mean that the authorities arrest unidentified trafficked persons for illicit acts committed as a direct result of trafficking, such as forced sex work or immigration violations.<sup>57</sup>

---

<sup>53</sup> Amnesty International, 'Tunisia, 2022-2023 Report' (2023) <<https://www.amnesty.it/rapporti-annuali/rapporto-2022-2023/medio-oriente-e-africa-del-nord/tunisia/>>.

<sup>54</sup> Amnesty International, 'Tunisia, 2022-2023 Report' (2023) <<https://www.amnesty.it/rapporti-annuali/rapporto-2022-2023/medio-oriente-e-africa-del-nord/tunisia/>>.

<sup>55</sup> US DOS, 'Trafficking In Persons Report 2023: Tunisia' (2023) <<https://www.state.gov/reports/2023traffickinginpersonsreport/tunisia/#:~:text=As%20reported%20over%20the%20past,and%20sex%20trafficking%20in%20Tunisia>>.

<sup>56</sup> US DOS, 'Trafficking In Persons Report 2023: Tunisia' (2023) <<https://www.state.gov/reports/2023traffickinginpersonsreport/tunisia/#:~:text=As%20reported%20over%20the%20past,and%20sex%20trafficking%20in%20Tunisia>>.

<sup>57</sup> US DOS, 'Trafficking In Persons Report 2023: Tunisia' (2023) <<https://www.state.gov/reports/2023traffickinginpersonsreport/tunisia/#:~:text=As%20reported%20over%20the%20past,and%20sex%20traffickin%20in%20Tunisia>>.

Although sub-Saharan migrants have been subject to discrimination and sporadic racist attacks in Tunisia for years, following President Saïed's statements in February 2023 – accusing people from sub-Saharan Africa of being part of a conspiracy to modify the country's demographics – they have suffered a significant increase in episodes of violence, including assaults, robbery and acts of vandalism by Tunisian citizens, arbitrary evictions by home-owners and dismissals by employers, which have further increased mistrust in authorities and vulnerability to trafficking.<sup>58</sup> The United Nations Committee on the Elimination of Racial Discrimination defined the speech as a violation of the International Convention on the Elimination of All Forms of Racial Discrimination, which Tunisia has signed.<sup>59</sup>

According to Lawyers Without Borders (LWB), in February 2023 the authorities indiscriminately arrested at least 850 foreigners from sub-Saharan Africa, apparently on the basis of racial profiling, including people with and without documents, asylum seekers and registered students, committing serious abuses against them.<sup>60</sup> The abuses documented by Human Rights Watch include beatings, excessive use of force, several cases of torture, arbitrary arrest and detention, collective expulsions, dangerous action at sea during vessel interceptions, forced evictions, and theft of money and personal belongings.<sup>61</sup>

In July 2023, Tunisian law enforcement officers conducted mass and arbitrary arrests of sub-Saharan African foreigners, with regular and irregular legal status alike, in and around the city of Sfax; in several cases,

---

<sup>58</sup> HRW Human Rights Watch, 'World Report 2024 – Tunisia' (11 January 2024) <<https://www.ecoi.net/en/document/2103188.html>>.

<sup>59</sup> ANSA, 'Onu, la Tunisia ponga fine a odio razzista e violenze' (4 aprile 2023) <[https://www.ansa.it/ansamed/it/notizie/rubriche/nazioni/2023/04/04/onu-la-tunisia-ponga-fine-a-odio-razzista-e-violenze\\_1d67b68d-320b-4d99-a6e1-c83b786207bf.html](https://www.ansa.it/ansamed/it/notizie/rubriche/nazioni/2023/04/04/onu-la-tunisia-ponga-fine-a-odio-razzista-e-violenze_1d67b68d-320b-4d99-a6e1-c83b786207bf.html)>.

<sup>60</sup> Avocats Sans Frontières, 'ASF en Tunisie' <<https://asf.be/action/asf-en-tunisie/?lang=fr>>.

<sup>61</sup> HRW Human Rights Watch, 'Tunisia: No Safe Haven for Black African Migrants, Refugees' (18 April 2023) <<https://www.hrw.org/news/2023/07/19/tunisia-no-safe-haven-black-african-migrants-refugees>>.

law enforcement officers used excessive force and physical or sexual abuse, including against women and children.<sup>62</sup> According to the United Nations High Commissioner for Human Rights, up to July 2023 alone, security forces summarily and collectively expelled around 2,000 people of at least 16 African nationalities, including asylum seekers, pregnant women and children, in remote areas along Tunisia's borders with Libya and Algeria. Authorities kept these expelled persons stranded at borders for days or weeks, with little access to water, food or medical care. Many of the people expelled to the Algerian border have not yet been traced.<sup>63</sup>

## 5. Conclusions

The report highlights how Côte d'Ivoire and Tunisia effectively have no system capable of guaranteeing the protection of the rights of trafficked people present in their countries. The policies of blocking mobility out of Tunisia mean that women subjected to trafficking are exposed to the violent dynamics implemented by trafficking networks, in contexts of labour exploitation, as well as institutional actors. Consequently, the implementation of migration policies designed to promote freedom of movement and the emergence of violations associated with trafficking and gender violence seem to be increasingly urgent with the aim of ensuring effective protection in safe destination countries.

---

<sup>62</sup> HRW Human Rights Watch, 'World Report 2024 – Tunisia' (11 January 2024) <<https://www.ecoi.net/en/document/2103188.html>>.

<sup>63</sup> OHCHR, 'Türk: Human rights are antidote to prevailing politics of distraction, deception, indifference and repression' (11 September 2023) <<https://www.ohchr.org/en/statements/2023/09/turk-human-rights-are-antidote-prevailing-politics-distraction-deception>>.