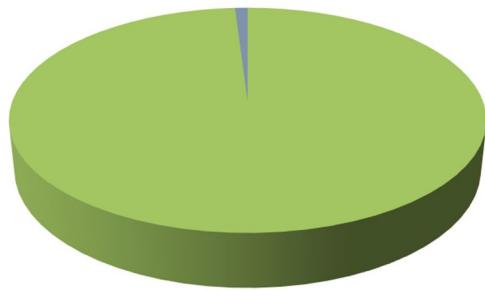


# TUNISIA



Muslim (99.0%)
Sunni: 99%
Other
(1.0%) <sup>1,2</sup>

<b>Area:</b> 163,000 km <sup>2</sup>	<b>Population:</b> 11 million	<b>Political system:</b> Democracy	<b>Major Language(s):</b> Arab
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## Legal framework on Freedom of Religion and actual application

The preamble to the post-revolutionary constitution promulgated in January 2014 stresses the Tunisian people's commitment "to the teachings of Islam", to their "cultural heritage and to the universal accomplishments of human civilization". According to Article 1, Islam is the religion of the state: "Tunisia is a free, independent and sovereign state. Islam is its religion, Arabic its language and the Republic its government."<sup>3</sup> However, Article 2 states: "Tunisia has the character of a civil state, based on citizenship, the will of the people and the primacy of the law."

Article 6 reads as follows: "The State is the guardian of religion. It guarantees liberty of conscience and of belief, the free exercise of religious worship and the neutrality of the mosques and of places of worship from all partisan instrumentalisation. The State commits itself to the dissemination of the values of moderation and tolerance and to the protection of the sacred and the prohibition of any offence thereto. It commits itself, equally, to the prohibition of, and the fight against, appeals to Takfir [charges of apostasy] and incitement to violence and hatred."<sup>4</sup> Critics see this article as contradictory. Although the current government is emphasising the importance of religious liberty, the article allows also more restrictive interpretations that could harm that very liberty.

The President has to be Muslim. However, the constitution guarantees the freedom of belief and conscience. Attempts by Islamists in the constitutional assembly to criminalise apostasy from Islam have failed. Conversion from Islam to another religion is not illegal under the constitution.

Islamic *Shari'a* is not mentioned as a source of legislation but it is partly incorporated into personal status law when it comes to marriage and inheritance issues.

According to an agreement between the Holy See and Tunisia, from 1964 the Catholic Church is officially recognised and allowed to operate churches and social institutions. A local Catholic source commented on the agreement: "It gives us legal certainty, but also brings restrictions. According to this *modus vivendi*, we are not allowed to make public expressions of the Catholic faith such as processions or the like. On the whole, this agreement prohibits any form of proselytising."

## **Religious composition**

The vast majority of Tunisian citizens are Sunni Muslims but a number have converted to Christianity, with some putting the figure as high as 12,000. According to local Catholic sources, around 25,000 foreign Christians live in Tunisia. Others give a much lower figure. The majority of foreign Christians are Catholic with local sources suggesting there may be as many as 20,000. There are in addition Orthodox and Protestant communities. Most Christians from abroad work or study in Tunisia or are migrants. Many of them are Sub-Saharan Africans.

Many Christians worked as clerks in the African Development Bank and their numbers in parishes dwindled after the ADB left Tunis. They had temporarily settled in Tunisia after being forced to leave the Ivory Coast in 2003 for reasons of safety. The bank employed several hundred Christians and their families have now returned to the Ivory Coast.

There is an ancient Jewish community of around 1,500 Jews living in Tunisia. Most Jews left Tunisia after the establishment of the State of Israel. Today's Tunisian Jews are mainly in Tunis and on the island of Djerba. The Chief Rabbi is paid by the Tunisian government.

## **Incidents**

Western cultural influence is considered to be high as a legacy of the French protectorate. Traditional Islam in Tunisia is considered to be moderate but radical Islam is active.<sup>5</sup> Many Tunisian Muslims joined Jihadi groups such as Daesh (ISIS) fighting in Syria and other countries. Jihadi groups also perpetrated attacks within Tunisia. The bloodiest to date was an attack on tourists in July 2015 when 38 people died. In response, local Christians expressed their fears but stressed that so far they had not been targeted by Muslim extremists. Islamist threats are directed more towards Tunisians who are considered too liberal. According to local sources, measures have been taken to protect sites including the Catholic cathedral of Tunis.<sup>6</sup>

The government has taken steps against radical preachers and activists. Anti-terrorism operations have been undertaken and suspects arrested. Religious radio stations and more than 150 associations have closed because of their links with terrorism and incitement. Some human rights groups deemed the measures arbitrary.<sup>7</sup> Some non-violent conservative Muslims complain that the police generally view them with suspicion because of their appearance.<sup>8</sup> The government however argued that the measures were necessary to protect the liberties guaranteed in the constitution.<sup>9</sup>

## **Prospects for Freedom of Religion**

Local Catholics consider the country's new constitution as progress. A Catholic priest told ACN: "It not only guarantees freedom of worship, but also real freedom of conscience. This includes religious conversions, such as those from Islam to Christianity. This would be inconceivable in many Islamic countries. We will have to see how things develop. However, theory is one thing, practice is another. A Muslim who shows an interest in Christianity might be placed under strong social pressure." According to local sources, there are reports that some Muslim converts to Christianity have been harassed or ostracised by their own families.

A worrying development is the high number of violent Jihadists in the country.

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<sup>1</sup><http://www.state.gov/j/drl/rls/rlif/religiousfreedom/index.htm#wrapper>

<sup>2</sup> Christians, Jews, Shi'a Muslims, Baha'is.

<sup>3</sup> See full text in English: [https://www.constituteproject.org/constitution/Tunisia\\_2014.pdf](https://www.constituteproject.org/constitution/Tunisia_2014.pdf)

<sup>4</sup> <https://www.hrw.org/news/2014/02/03/problem-tunisias-new-constitution>

<sup>5</sup> <https://www.wilsoncenter.org/tunisia-the-best-bet>

<sup>6</sup> ACN News 10/30/2014

<sup>7</sup> <https://www.hrw.org/world-report/2015/country-chapters/tunisia>

<sup>8</sup> <http://www.alaraby.co.uk/english/politics/2015/4/30/lifting-the-veil-on-religious-freedom-in-tunisia-1>

See also: <http://www.reuters.com/article/us-tunisia-security-rights-idUSKBN0MZ1G620150408>

<sup>9</sup> <http://www.cbc.ca/news/world/tunisia-passes-anti-terror-law-despite-personal-freedom-concerns-1.3167624>