

RESPONSES OF THE PARTIES TO THE QUESTIONNAIRE SUBMITTED BY HUMAN RIGHTS WATCH

THE COMPLETE RESPONSES FROM THE PARTIES IN ARABIC OR FRENCH CAN BE VIEWED AT THE FOLLOWING LINKS:

[ETTAJIDID](#) – [ETTAKATTOL](#) – [REPUBLICAN PARTY](#) – [LEFT SOCIALIST PARTY](#) – [GREEN TUNISIA](#) – [LABOR PARTY](#) – [PROGRESSIVE DEMOCRATIC PARTY](#) – [AFEK TOUNES](#) – [PARTY OF DIGNITY](#) – [AL BAATH](#) – [TUNISIAN WORKERS COMMUNIST PARTY](#) – [LIBERAL MAGHREB PARTY](#) – [CONGRESS FOR THE REPUBLIC](#)

1. Will you support legislation to decriminalize defamation in Tunisian law?		2. Will you support legislation to eliminate prison terms in the penal and press codes as a punishment for all nonviolent speech “offenses”?	
Ettajdid	Yes	Ettajdid	Yes
Ettakattol	Yes	Ettakattol	Yes
Republican Party	Yes	Republican Party	Yes
Left Socialist Party	Yes	Left Socialist Party	Yes
Green Tunisia	Yes	Green Tunisia	Yes
Labor Party	Yes	Labor Party	Yes
Progressive Democratic Party	We will protect freedom of expression and press while protecting the privacy of individuals.	Progressive Democratic Party	We will eliminate prison terms except when it involves insults directed at individuals.
Afek Tounes	Non-public defamation should be decriminalized. Public defamation should be regulated by civil law. By contrast, racist defamation should be considered a crime and thus subject to imprisonment and/or fines.	Afek Tounes	Yes
Party of Dignity	We should give a restrictive interpretation to defamation in order to avoid sweeping applications. Freedom of expression is not absolute and should be subject to the limitations imposed by international law.	Party of Dignity	Yes
Al Baath	We are in principle in favor of freedom of expression but we believe that it should be subject to limitations when it violates the rights of others. We are thus in favor of criminalizing defamation but with strong guarantees such as an independent judiciary.	Al Baath	Yes
Tunisian Workers Communist Party	We believe the legal arsenal that was used in order to limit freedom of expression should be eliminated and even defamation should be subject to civil rather than penal sanctions.	Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	There should be a strict definition of defamation. We believe that racial and religious insults should be sanctioned, but not under criminal law.	Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.	Congress for the Republic	Yes, without reservations.

3. Will you support legislation to eliminate the offense of defaming public institutions?	
Ettajdid	Yes
Ettakattol	Yes
Republican Party	Yes, with some reservations for some sensitive institutions such as the armed forces and security.
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes, they should be replaced by civil law reparations.
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.

4. Will you support adding provisions to the law that recognize the need to tolerate criticism of public officials?	
Ettajdid	There should not be any special protection for public officials, but they should be subject to the same general protection.
Ettakattol	Public officials to be treated like all other citizens.
Republican Party	Yes
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	There shouldn't be a differentiation between the treatment of the public servants and other citizens.
Party of Dignity	All citizens are equal before the law.
Al Baath	All citizens are equal before the law.
Tunisian Workers Communist Party	All citizens should be equal before the law.
Liberal Maghreb Party	All citizens should be equal before the law.
Congress for the Republic	Yes, without reservations.

5. Will you support revising the law on associations to ensure the basic principle that organizations will be legally recognized when they make a good faith effort to notify the authorities of their existence, unless the authorities prove that an association meets strictly limited and narrowly tailored grounds for refusing recognition (such as direct implication in violence)?

Ettajdid	Yes
Ettakattol	Yes
Republican Party	Yes, we are in favor of relaxing conditions for the creation of associations while maintaining the obligation to inform the authorities immediately.
Left Socialist Party	Yes. However associations that call for violence and racial or religious discrimination should be banned.
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes, and without conditions.
Liberal Maghreb Party	Yes, the creation of associations should be subject to notification.
Congress for the Republic	Yes, without reservations.

6. Will you support decriminalizing mere membership in “unrecognized” associations, currently punishable by prison terms under article 30 of the Law on Associations?

Ettajdid	Yes
Ettakattol	Yes
Republican Party	No
Left Socialist Party	Yes, unless there is proof of direct or indirect involvement in violation of the law.
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.

7. Will you support eliminating the provision in Article 1 of the Law on Associations that deprives certain types of associations of the freedom to decide who may join?

Ettajdid	Yes
Ettakattol	Yes
Republican Party	Yes
Left Socialist Party	No
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.

8. Do you support changing Tunisia's law on personal status? If so, what types of changes do you support?

Ettajdid	We support total equality between men and women. We believe that equality should be a supra-constitutional principle that cannot be modified (a set of principles that benefits from a special protection in the constitution).
Ettakattol	This issue should be the outcome of a political and social dialogue. It would be more efficient at this stage to foster equality between men and women in inheritance not by removing the discriminatory provisions in the Personal Status Code as they are a matter of contention between parties and in the society but by offering fiscal and tax advantages for those who choose equality for their children in inheritance.
Republican Party	We favor more rights for women in marriage, residence and the right to give their nationality to their children.
Left Socialist Party	Yes, we will support legislation eliminating all forms of discrimination against women in accordance with international conventions such as CEDAW.
Green Tunisia	Yes
Labor Party	Yes, especially the question of child custody.
Progressive Democratic Party	Yes, for more equality.
Afek Tounes	We will support all changes implied by lifting of the reservations on CEDAW within the limits warranted by the evolution of the society.
Party of Dignity	Yes, we are in favor of equality between men and women.
Al Baath	-----
Tunisian Workers Communist Party	We are in favor of equality, and we voted in favor of parity in the electoral lists of the Constituent Assembly.
Liberal Maghreb Party	We will support more equality in economic and social rights.
Congress for the Republic	We support total equality between men and women. We believe that equality should be a supra-constitutional principle that cannot be modified (a set of principles that benefits from a special protection in the constitution).

9. Will you support modifying provisions of the personal status law to provide men and women equal inheritance rights?	
Ettaajdid	Yes
Ettakattol	Yes
Republican Party	We have reservations given the religious prescriptions and the overall system where men are still under the obligation to provide alimony.
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	We propose a revision of the overall system for more equality.
Afek Tounes	We favor equality in inheritance. However it seems the Tunisian society is predominantly resistant to it. That's why we think we shouldn't force the change of the law but foster first a change of mentalities. In the meantime, there are mechanisms in the law that allow a better balance in inheritance.
Party of Dignity	No, we will not support equality in inheritance. Our party has religious underpinnings and we believe this issue is not subject to change.
Al Baath	Theoretically speaking we are favor equality. However as a party we won't give the issue of equality in inheritance priority as the Tunisian society is still reluctant to accept it.
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	No, because there is a clear prescriptive Quranic source.
Congress for the Republic	It is a contentious question that will need decisions from the party's general congress.

10. Do you favor laws that guarantee to Muslim women the same rights to choose a spouse that Muslim men have?	
Ettaajdid	Yes
Ettakattol	Yes
Republican Party	No
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	We are against the limitations on the freedom of the woman to choose her husband.
Al Baath	We believe this is a personal matter. However as a party we will deal with this issue with caution as there is not yet the maturity within Tunisian society to accept it.
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	This issue is strictly personal and the state should not interfere.
Congress for the Republic	Yes

11. Do you favor removing these formal reservations that Tunisia registered to its ratification of Convention for the Elimination of All Forms of Discrimination against Women? Will you oppose removing any or all of these reservations, and if so, which ones and why?	
Ettajdid	Yes, including the general declaration.
Ettakattol	Yes
Republican Party	Yes, but we have reservations on inheritance law and the right for women to give their nationality to their husbands.
Left Socialist Party	Yes, we favor removing all reservations.
Green Tunisia	Yes, and we favor right of women to marry a non-Muslim... and to give nationality to her children.
Labor Party	Yes
Progressive Democratic Party	Yes, for the removal of some reservations.
Afek Tounes	Yes, but with different temporal effects.
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	Yes, but we favor maintaining the general declaration.
Congress for the Republic	It is a contentious question that will need decisions from the party's general congress.

12. Will you support removing all religious qualifications for the president and for elected public officials?	
Ettajdid	There are more pressing issues that we will focus on.
Ettakattol
Republican Party	This issue is not relevant in a country where the overwhelming majority is Muslim.
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	This issue requires a long-term social change.
Progressive Democratic Party	Yes, because there is no authority in Tunisia delivering religious certificates.
Afek Tounes	Absolutely. In accordance with International Covenant on Civil and Political rights and the African Charter of Human Rights, all religious qualifications for the president and other civil servants should be removed.
Party of Dignity	Citizenship should be the criteria. There is a contradiction between the right for all Tunisians to exercise their political rights and the limitations imposed by article 40.
Al Baath	In theory we are against such limitations. However we respect the feelings of Tunisians and we don't want to undertake shocking measures that might lead to opposite results
Tunisian Workers Communist Party	Citizenship should be the criteria.
Liberal Maghreb Party	We are in favor of keeping the condition since the religion of the state is Islam.
Congress for the Republic	It is a contentious question that will need decisions from the party's general congress.

13. Will you support a shift in government policy toward recognizing the right to proselytize, and ensure that the right is granted equally to Muslims and non-Muslims? Would you place any limitations on this right?

Ettajdid	We are in favor of religious freedom and we will support the idea of giving further protection to this right in the constitution. However, proselytism might be a problem because it may hide other hidden agendas.
Ettakattol	Yes. We will support the right to proselytize equally to everyone and will not place limitations.
Republican Party	No
Left Socialist Party	No
Green Tunisia	Yes
Labor Party	This issue requires a long-term social change.
Progressive Democratic Party	Yes, with conditions.
Afek Tounes	We think the state shouldn't interfere in this issue.
Party of Dignity	This right should be guaranteed to Muslims and non-Muslims alike but regulated by law.
Al Baath	Arabic countries are multi-confessional therefore there is not, in principle, a problem with proselytism. However, it should be subject to legal regulation in order to avoid manipulation.
Tunisian Workers Communist Party	Yes with the condition that it is not imposed.
Liberal Maghreb Party	No
Congress for the Republic	It is a contentious question that will need decisions from the party's general congress.

14. Do you believe that adult women have the right to wear a headscarf (hijab) in all public locations, including administration buildings and workplaces? Do you believe that the same right applies to wearing a niqab (a veil covering the face except for the eyes)?

Will you seek to propose legislation or regulations that would require women either to wear – or to refrain from wearing – a headscarf or a niqab in the following contexts: In public outdoor spaces (e.g., on the streets, in parks, on public transportation)? In public buildings? When employed in the public administration? When attending public universities as students? When working as teachers in public schools?

Ettajdid	As a general principle we are in favor of the freedom of choice for clothing. However the niqab poses problem of public security and the regulation of public space. We wouldn't impose restrictions on the wearing of the headscarf. However, we are in favor of the prohibition of niqab as it creates problems of public security.
Ettakattol	As a general principle we are in favor of the freedom of choice for clothing. We would not impose restrictions on wearing the headscarf. The issue of niqab has not been debated within the party as it is a very marginal phenomenon.
Republican Party	The right to wear hijab is guaranteed while the niqab poses problems in terms of identification of the person. We favor the right to wear hijab but we will try to regulate the wearing of niqab and prohibit it in public schools, hospitals and other places where it poses problems for public security.
Left Socialist Party	For the right to wear hijab but against the right to wear the niqab in public space, administrations and places of work for legal reasons related to the proof of identity and security. We will seek to adopt legislation preventing women from wearing niqab in all these spaces.
Green Tunisia	Yes for the hijab, no for the niqab. No.
Labor Party	It is a question of personal freedom but one that can be in contradiction with the requirement of work.
Progressive Democratic Party	Yes for hijab, but the niqab should be regulated. There is confusion in the question between niqab and khimar (other type of head covering).
Afek Tounes	We don't oppose the hijab or the safsari (traditional Tunisian veil) but we oppose the niqab because it is at odds with our social values based on facial recognition. We will encourage banning the niqab in all public spaces.
Party of Dignity	We believe this is part of private freedoms and we won't oppose it.
Al Baath	We believe this is a private right. We won't impose limitations on the wearing of niqab in public space but we will seek to regulate it in public institutions.
Tunisian Workers Communist Party	The principle is one of personal freedom, with the condition that the decision on what to wear is not imposed by other persons.
Liberal Maghreb Party	We won't impose restrictions on the wearing of the hijab or niqab. However we will seek to regulate niqab when there is a need to check identity for reasons of public security.
Congress for the Republic	Yes

15. Will you support the abrogation of the penal code's article 230 criminalizing and providing prison terms for consensual sodomy, and the implementation of laws forbidding discrimination based on sexual orientation and gender identity?

Ettajdid	We believe that there should be a national debate on this issue, which is still considered a taboo.
Ettakattol	This issue was not debated in the party.
Republican Party	No
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	No, this issue requires a long-term social change and there is scientific debate about it.
Progressive Democratic Party	It is necessary to review this law.
Afek Tounes	Article 230 of the penal code should be abrogated. However, this is not a priority for the party.
Party of Dignity	We are in favor of maintaining this law.
Al Baath	In principle, it should be abrogated. However, as a party we won't propose it.
Tunisian Workers Communist Party	As a principle we believe in personal freedom but as a party we didn't discuss this issue and we will not prioritize it in our action.
Liberal Maghreb Party	No. We are in favor of keeping article 230 of the penal code.
Congress for the Republic	It is a contentious question that will need decisions from the party's general congress

16. Will you support amending the Code of Penal Procedure to give suspects immediate access to legal counsel upon being placed in garde à vue detention?

Ettajdid	We believe that there must be a full application of the international norms of human rights, including all the guarantees for the rights of the defense.
Ettakattol	We will call for the application of the international norms of human rights, including all the guarantees for the rights of the defense.
Republican Party	Yes
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.

17. Do you favor amending the law to oblige authorities to grant a request made by a detainee, his family, or his lawyer for a medical exam, and to require that the medical examiner have an independent status?	
Ettajdid	We believe that there must be full application of international norms of human rights, including all the guarantees for the rights of the defense.
Ettakattol	We will support the application of the international norms of human rights, including all the guarantees for the rights of the defense.
Republican Party	Yes
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.

18. Will you support amendments to the Law on the Magistrature to remove the control that the executive branch and its appointees effectively exercise in the High Council of the Magistrates over decisions on promoting and assigning judges?	
Ettajdid	We will support the application of the international norms on the independence of the judiciary.
Ettakattol	We will support the application of the international norms on the independence of the judiciary.
Republican Party	Yes
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes
Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.

19. Will you support either eliminating the anti-terrorism law or revising it in ways that bring it in line with international standards, as indicated above?

Ettajdid	We will support eliminating the anti-terrorism law and any permanent law on terrorism. Instead there should be occasional measures temporarily limited to face specific situations of threats.
Ettakattol	We will support eliminating the anti-terrorism law.
Republican Party	Yes
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes, we will abrogate it.
Afek Tounes	Yes, we will support its abrogation.
Party of Dignity	We will support its abrogation.
Al Baath	We will support its abrogation.
Tunisian Workers Communist Party	We will support its abrogation.
Liberal Maghreb Party	Yes, we will support modifying it in accordance with international law.
Congress for the Republic	Yes, without reservations.

20. Do you support a right to reparation for all victims of serious human rights abuses, and their survivors, including investigations, prosecutions of those responsible for international crimes, and financial compensation where appropriate?

Ettajdid	We will support accountability for past crimes and will ensure the right to reparation for the victims.
Ettakattol	We will support accountability for past crimes and will ensure the right to reparation for the victims.
Republican Party	Yes
Left Socialist Party	Yes
Green Tunisia	Yes
Labor Party	Yes
Progressive Democratic Party	Yes
Afek Tounes	Yes
Party of Dignity	Yes
Al Baath	Yes
Tunisian Workers Communist Party	Yes, for accountability for the crimes committed since 1956.
Liberal Maghreb Party	Yes
Congress for the Republic	Yes, without reservations.