



U.S. DEPARTMENT of STATE

Tunisia

International Religious Freedom Report 2006

Released by the Bureau of Democracy, Human Rights, and Labor

The constitution provides for freedom of religion and the freedom to practice the rites of one's religion unless they disturb the public order; however, the Government imposes some restrictions on this right. The constitution declares the country's determination to adhere to the teachings of Islam, stipulates that Islam is the official state religion, and that the president be Muslim. The Government does not permit the establishment of political parties on the basis of religion and prohibits proselytizing by non-Muslims. It restricts the wearing of Islamic headscarves (hijab) in government offices and it discourages women from wearing the hijab on public streets and at certain public gatherings.

There was no overall change in the status of respect for religious freedom during the reporting period, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religious groups in society contributed to religious freedom.

The U.S. government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 63,170 square miles, and a population of ten million. Approximately 99 percent of the population was Muslim. There was no reliable data on the number of practicing Muslims. There was a small indigenous "Maraboutic" Muslim community that belongs to spiritual brotherhoods known as "turuq;" however, there were no statistics regarding its size. Reliable sources reported that many members of these brotherhoods left the country shortly after independence when the Government appropriated their religious buildings and land (and those of Islamic foundations). During annual Ramadan festivals, members of these brotherhoods provided public cultural entertainment by performing religious dances. There were also approximately 150 members of the Baha'i Faith.

The Christian community, composed of foreign residents and a small group of native-born citizens of European or Arab descent, numbered approximately twenty-five thousand and was dispersed throughout the country. According to church leaders, the practicing Christian population was approximately two thousand and included a few hundred native-born citizens who have converted to Christianity. The Roman Catholic Church operated twelve churches, nine schools, several libraries, and two clinics. There were approximately 500 practicing Catholics. In addition to holding religious services, the Catholic Church also freely organized cultural activities and performed charitable work throughout the country. In 2005 the Government permitted the reopening of a Catholic church in Djerba following requests from European nations with substantial tourist travel to the country. The Russian Orthodox Church had approximately one hundred practicing members and operated a church in Tunis and another in Bizerte. The French Reform Church maintained a church in Tunis, with a congregation of approximately 140 primarily foreign members. The Anglican Church had a church in Tunis with several hundred predominantly foreign members. There was a small Seventh-day Adventist community with approximately fifty members. The thirty-member Greek Orthodox Church maintained three churches (in Tunis, Sousse, and Djerba). On an occasional basis, Catholic and Protestant religious services were also held in several other locations, such as private residences. There were also approximately fifty Jehovah's Witnesses, of whom approximately half were foreign residents and half are native-born citizens. The Government allowed a small number of foreign religious charitable nongovernmental organizations (NGOs) to operate and provide social services.

Judaism was the country's third largest religion with approximately 1,500 members. One-third lived in and around the capital and is descended predominantly from Italian and Spanish immigrants. The remainder lived on the island of Djerba where the Jewish community dates back 2,500 years.

Foreign Christian missionary organizations and groups were present in the country; however, they were not permitted to proselytize.

Section II. Status of Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion and the freedom to practice the rites of one's religion unless they disturb the public order; however, the Government imposes some restrictions on this right. The constitution declares the country's determination to adhere to the teachings of Islam, stipulates that Islam is the official state religion, and that the president be Muslim. The Government does not permit the establishment of political parties on the basis of religion and prohibits proselytizing by non-Muslims. It restricts the wearing of the hijab in government offices and it discourages women from wearing it on public streets and at certain public gatherings.

No statutory prohibitions against conversion from Islam to another faith exist, and the Government does not require registration of conversion; however, government officials occasionally discriminate against converts from Islam to another religion, using bureaucratic means to discourage conversion.

The Government controls and subsidizes mosques and pays the salaries of imams (clerics). The president appoints the Grand Mufti of the Republic. The 1988 Law on Mosques provides that only personnel appointed by the Government may lead activities in mosques and stipulates that mosques must remain closed except during prayer times and authorized religious ceremonies, such as marriages or funerals. However, several historically significant mosques are partially open to tourists and other visitors for a few hours per day, several days a week. New mosques may be built in accordance with national urban planning regulations; however, upon completion, they become the property of the Government. The Government also partially subsidizes the Jewish community.

The following Islamic holidays are considered national holidays: Eid el-Kebir, the Islamic New Year, the birth of the Prophet Muhammad, and Eid Es-Sighir.

The Government recognizes all Christian and Jewish religious organizations that were established before independence in 1956. Although the Government permits Christian churches to operate freely, it has recognized formally only the Catholic Church, via a 1964 concordat with the Holy See. In addition to authorizing fourteen churches "serving all sects" of the country, the Government recognizes land grants signed by the Bey of Tunis in the eighteenth and nineteenth centuries that allow other churches to operate. By the end of the reporting period the Government had not acted on a request for registration of a Jewish religious organization in Djerba; however, the group continued to operate and perform religious activities and charitable work unobstructed.

The Government allows the Jewish community freedom of worship and pays the salary of the Grand Rabbi. It also provides security for all synagogues and partially subsidizes restoration and maintenance costs for some. In 1999 the president of the Provisional Committee of the Jewish community and his board of governors submitted registration papers to the Ministry of Interior for permanent registration as the Association of the Jewish Community of Tunisia. Although the Government has not registered the association by the end of the reporting period, the president and board of governors continued to meet weekly. During the reporting period, the Government permitted the association to operate and perform religious activities and charity work unhindered. According to the law, an NGO that has filed an application to register may operate freely while the Government processes its application. If the Government does not reject the application within ninety days, the NGO is automatically registered.

The Government permits the Jewish community to operate private religious schools and allows Jewish children on the island of Djerba to split their academic day between secular public schools and private religious schools. The Government also encourages Jewish emigres and other Jewish pilgrims to return for the annual Jewish pilgrimage to the historic El-Ghriba Synagogue on Djerba. There also was a small private Jewish school in Tunis.

The Government promoted interfaith understanding by sponsoring regular conferences and seminars on religious tolerance and facilitating and promoting the annual Jewish pilgrimage to the El-Ghriba Synagogue in Djerba, celebrated on the Jewish holiday of Lag B'Omar. In October 2005, the religious affairs minister gave a lecture at ruling Democratic Constitutional Rally party headquarters on "Tunisia's efforts in support for the dialogue between religions." In January 2006, the country hosted an international conference on "Human Civilizations and Cultures: from Dialogue to Alliance," organized by the Arab League Educational, Cultural, and Scientific Organization, which included discussions on religious tolerance. In April 2006, the Ministry of Religious Affairs introduced a university program on intercivilizational dialogue between all major world religious groups.

In September 2005, the minister of foreign affairs participated in a conference promoting Islamic-Jewish dialogue with the World Jewish Congress and the European Jewish Congress. In February, the European Jewish Congress voted to make the country a member of its organization. The European Jewish Congress is affiliated with the World Jewish Congress and is made up of leaders of forty-one European and North African communities.

In 2005, the Government announced it would help clean up the rundown Jewish cemetery of Tunis, a former Hebraic school would be restored and made into an arts training center for the handicapped, and that travel restrictions on Israelis would be eliminated. In the past, passport restrictions, as well as concerns about possible retribution, discouraged Israelis from visiting, despite the fact that the Government has encouraged foreign Jewish visitors to participate in the Ghriba pilgrimage. The number of Jewish pilgrims to Ghriba in May represented a dramatic increase over previous years; in 2006 estimates ranged between three thousand and four thousand. According to local Jewish leaders, approximately 500 of these pilgrims were Israeli citizens traveling under the recently relaxed travel policies.

Restrictions on Religious Freedom

The Government regards the Baha'i Faith as a heretical sect of Islam and permits its adherents to practice their faith only in private. The Government permits Baha'is to hold meetings of their national council in private homes, and three Local Spiritual Assemblies, the local governing body, have been elected since 2004. Baha'is presence in the country dates back a century and their number was estimated at 200.

The Government does not permit the establishment of political parties on the basis of religion, and it refused to register the Islamist party An-Nahdha. In the past, it prosecuted suspected party members on these grounds. The Government maintained tight surveillance over Islamists. The Government refused to issue passports to a number of alleged Islamists. The Government maintained that only the courts possess the power to revoke passports; however, reports indicated that it rarely observed this separation of powers in politically sensitive cases.

Notwithstanding the reopening of the church in Djerba mentioned above, the Government did not permit other Christian groups to establish new churches, and proselytizing by non-Muslims was viewed as disturbing the public order, and thus illegal. Foreign Christian missionary organizations and groups were present, but were not permitted to proselytize. Whereas authorities previously deported non-Muslim foreigners suspected of proselytizing and did not permit them to return, more recent reports indicated that the Government preferred to deny suspected missionaries visa renewal or to pressure their employers not to extend their contracts. However, during the reporting period there were no reported cases of official action against persons suspected of proselytizing.

While there are no legal restrictions against conversion from Islam to other religions, some local officials occasionally harassed converts to discourage conversion. There were reports of Christian citizens being detained by police and government security officials and questioned about their conversion to Christianity. There was one report that a Christian citizen was told by a local security official that it was illegal to be a Christian, and threatened with imprisonment. There were reports that on occasion when seeking renewal of passports, the process was inexplicably delayed for some Christians, although passports were subsequently issued.

Both religious and secular NGOs are governed by the same legal and administrative regulations that impose some restrictions on freedom of assembly. For example, all NGOs are required to notify the Government of meetings to be held in public spaces at least three days in advance and to submit lists of all meeting participants to the Ministry of Interior.

Religious groups are subjected to the same restrictions on freedom of speech and the press as secular groups. In January, the president signed a law lifting "dépôt légal," which had been a requirement that the Government approve all locally-produced printed material prior to publication or distribution. For publications printed abroad, distributors must deposit copies with the chief prosecutor and other ministries prior to their public release. Although Christian groups reported that they were able to distribute previously approved religious publications in European languages without difficulty, they said the Government generally did not grant permission to publish and distribute Arabic-language Christian texts. Moreover, the Government allowed only established churches to distribute religious publications to parishioners. It considered other groups' distribution of religious documents to be a "threat to public order," and thus illegal.

The Government restricts the wearing of the hijab in government offices, and there were reports of police requiring women to remove their hijabs in offices, on the street, at universities, and at some public gatherings; however, it was nonetheless common to see women wearing the hijab in a variety of public settings. The Government characterized the hijab as a "garment of foreign origin having a partisan connotation" and restricted its use in public institutions to "observe impartiality required of officials in their professional relations with others." There also were frequent reports that police sometimes harassed or detained men with beards whom the Government suspected because of their "Islamic" appearance.

According to human rights lawyers, the Government regularly questioned some Muslims who were observed praying frequently in mosques. The authorities instructed imams to espouse government social and economic programs during prayer times in mosques. In December, 2005 the religious affairs minister told members of the Chamber of Advisors that mosques were open only for prayers and that those who used mosques to "spread ideologies" would be prosecuted.

Islamic religious education is mandatory in public schools, but the religious curriculum for secondary school students also includes the history of Judaism and Christianity. The Zeitouna Qur'anic School is part of the Government's national university system, which is otherwise secular.

Customary law based on Shari'a forbids Muslim women from marrying outside their religion although marriages of Muslim women to non-Muslim men performed abroad are generally recognized by the Government. However, on occasion the Government did not recognize such marriages as legal, forcing the couple to seek a court ruling. While judges generally ruled that marriages performed abroad were legal, on rare occasions judges declared them void in the country. The Government does not permit the marriage of Muslim women to non-Muslim men inside the country; however, if a man converts to Islam, he may marry a Muslim woman. Muslim men and non-Muslim women who are married cannot inherit from each other, and children from those marriages, all of whom the Government considers to be Muslim, cannot inherit from their mothers.

Civil law is codified; however, judges were known to override codified family or inheritance laws if their interpretation of Shari'a contradicted it. For example, codified laws provided women with custody over their minor children; however, when a case was contested by the father, judges generally refused to grant women permission to leave the country with their children, holding that Shari'a appoints the father as the head of the family, and he must grant permission for the children to travel.

Generally, Shari'a-based interpretation of civil law was applied only in some family cases. Some families avoid the strictures of Shari'a on inheritance by executing sales contracts between parents and children to ensure that sons and daughters receive equal shares of property.

The Government assisted in cleaning up the rundown Jewish cemetery in Tunis; government employees were responsible for lawn upkeep of the cemetery, although the Jewish community had responsibility for the restoration of tombs and monuments and large structural rehabilitation.

Abuses of Religious Freedom

In 2006, credible sources estimated that approximately 200 persons were serving prison sentences because of their suspected membership in the illegal Islamist political party An-Nahdha or for their alleged Islamist sympathies; however, there were no reports of cases in which the Government arrested or detained persons based solely on their religious beliefs.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Anti-Semitism

Privately owned newspapers on occasion published cartoons and articles critical of Israel. Some cartoons used derogatory caricatures of Jews to portray the state of Israel and Israeli interests. These cartoons were all drawn by cartoonists outside of the country and reprinted locally.

According to press reports and eyewitnesses, approximately one hundred students shouted anti-Israel and anti-Semitic slogans during a demonstration in March 2006 at Manouba University near Tunis at a ceremony marking the donation of books from the library of the late Jewish Tunisian historian Paul Sebag. After the incident, the Manouba Student Union, mainstream citizen journalists, and the Tunisian Human Rights League strongly denounced the demonstration's anti-Jewish character.

Section III. Societal Abuses and Discrimination

The generally amicable relationship among religious groups in society contributed to religious freedom.

The public university system established a department of comparative religion designed to promote broader understanding of diverse religions.

Although legal, there was great societal pressure against Muslim conversion to other religions. Muslims who converted faced social ostracism. There was one report of expulsion of a convert from home and beating by family members.

Despite a history of social pressure by middle and upper class secularists to discourage women from wearing the hijab, anecdotal evidence suggested that, for a variety of social and religious reasons, the number of young middle class urban women choosing to wear the hijab continued to rise during the reporting period.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

The U.S. Embassy maintains good relations with leaders of majority and minority religious groups throughout the country, and the ambassador and other eEmbassy officials met regularly with government officials and Muslim, Christian, and Jewish religious leaders throughout the reporting period. The embassy fostered regular exchanges that included components designed to highlight U.S. traditions of religious tolerance and pluralism and disseminated the publication "Muslim Life in America."

Released on September 15, 2006

[International Religious Freedom Report Home Page](#)