TUNISIA

Tunisia is the second-best-performing country in the Index for criminality, ranking 53rd overall, and with the lowest overall criminality score in North Africa.

Unlike the majority of African countries, Tunisia’s criminal markets score is higher than its criminal actors score. The country’s score for human smuggling is above the continental average, but the majority of criminal markets are far less pervasive in Tunisia than elsewhere in Africa.

Human smuggling is prominent, with the country acting both as an origin and transit country for migrants being smuggled across the Mediterranean to Europe. However, levels of violence and exploitation surrounding human smuggling in Tunisia are far lower than in numerous countries in Africa. State-embedded actors exert the greatest degree of influence on organised crime in Tunisia, scoring 5. Other criminal actor typologies have little to no influence.

Tunisia is fairly resilient to organised crime, ranking 12th overall for resilience, second only to Morocco in North Africa. Government leadership in addressing organised crime and relatively high levels of transparency and accountability, in addition to a robust legislative framework and a vocal and vibrant civil society, contribute to high levels of resilience. However, organised crime prevention measures are very weak. There is significant scope for improvement in enhancing the capacity of the judicial system and law enforcement agencies.
Criminal Markets

Tunisia’s overall criminality score is the second lowest in Africa, but its score for criminal markets is slightly higher, ranking 49th on the continent. Although no criminal markets exert a significant influence, a handful of markets have a moderate influence on the country’s society and state structures.

The criminal markets most pervasive in Tunisia are human smuggling and the cannabis trade, both scoring 5.

Tunisia is an origin and transit country for migrants being smuggled to Europe. Human smuggling has been rising in Tunisia because of the spillover from conflict in neighbouring Libya. In 2018, more Tunisians arrived in Italy by sea than any other nationality. The Kerkennah Islands and other areas on the coast – for example El Haouaria and Mahdia – harbour local smuggler networks. Nevertheless, Tunisia is not characterised by the same levels of mass movement, violence, exploitation and death as Libya.
Criminal Actors

Although the majority of African nations score higher for criminal actors than for criminal markets, the opposite is true of Tunisia. Its score of 3.13 ranks it 53rd on the continent for criminal actors. The highest-scoring criminal actor type in Tunisia is state-embedded actors, scoring 5, which is nevertheless below the continental average.

Since revelations emerged after the 2011 revolution of high-level corruption in Tunisia, a shift appears to have taken place, with corruption now more perceptible at lower levels of the state apparatus. There is evidence of low- and mid-level corruption, particularly among customs and police services, to protect trafficking networks or facilitate border crossings, for example.

Criminal networks, which score 3.5 in the Index, operate predominantly in border regions with Algeria and Libya. The borders with Algeria are characterised by mountains and forests, whereas those with Libya are mainly desert, both of which facilitate the networks’ operations.

Local people regularly travel across the borders and often depend on goods trafficking and contraband for revenue. For this reason, the networks involved are not always considered in these regions as criminal networks and are often referred to as ‘entrepreneurs’.

Human trafficking networks are composed of speculative samsars who act as intermediaries between families of underage girls from the north-west and families from rich cities looking for domestic helpers.
Tunisia is ranked 12th in Africa, and 2nd in North Africa, for resilience to organised crime. The country receives notably high scores on various indicators, such as political leadership and governance and non-state actors, both of which score 7.

The government has launched a national campaign against corruption and contraband networks. Political parties often include fighting organised crime in their manifestos, albeit inconsistently and often out of political expediency.

Freedom of the press is protected by a law adopted in 2011 and an independent commission supervises the media. Civil society is vocal and active in many sectors, including in reform of the security and justice sector.

Tunisia has robust anti-organised-crime legislation, with strict laws to tackle human trafficking and drug trafficking. An independent anti-human trafficking commission has been established. The country’s laws are generally characterised by strict measures criminalising the consumption and trafficking of cannabis, although a reform in 2017 introduced alternatives to mandatory sentencing. Overall, Tunisia scores 6.5 on the national policies and laws indicator of resilience.

A major outlier with regards to the country’s resilience scores is prevention, which scores 2 in the Index. There are no tangible organised crime prevention strategies in place in Tunisia. The few established prevention measures aim to counter radicalisation and terrorism – and most of these were developed by civil society organisations, not the government.

There is significant scope for improvement with regards to Tunisia’s judicial system and detention and law enforcement, both of which score 4.5. While the judicial system is generally considered independent, it is overwhelmed by the number of cases and lacks human and material resources. The judiciary must rely almost systematically on police reports only, often failing to undertake the necessary additional judicial investigations before beginning criminal proceedings. This is believed to open the door to police abuses and corruption. Also, the prison system in Tunisia is a breeding ground for organised crime, and criminal control of networks on the outside from within prison is common.

With regards to the law enforcement agencies in the country, competition between the National Guard and National Police hinders the proper management of investigations. The capacity of both agencies to tackle organised crime has greatly increased, thanks mostly to international assistance. But a heavy focus on counter-terrorism capacities has left gaps in response capacities to transnational organised crime.

Equipment and training are still required to counter drug trafficking, for example, and the use of modern techniques such as profiling or special investigative techniques is long overdue. There is a visible lack of knowledge and expertise in the specificities of transnational organised crime and other capacities of law enforcement officers. Appropriate practitioners are needed in the fields of investigation and assistance to trafficking victims in general.