ABUSE, CORRUPTION,
AND ACCOUNTABILITY

Time to Reassess EU & U.S. Migration Cooperation with Tunisia

NOVEMBER 2023
About Refugees International

Refugees International advocates for lifesaving assistance and protection for displaced people and promotes solutions to displacement crises around the world. We do not accept any government or UN funding, ensuring the independence and credibility of our work.

Featured Image: A woman whose daughter and granddaughter were on board the missing migrant boat of September 21, 2022 cries during a protest in Zarzis, January 2023. The sign behind her reads: "Don't worry son, your rights will never be lost." Photo by Refugees International.
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Executive Summary

Tunisia is now the principal departure point by sea for migrants and refugees seeking to transit to Europe and is struggling badly to manage the arrival and presence of a substantial population of displaced people from across Sub-Saharan Africa. Under pressure from Europe to curtail irregular migration in the Mediterranean, and amidst domestic political and economic turmoil, the government of President Kais Saied is resorting to demagoguery and abuse in its ad hoc attempts to manage the challenge. Tunisian security forces, including some that cooperate directly with EU countries and the United States, have committed grave and systematic abuses against refugees, asylum seekers, and other migrants. A Refugees International investigation has corroborated and deepened documentation of these grave abuses and has simultaneously uncovered indications of routine corruption and collusion between smuggling networks and elements of the Tunisian security forces, who are monetizing many parts of the smuggling operations while brutalizing migrants.

As Europe and the United States consider additional measures around migration and security cooperation with Tunisia, they must ensure that any deals require investigation of past grave abuses; oversight and accountability measures to guarantee such abuses do not continue; measures to systematize and professionalize migration policy within the Tunisian government; and a dramatic scale-up in emergency support services for displaced people who come to Tunisia. Without firm guardrails along these lines, any new migration management arrangements with Tunisia will risk spurring renewed abuses while failing to dent irregular migration.

Additionally, Europe must reassess the basic feasibility of attempting to deter widespread displacement from the wider region simply by bottling it up along the Tunisian coastline. Even the grave human rights violations the Tunisian security forces committed have done little to deter migration through Tunisia. Refugees International’s research strongly indicates that the structural factors driving this human mobility (geography, policy, security, and worsening conditions in many Sub-Saharan African countries) are fundamentally fixed and unlikely to be altered by a deterrence-based migration policy. A deterrence-centered policy is likely to fail, while driving immense human suffering.
Background

Once the brightest hope of the 2011 Arab Uprisings, Tunisia’s economy, democracy, and institutions have suffered a series of major setbacks over the course of the last few years. During this time, Tunisia has also become a main country of transit for migrants, refugees, and asylum seekers trying to reach Europe. Tunisians are joining these migrants from elsewhere in Africa and Asia to make the dangerous and often fatal sea journey across the Mediterranean. This year alone, 2,166 migrants and asylum seekers have died crossing the Central Mediterranean.

Effectively and humanely managing an increased number of people on the move is challenging for any state, especially one like Tunisia that continues to suffer from underdevelopment, poor governance, and sustained regional insecurity. But instead of responding to an increase in mixed migration with a coherent strategy that could meet Tunisia’s domestic and international legal commitments, President Kais Saied’s government and the Tunisian Security Forces (in particular the Police, National Guard, Coast Guard, and Army) have responded with incoherent policies and abusive practices. Earlier this year, President Saied himself espoused xenophobic and conspiratorial views, accusing “hordes of irregular migrants” of criminality and violence and calling for an end to migration to and through Tunisia. The result has been a human rights and humanitarian catastrophe for migrants, refugees, and asylum seekers in need of protection, as well as high numbers of migrants still managing to reach Europe.

In one particularly egregious pattern of abuse, in the summer of 2023, Tunisian officials responded to an increase in migration by illegally and indiscriminately expelling thousands of Black Africans to desert and border areas—including students with valid visas and asylum seekers holding UN Refugee Agency (UNHCR) documents. After reports of multiple deaths among the expelled migrants, the government suddenly reversed itself, but they only managed to retrieve a minority of those expelled and failed to provide sufficient aid and shelter to them. In a reflection of its overall policy incoherence on migration management, the Tunisian security forces carried out additional border expulsions in September 2023, while simultaneously bussing other migrants to known human smuggling locales in the apparent hope that they would take to the sea, an action that aided the booming human smuggling industry.

We now know that the level of abuse accompanying the expulsions was even greater than initially realized. According to documentation compiled by international organizations from September and October 2023, and obtained by Refugees International, 86 percent of Black Africans surveyed over the summer who had been illegally expelled experienced physical violence, with 85 percent reporting that they had suffered such violence at the hands of the security forces. Multiple testimonies from migrants in Lampedusa in October 2023 also detailed “harrowing stories of violence and in particular gender-based violence,” including “reported systematic gang rape women in the south of [Tunisia].”
Refugees International’s research has also found that migrant expulsions are continuing up to the present day, despite the international outcry following the summer expulsions. A senior diplomat Refugees International interviewed in Tunis in October 2023 stated that the Tunisian National Guard had told them clearly it was “not policy” to expel migrants to border areas. But our research uncovered evidence that these practices are continuing. We interviewed several migrants who were caught up in ongoing expulsions, including some as recently as October. They recounted similar stories of extreme abuse, including beatings, theft, and sexual assault.

Beyond confirming the involvement of the Tunisian Security Forces (TSF) in some of the serious abuses against migrants over the last few months, Refugees International’s research also found significant involvement of some elements of the TSF in the smuggling operations. The strong profits available from the smuggling industry, and weak state control in the south, have led to expanded collusion by the TSF as more migrants, refugees, and asylum seekers transit and leave Tunisia—and as the Tunisian economy declines. Moreover, the growth of the smuggling industry in collusion with elements of the TSF is only fueling the long-term degradation and fragmentation of the Tunisian state and leaving migrants subject to even more unpredictability and abuse.1

President Saied’s racist attacks on Black Africans helped spur more migration to Europe from Tunisia earlier this year. All indications are that he will continue to resort to such tactics as well as to more violent expulsions of migrants and to periodically facilitating embarkations via human smuggling (to “vent pressure”). At the same time, Tunisia’s proximity to Europe will not change, nor will its relative attractiveness to migrants compared to neighboring Algeria or Libya. Wars, poverty, and instability gripping several African states and pushing more people to migrate also are not likely to abate. Given these structural factors, as well as the Tunisian context of autocratic capriciousness and TSF corruption, European externalization policies and the continued support by donor states for President Saied and migration control by the TSF will very likely fail to sustainably decrease human smuggling, migration flows, or the growing human rights abuses which so many migrants face.

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1 As one 2019 IOM study found, “Migrants are most vulnerable to abuse and exploitation in situations and places where the authority of the State and society is unable to protect them, either through lack of capacity, applicable laws or simple neglect.”
Recommendations

To the Tunisian Government:

• Halt abuse of migrants by the TSF, particularly the practice of summarily detaining and expelling migrants, refugees, and asylum seekers to border areas.

• Reject racist and xenophobic rhetoric toward, and treatment of, migrants, refugees, and asylum seekers – as well as Black Tunisians; and fully implement the anti-racial discrimination law passed in 2018, including accountability efforts.

• Enact legislative and/or policy reforms providing for refugee status and access to asylum and ensuring essential rights and protections for migrants.

• Investigate and hold accountable TSF elements involved in the country’s expanding human smuggling industry and abuses of refugees and other migrants.

• Facilitate a major expansion of emergency aid services for migrants through the Tunisian Red Crescent (TRC) and Tunisian and international aid organizations.

To United Nations Agencies:

• Expand advocacy for, and monitoring of, the rights and protection of refugees and vulnerable migrants in Tunisia, in line with the UN Refugee Agency’s (UNHCR) “supervisory role in relation to states’ compliance with their international obligations towards refugees and asylum-seekers,” and the International Organization for Migration’s (IOM) strategic objective of “enhanc[ing] the humane and orderly management of migration and the effective respect for the human rights of migrants in accordance with international law.”

• In cooperation with the government of Tunisia and international donors, expand comprehensive emergency support services for refugees, asylum seekers, and other vulnerable migrants.

To Europe, the United States, and the United Nations:

• Pause migration-related security assistance to Tunisia until it initiates a credible investigation into, and accountability for, the TSF-human smuggling nexus, and the abuse of migrants, refugees, and asylum seekers. Assess prohibitions on support for specific officers and units credibly shown to be involved in or directing abuses and/
or human smuggling, including the role of the head of the National Guard, Hussein Gharbi.

- Ensure that future migration cooperation agreements with Tunisia are conditioned upon firm guardrails to protect refugees and migrants, including:
  - Enactment of policy or legislative reforms to enshrine refugee and migrant protections.
  - A scale-up of emergency services for refugees and migrants.
  - Concrete oversight and accountability mechanisms within the TSF, particularly the National Guard, to prevent future abuses.

- Expand safe, legal pathways for migration from Tunisia while also expanding sea rescues and allowing NGOs greater freedom to engage in their own rescue operations in the Mediterranean.

- Significantly increase funding for the Tunisian Red Crescent, as well as international NGOs and UN agencies, to provide expanded emergency services to migrants, including emergency food, sanitation, shelter, and medical services.
Methodology

Between August and October 2023, Refugees International staff and consultants interviewed 41 migrants (16 Tunisian and 25 non-Tunisian), six Tunisian smugglers, five Tunisian sailors, two laborers engaged in making metal boats used in smuggling, as well as nine currently serving security officials and one recently retired coast guard official. Refugees International also conducted ten interviews with international aid officials and diplomats in Tunisia and more than two dozen interviews with Tunisian NGO representatives, Tunisian civil society leaders and Tunisian and non-Tunisian academics and experts in the field of human smuggling, the illicit economy, and migration. Refugees International further reviewed documentation of migrant abuses compiled by other international partners and reached out multiple times to the Tunisian Ministry of Foreign Affairs and the Ministry of Interior to request interviews with government officials. We did not receive a response ahead of our report’s publication, nor did we receive a response to detailed questions about the findings raised in the report below. Due to the sensitive nature of our research, and the expanding crackdown by the Tunisian authorities on critics, this report does not disclose the names of Refugees International consultants or the people interviewed.

Human smuggling routes through Tunisia, December 2022. Source: Reprinted with permission from "Increased Fragility Fuels Migration Surge."
Political Context

The current migration challenge in Tunisia comes against a wider backdrop of economic and political erosion in the country. Over the last year, Tunisia’s national debt has risen to more than 80 percent of GDP, and the country must secure more than €7 billion in loans or credits to avoid bankruptcy (a point of leverage in Europe’s negotiations over migration cooperation). During the spring and summer of 2023, Tunisia also saw inflation increase to double-digits, the highest since 1984. Bread, sugar, and basic essentials (including water) are now both scarce and regularly rationed to customers. The Tunisian Dinar has sunk to record lows against the U.S. dollar and euro.

Political conditions remain bleak as well. President Saied has extended the power grab he initiated on July 25, 2021, when he unilaterally suspended the elected Parliament by firing and replacing several officials multiple times, dismantling institutions, and using the TSF to clamp down on political opposition and imprison prominent critics. He has systematically undermined the (somewhat weak) judicial independence that existed before his rule, closed the main anti-corruption agency, and cracked down on Tunisian NGOs and press freedom. Eleven months after the December 2022 elections – which saw one of the lowest voter turnouts in modern history – the country still does not have a fully active parliament (a third round of likely anemic voting will be needed for that), meaning, among other important functions, that the current parliament cannot fully exercise oversight when it comes to the security sector or keys ministries.

The security sector itself appears to be increasingly riven by fragmentation and internal conflicts. Already divided prior to President Saied,2 the security forces have further fragmented under his rule; one leading Tunisian political analyst observed to Refugees International in September 2023, that the powerful Ministry of Interior (MoI) which controls the Police, National Guard, and Coast Guard is experiencing additional centrifugal breakdown. “The general director of security has changed two times in the last two years, and there have been three MoI heads under [Saied during that time]. The fracturing within the security system has grown.”

Ad Hoc Migration Policies and Weak Emergency Aid Systems

This backdrop of economic and political turmoil has yielded an approach to migrants, refugees, and asylum seekers that is overwhelmingly ad hoc and incoherent. Tunisia has yet to pass and implement a draft law covering the right to seek asylum, as called for by the Tunisian Constitution and numerous treaties the country has signed like the

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2 As the International Crisis Group explained as early as 2015, “Rather than being united as a professional force that defends its interests, the security forces are riven by numerous divisions. In the words of one high-level official, the interior ministry resembles a ‘sick body.’”
Protesters in Zarzis in January 2023. The sign reads, “We are searching for the truth” regarding 18 Tunisian migrants missing at sea since September 21, 2022. Photo by Refugees International.
The government has also steadfastly refused to implement policies ensuring that migrants – many of whom provide cheap labor across the informal and formal economies – are not exploited and can access housing and residency.

The UN Refugee Agency (UNHCR) oversees registration and refugee status determination in Tunisia, and Tunisia hosts more than 12,000 registered refugees and asylum seekers (mainly from Sudan, Syria, South Sudan, Somalia). However, only a small handful of them have been resettled to third countries over the last few years and during that time only several hundred have benefitted each year from limited and temporary rent or cash assistance. As one international agency official in Tunis put it ruefully, recognition as a refugee or asylum seeker “[entails] few real protections in Tunisia, very limited financial support, and close to no chance of inclusion, [especially] if the person does not hold valid identity documents from the country of origin.”

Tunisia’s existing migrant-serving emergency/humanitarian aid infrastructure is also limited. At the same time, the Tunisian government has put significant pressure on international aid partners, who have been hesitant to advocate for the rights and welfare of vulnerable migrants more vocally. Together the International Organization for Migration (IOM) and UNHCR field fewer than a dozen small temporary housing facilities that can only handle a few hundred persons. Further, the government decision to set the Tunisian Red Crescent (TRC) as the main coordinating body for the humanitarian response – and to prohibit NGOs from offering emergency assistance – has not been followed by the development of a comprehensive emergency response strategy, leaving partners to adopt their own ad hoc or ostensibly illegal interventions rather than working on a comprehensive system to identify and respond to vulnerabilities from the onset. This is particularly problematic for the most vulnerable among the new arrivals, who, if not identified and assisted upon arrival, are likely to be exposed to further harm and exploitation. Despite the good intentions and heroic work of many TRC volunteers and staff, especially in the south, the TRC’s own resources and capacities are simply insufficient for handling a humanitarian emergency at scale, a point repeated by numerous international officials engaged with the TRC and interviewed by Refugees International, as well as one TRC official in the south and one recently retired TRC leader in Tunis.

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3 Tunisia is also a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the African Charter on Human and Peoples’ Rights, which prohibits collective expulsions, the Convention Against Torture, and the International Covenant on Civil and Political Rights, which prohibit forced returns or expulsions to countries where people could face torture, threats to their lives or freedom, or other serious harm. In 2018, Tunisia passed its own anti-racial discrimination law as well.

4 Although the U.S. government’s announcement of an additional $4.45 million in funding for IOM on October 3, 2023, will certainly help “facilitate the organization’s case management in Tunisia,” given the heavy limits that the Tunisian government has placed on UN agencies (as well as the absence of a strategic plan), it is unclear how or whether the additional U.S. funding will actually be deployed “to provide direct life-saving assistance, emergency shelter, and emergency health care to vulnerable migrants in Tunisia.”
Increased Migration and Human Smuggling through Tunisia

Tunisians have long engaged in “harka,” or migration (which may accelerate as the country’s politics and economy crumble). Increasingly, however, refugees, asylum seekers, and other migrants, many from Sub-Saharan Africa, are now transiting Tunisia on their way to Europe as well. This is attributable to several structural factors that are unlikely to change anytime soon: persistent poverty and insecurity across several Sub-Saharan African states that are pushing large numbers of people to migrate; the widespread perception that Tunisia is a safer exit point than neighboring Libya or Algeria; the inability of Tunisia to prevent its far more powerful neighbor Algeria from continuing to direct large numbers of migrants into the country; Tunisia’s position next to European islands; and racist and xenophobic attacks and policies led by Tunisian officials that have prompted many Black Africans within the country to leave.5

Migrants Refugees International interviewed also underscored that, contrary to some assumptions in European capitals, many or most are able to reach Tunisia without the involvement of smugglers. It is fairly straightforward for displaced people from Sub-Saharan Africa to organize their own overland transit to Tunisia using locally available transportation. Multiple Sierra Leonean migrants described how they had used informal taxi routes, and occasionally walked on foot, to transit overland through Guinea, Mali, and Algeria before crossing into Tunisia. Only upon arriving in Tunisia and exploring a Mediterranean crossing did they finally turn to smugglers.

This combination of factors has led 90,601 migrants to cross to Italy from Tunisia between January and September 2023, more than quadruple the number in 2022.6 Between mid-July 2023, when European Union representatives and President Saied agreed to a MOU that included funds for migration control (subsequently rejected by Saied in early October), and the beginning of September, crossings from Tunisia to Italy rose by almost 70 percent, with a record 7,000 migrants arriving in Lampedusa island in just one 48-hour period on September 12 and 13. “The numbers [of non-Tunisian migrants] actually began growing exponentially

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5 In an April 4, 2023 statement, the UN Committee on the Elimination of Racial Discrimination declared that, “Today under its early warning and urgent action procedure, the Committee said it was alarmed by the remarks made by Tunisia’s Head of State on February [21], alleging that ‘hordes of illegal migrants’ arriving from African countries south of the Sahara were part of ‘a criminal plan to change the composition of the demographic landscape of Tunisia’ and were the source ‘of violence, unacceptable crimes and practices.’ The Committee found that such remarks were in contravention of the International Convention on the Elimination of All Forms of Racial Discrimination.”

6 Internal international agency report.
in early 2023,” explained one Tunisian NGO representative from Sfax in September 2023. “No one was equipped to provide the necessary level of assessments or assistance. Then, over the last few months, we saw triple-fold increases in people. There seemed to be a reduction in Sfax [in September], but actually, people were just shifted by the authorities to agricultural areas, where no support was available. Some left by sea, some are gradually filtering back to Sfax or moving to Zarzis [further south], but the reality is that more people are still coming from the Libyan and Algerian borders, and we don’t expect this to stop.” As one international agency official in Tunisia concurred: “We do not expect arrivals to diminish.”

People transiting Tunisia also have increased humanitarian needs. According to one internal international agency presentation from early October, “The number of minors [both accompanied and unaccompanied] has increased by 134% with 18,287 arrivals [in Italy] in 2023 compared to 7,812 in 2022. The percentage of women arrivals in 2023 has increased to 11% of total arrivals as opposed to 5% in 2022. The number of women has increased by 374% with 11,694 arrivals in 2023 compared to 2,465 in 2022.” Additionally, fewer migrants are finding any work opportunities in the country, especially given the current hostile environment. “If [the adults] aren’t able to migrate,” said an international agency official in Tunis, “they face the prospect of getting stuck here and this is very dangerous.”
Increasing migration flows into Tunisia, racism and attacks on Black people in Tunisia, and a lack of legal pathways to reach Europe have all led to a boom in human smuggling from Tunisia to Europe. “Parts of coastal and southern Tunisia have become the Silicon Valley of human smuggling,” noted a leading Tunisian human rights activist. “In fact, it’s the only growing profit center in many of these areas, so Tunisian ingenuity is being brought to bear for new techniques.” One proud metal boat maker in Jebeniana bragged that his region “originated” the fabrication of simple metal boats to serve migrants, especially non-Tunisians, who could not afford the more expensive journeys by manufactured vessels and who were also willing to take to sea without a traditional captain or “harraq.” “This invention,” he said, “is what has truly put our region on the map throughout the African continent.”

Jebeniana is just one of the places from which migrants take to sea in poorly constructed vessels wholly unfit for the journey. All along Tunisia’s central and southern coastline, aside from the traditional embarkation points of Sfax, Zarzis, and Monastir, there are numerous points now being used by human smugglers for the departure of Tunisians and non-Tunisians. “Irregular smuggling networks are growing significantly and expanding their [geographical] presence,” warned one leading Tunisian migrant rights activist. “The state doesn’t have a clear approach on how to deal with this situation, and we expect this to further undermine stability and increase death and abuse.”
Incoherent and Abusive Policies by the Tunisian Government

The rise in migrant numbers is placing significant strain on Tunisia amidst the ongoing economic and political crisis. It is also being weaponized by President Saied to focus popular attention away from the country’s woes by fixating on migrants as a root of the country’s problems. Saied’s government and security forces have employed conflicting and abusive practices toward the migrant population. In the summer of 2023, the security forces illegally expelled migrants to desert and border areas and then suddenly reversed course, with significant injury and loss of life. Then, in September 2023, the TSF resumed its expulsions. As has been well documented by numerous human rights groups, media organizations and Tunisian NGOs – and contrary to the “fake news” claim of the president and several government officials – the Tunisian police, national guard, and army conducted extensive raids in and around Tunisia’s second largest city, Sfax, between July 2 and 5 following deadly clashes between groups of Tunisians and Black Africans in late June. These raids resulted in the arbitrary arrest of thousands of Black African foreigners (possibly more than 4,000) who were then expelled to the desert and border regions of Libya and Algeria.

For thousands more who were not rounded up, the situation in the south was also deeply traumatic, especially as violent attacks on migrants by Tunisian residents continued. “I was insulted, beaten, and had my belongings burned when I was evicted from my rental home [in Sfax],” one migrant from Senegal told Refugees International in early September. “My phone was also stolen. I managed to escape, but I became homeless.” “My daughter was ill, and I was assaulted,” one migrant from Guinea recounted to Refugees International weeks after the initial expulsion events in Sfax. “Then I was at the train station, waiting to escape. But there, my baby daughter and I almost lost our lives. I was so frightened as people were forcefully pushing me everywhere.”

In the border areas, dozens of migrants, including children, died as documented by journalists, human rights organizations, and international agencies. They also documented widespread abuse and violence directed at migrants by members of the TSF. Refugees International has obtained reports documenting “serious protection risks and incidents by the Tunisian National Guard” along the Tunisian-Algerian border and migrant testimonies about Guardsmen “stripping everyone, including women to confiscate all of their personal belongings, and hit[ting] men hard with clubs.” “The migrants witnessed several people falling ill and collapsing in the desert and being left behind. [One migrant woman] assisted a woman giving birth in the middle of the desert

"The night of 4 July and morning of 5 July was particularly tense... The National Guard started carrying out raids on the streets, forcibly removing foreigners from houses and grouping hundreds of foreigners at the site of the Sfax International Fair, where people were forced to board buses directed towards the Libyan and Algerian borders."

– Internal International Agency Report
August 2023

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[7 Interview with international agency official in Tunis.]
and passed several people who had deceased. Finally, the migrants explained that the Tunisian Red Crescent and some NGOs provided food and water in the casernes [a small, temporary building], but that the National Guard would then move them to another caserne in order for the Red Crescent not to find them, especially those who had been injured by the guards’ beatings.”

We now know that throughout this period, the level of abuse was even greater than first reported. According to reporting from September provided to Refugees International by international partners, 86 percent of Black Africans surveyed over the summer who had been illegally expelled experienced physical violence, with 85 percent reporting that they had suffered such violence at the hands of the security forces. According to an international agency briefing provided to a top Italian government official in October 2023, migrants in Lampedusa told agency representatives “harrowing stories of violence and in particular gender-based violence,” including “reported systematic gang rape women in the south of [Tunisia].”

Although the global negative publicity around the initial expulsions was undoubtedly uncomfortable for the government, its policy also was not working – migrants were not simply going to vanish or be taken in by Libya or Algeria. So, on or around July 10, Tunisian authorities attempted to reverse course and began haphazardly relocating hundreds of thirsty, sick, and tired people back to points scattered across southern Tunisia, including to the handful of already overloaded IOM and UNHCR facilities in the region. Throughout August and September, Refugees International spoke to multiple NGO workers, international agency officials, and migrants who confirmed the inhumane conditions that many returnees faced, including being housed in broken buildings in the middle of extreme summer heat with little or no access to basic food, water, and medical services.

“We were shocked,” explained the head of one Tunisian NGO. “Most Tunisians were shocked! We don’t have this in our history or our culture. It was a level of brutality that was too much for so many people.” The Tunisian government claimed as early as August 10 that all expelled migrants had been “returned.” However, several NGOs in Sfax attempting to quietly provide aid to migrants reported as late as mid-September that some of the thousands who had been expelled were still making their way back to the city. These expelled migrants had received no assistance at all during the weeks following their arbitrary arrest and expulsion.

In the months following the July 2023 expulsions, the Tunisian government has deployed a range of other punitive tactics toward migrants, refugees, and asylum seekers. First, it repeatedly obstructed the provision of emergency aid to migrants as well as efforts by international agencies to design a coordinated and effective emergency response in Sfax. According to several international agency officials, migrant rights

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8 As of early October, one internal international agency report warned that engagement with the Tunisian government had become, “extremely sensitive and advocacy space is reaching its limit.”
groups, and Tunisian NGO personnel, this was very likely an attempt to make the south inhospitable for migrants in the hope that those already there would take to the sea and that people newly on the move would reconsider transiting through. Even small requests by the TRC to set up showers in and around Sfax were denied by the government. At the same time, previous recommendations from international agencies, presented to the government and TRC in early August for setting up “triage centers” around the south or “humanitarian service points,” were rejected.

By the end of August, the IOM-TRC contract for emergency aid in and around areas in the south ended and was not renewed. A Tunisian NGO worker in Sfax told Refugees International in September: “We now mainly go at night to distribute water and some food, but it’s sporadic...it isn’t reaching even a part of those who need it and that’s what the government wants.” This worker’s organization was targeted in late summer by a populist “doxxing” campaign against those who help migrants. As of early October, the humanitarian aid situation had not improved. “There are changes on an almost weekly basis in the government’s approach and still no strategy,” said one senior European diplomat in Tunis.9

The second tactic pursued by the government was to internally displace migrants away from population centers in the south to mostly uninhabited agricultural areas where virtually no basic services were available and certainly no opportunities to support themselves. Then, at some point in early September, perhaps when officials realized that migrants who were not able to take to the sea would simply filter back to populated areas where they might have a better chance to survive, the authorities suddenly began busing some migrants to known human smuggling locales. The government’s logic underlying this approach – one which actively assisted the human smuggling industry – had already manifested itself weeks before when there had been a sharp drop in self-reported interdictions by the Coast Guard at sea – down by half in absolute terms for August year-on-year despite the huge surge in embarkations during the month.10 To all appearances, the Tunisian authorities had decided that when their other efforts failed to reduce the numbers of migrants, they would simply resort to helping smugglers move more people onward to Europe.

The third tactic brought to bear in the last weeks of September and early October was the sudden increase in camera-ready interdictions and the arrests of some smugglers. As security units “surged” from Tunis to several smuggling locales, international agency officials reported that the number of embarkations from Tunisia fell for two consecutive weeks at the end of September and the first week of October. However, temporary surges of security units from outside the south (mainly from the capital) can only be sustained for short periods of time. More importantly, as one unpublished private research report

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9 At the end of September, one informal “Humanitarian Service Point” – where needs can be assessed, and aid provided to migrants – was launched in Western Tunisia by the TRC. According to an international agency official, however, the facility is located in a TRC volunteer’s home, it provides “no tracking and no systematic orientation and identification,” and the provision of aid is extremely limited.
10 Private research report obtained by Refugees International.
noted bluntly in October, law enforcement activities were “offset” by arrivals over land borders, indicating that more migrants were still entering Tunisia and that they would continue to try to leave by sea for Europe whenever the opportunity eventually arose.

And finally, in September the Tunisian government again resumed its illegal forced expulsions to border areas. This time, the expulsions began with migrants interdicted at sea and bussed to border areas. According to one internal international agency report in early October, “Non-refoulement is not being respected... During September, 4,300 people were pushed back, including 2,000 the past week.” It is important to note that refoulements originating at sea begin with interdiction by the Coast Guard, which has demonstrated a well-established pattern of behavior of attacking migrant boats, beating migrants, and occasionally taking engines, thus leaving some migrants stranded at sea.11

Expulsions from cities and rural areas by the Tunisian National Guard also restarted in earnest towards the end of September. One migrant from Sierra Leone interviewed by Refugees International detailed how she was rounded up in mid-October in Sfax with a friend while at a cafe and detained overnight at a Coast Guard seaport with other migrants. The group was then bussed by security forces to the Algerian border near Tebessa and abruptly left in a forest without food or water. Bandits were awaiting them near the dropoff site, armed with knives (it is unclear how the bandits knew in advance where the migrants would be dropped off). As one woman who had been assaulted by bandits described her ordeal: “they took valuables, any nice clothes, money and phones. They will rape you, they will put the knife on your neck. You have no choice.”

The Tunisian government’s tactics are unlikely to stop or significantly dent migration flows through Tunisia. More people are on the move and conditions remain better in Tunisia than in either Libya or Algeria. As one migrant from Guinea who arrived in Sfax after the expulsions of early July put it, “At least in Tunisia I can still smell the hint of freedom and rights... And that’s enough to go on.”

It is also important to recognize that the tactics are not merely an attempt to divert attention from the country’s crumbling economy. They indicate concern over the degradation of governmental control in the South. As one marker of this, President Saied personally sent his new head of the National Guard, Hussein Gharbi, to oversee the expulsions in July and regain control of Sfax (which had also been experiencing informal police union strikes during the unrest and communal clashes of late June). “Events seemed to be spinning out of the control of Tunis this summer,” explained one former top Tunisian official who advised a previous president on security affairs. “Especially with the police strikes in Sfax and with some residents forming what were essentially militias to clash with and ‘arrest’ non-Tunisians, the president and the security services in the capital were fearful that a real fracturing might take place which would be very hard and costly to reverse.”

11 Many such practices were cited in a December 2022 statement by more than 50 groups in Tunisia, and again in April 2023.
Gharbi’s personal involvement in overseeing the abusive expulsions is important as well because he is a major partner in the security cooperation with the United States and other governments. A provision of U.S. law, known as the “Leahy Law,” prohibits federal funds from supporting military units that are involved in “gross violations of human rights.” The Tunisian National Guard and Coast Guard, which have been directly and credibly implicated in systematic and ongoing abuses of migrants, both fall under Gharbi’s command authority. There has as yet been no apparent accountability for the grave human rights violations that occurred during the summer expulsions, nor for the continuing expulsions since September. Indeed, President Saied actually elevated Gharbi to a senior military rank following the July expulsions. This situation should prompt intensified scrutiny by the U.S. and EU governments, including an assessment of whether the National Guard’s behavior violates Leahy Vetting thresholds.

12 President Saied promoted Gharbi from Colonel-Major to Brigadier General in charge of the National Guard on October 15, 2023.
TSF Involvement in the Human Smuggling Boom

There is a wide recognition amongst Tunisians – the “biggest public secret,” as one leading Tunisian academic expert put it to Refugees International – that elements of the Tunisian Security Forces have long been involved in, and profited from, the country’s human smuggling industry. In reaching this assessment, Refugees International conducted interviews with a wide range of people with direct knowledge of migrant smuggling activities in Tunisia, including Tunisian and non-Tunisian migrants, Tunisian smugglers, and Tunisian NGO staff who serve migrants, as well as 10 current and recently retired security officials in southern Tunisia.

These interviews painted a consistent picture of close collusion between smugglers and elements of the TSF – even as the EU has €143 million worth of ongoing projects to ostensibly limit migrant outflows. Our interlocutors reported that the role of the security forces in smuggling networks has been growing as more migrants and asylum seekers come to Tunisia in order to proceed to Europe and as the Tunisian economy continues its rapid decline. According to accounts from interlocutors with whom Refugees International spoke, the different ways elements of the TSF and other government officials profit from human smuggling, include but are not limited to:

- Payments by smugglers to elements of the TSF in order to provide them with protection (advance tip-off for raids by non-local security forces, as one example), as well as intelligence on patrols and surveillance so that their boats can successfully exit Tunisian waters. High-priced, “VIP Harka” utilizing yachts and migration via other licensed crafts such as fishing boats and Zodiacs are the most likely to be coordinated with elements of the TSF;
- Payments by smugglers to judicial officials in order to prevent or lessen jail time in the event of arrest;
- Payments by smugglers who purchase seized boat engines from elements of the TSF or TSF-linked individuals;
- Payments by local metal boat makers to elements of the TSF for protection;
- Payments by Tunisians apprehended at sea to elements of the TSF so that they are not arrested, charged, and imprisoned;
- The seizure of cash and other valuables by elements of the TSF for their own use following raids of locations where migrants wait to embark (and therefore have amassed enough cash for the journey).

13 Internal European “Summary Sheet” from October 2023, obtained by Refugees International
As one leading Tunisian anti-corruption campaigner summarized:

“The fact that police are accepting bribes from human traffickers or from migrants is not exactly ‘news.’ It’s the elephant in the room that has been largely unaddressed. It is a critical crisis that not only preys on vulnerable populations but also corrodes the integrity of institutions designed to uphold public safety and justice. This situation has only been further exacerbated by President Saied’s dependence on the security apparatus for legitimacy (and authoritarian policing), which makes genuine reform in the police sector increasingly unlikely and allows for a culture of impunity to flourish.”

Initial Recruitment

A smuggler in Zarzis recounted for Refugees International how relations with security force members typically commence, often with an initial rejection when new security officials are shuffled through the area. Initial contact often occurs in public settings like cafes, facilitated by common acquaintances. Subsequently, individuals are enticed to participate in evening gatherings in tourist areas. The smugglers make common cause around the exorbitant cost of living and other frustrations to foster a rapport between the smuggler and the security personnel. The “professional” phase of their relationship commences when specific tasks are assigned to the security personnel to gauge their commitment.

Payments to security personnel vary based on the nature of the services rendered. For instance, sums ranging from 1,000 dinars (€295) to 2,500 dinars (€735) are disbursed for tasks such as acquiring schedules or assessing radar adjustments, with a particular emphasis on detecting boats. Payments of 3,000 to 5,000 dinars (€890 – 1,480) are made to security personnel in cases involving crackdowns or the provision of information about other smugglers, especially when specialized security teams from outside of the area are involved. Such amounts are also extended when someone linked to local security is arrested. In certain instances, payments exceeding 10,000 dinars (€2,950) are issued to cover expenses related to migration trips and detainment or raids.

TSF Tactics, Cover Ups, and Payoffs

Once a security official begins collaborating with smugglers, they can be helpful in numerous ways. A leading figure from Jebeniana directly connected to smugglers and security officers explained to Refugees International:

“Some security personnel oversee the movements of boats and trucks transporting migrants from their point of residence to the departure location. They create illusions about certain areas containing suspicious activities just to clear the way for these preferred movements. The security reports sent to the
central office for analysis and planning are often falsified and tend to exonerate smugglers or provide information that doesn’t jeopardize them during raids. This has become evident in every security campaign or operation aimed at apprehending smugglers or dismantling boat manufacturing sites. While [the MoI] sometimes attempts to curb such behavior through intensified professional oversight, it ultimately leads to a change in personnel, but rarely results in punishment.”

Another security officer provided a similar account, noting that, “When a security officer senses that their cover has been compromised, they swiftly request an urgent transfer. In some cases, this is done even before their exposure, allowing them to perform a series of covert operations before seeking relocation to a safer location.” When it comes to evading justice by those involved in the smuggling supply chain, a top-ranking, recently retired Coast Guard official in the south put it bluntly:

“Every individual has a price [to have their case eliminated], and it varies based on their importance. Prominent smugglers and big names might command prices as high as 100,000 dinars (€29,500), while boat owners pay no more than 25,000 dinars (€7,350), and drivers fork out 15,000 dinars (€4,420) to get off… Money wields immense power in our country, particularly in the regional context.”

Although involvement in and profitmaking from human smuggling by some local elements of the TSF is growing, Refugees International was not able to ascertain with a similar confidence level whether these local elements are connected to or share profits with higher-level security and/or government actors in the capital. Nevertheless, the implications of even this local link between expanding public corruption and human smuggling are significant and disturbing. Tunisian or foreign policies on migration in the country that fail to address this reality will be hobbled from the start.14

As an anti-corruption activist explained: “International partnerships, such as EU-funded initiatives aimed at strengthening border security, are rendered ineffective when the intended beneficiaries are part of the problem... this creates a paradox where both national and international efforts to enhance safety and justice are compromised.” By all accounts provided to Refugees International, the human smuggling industry has grown explosively in 2023, becoming a crucial means of livelihood for many Tunisian families and social networks. As one security officer in the border town of Ben Guerdane, notorious for long-standing TSF corruption, said:

“You are asking about government employees who receive far less compensation than they deserve, right? What alternatives do they have? [There are substantial] challenges faced by citizens, particularly those in the public sector.

14 Although the profit motive appears to be the central factor driving TSF corruption, some likely also involve themselves in the industry as a means of ensuring a degree of state control and co-option over the potentially destabilizing effects of smuggling.
So, it’s easier to fathom their actions in the context of the local economic landscape. Demand exists, and there are those who meet that demand. It’s as straightforward as that... There are [security] patrols that work in tandem with the migrants.

While any possible links between this collusion and higher-level TSF leadership remain unclear, there has been little evident accountability for it within the TSF. Security sweeps targeting smugglers and migrants have yielded only one publicly reported arrest of a security official in the last several months despite the widely described involvement of elements of the TSF and other government officials across dozens of interviews. This absence of accountability – which mirrors the lack of TSF accountability for human rights violations – raises major questions about how additional cash, training, and hardware for the TSF would substantially affect migration flows. Expanded international support for migration management would more likely yield greater pressure for abuse, as the government would need to be seen as “doing something,” even as migrants continue to leave.

It is hard to envision the fundamental trajectory of the collusion changing. As the retired senior Coast Guard official observed to Refugees International, “The new generation within the Coast Guard includes members recruited specifically to collaborate with smugglers, contributing to the proliferation of corruption.”

VIP “Harka”

Regarding a yacht that left Zarzis in August headed to Marseilles with 20 Tunisians onboard, a youth activist said: “It’s the Customs officers facilitating this. They turned away an additional 27 people [for this one boat].” The turnaways were done directly by officials in the Customs Department who were effectively regulating this form of “VIP Harka,” he explained. Asked whether this was a recurring practice among customs officials, the activist said: “Indeed, but this time, the numbers are relatively higher, and the expenses involved are substantial.” When asked if such active management by Customs officials jeopardizes their job security, he remarked: “Who would hold them accountable? They all share in the financial gains, and for anything that money can’t procure, well, it becomes attainable with a more substantial sum.”

15 It is important to note the difference when it comes to terrorism. In 2015, after several terrorist attacks in the country, Tunisian investigations as well as significant dismissals and legal action against members of the TSF were rapidly forthcoming. In one such instance, in September 2015, 110 members of the police were dismissed for alleged links to terrorist organizations.
Conclusion: The Role of Europe and the United States

Over the last 12 years, both the European Union and United States have collectively supplied the TSF with hundreds of millions of dollars, mainly related to counterterrorism and migration. The European Union has been actively engaging the Tunisian government on a wider package that would include substantially deepened partnership on migration management. The EU announced at the end of September that at least €67 million would flow “in the coming days” to the TSF and related ministries for such management and that it was “accelerating the delivery of ongoing programmes...under the new €105 million support package on migration” (a first transfer of €60 million was subsequently rejected by Saied and returned in early October). On the U.S. side, the Biden administration has asked for an additional $53 million in security assistance for fiscal year 2024.

The extensive evidence of systematic human rights abuses by the TSF, as well as the strong indications of collusion with smuggling operations, should force a tough review of existing U.S. and EU partnership approaches. As discussed above, there is a strong case to be made that the National Guard’s involvement in migrant abuses – personally overseen by the head of the National Guard Hussein Gharbi – has already crossed the threshold that would trigger Leahy Law prohibitions. Similarly, the legal failure to include human rights guardrails (as is the case with EU aid), raises similar questions for EU partnership.

Beyond the legal guardrails that have arguably been breached already, the behavior of the TSF poses a larger challenge to migration cooperation: Whether any partnership deal, under the current conditions, can reasonably hope to deter migration through Tunisia. Discussions with foreign embassy officials in Tunisia underscored that both the United States and EU member states feel a strong imperative to maintain cooperation with the TSF, even as they are cognizant of the abuse and corruption that has been evident over the past year.

16 According to a recent Human Rights Watch review, the EU has already dedicated at least €93-178 million in migration-related funding to Tunisia cumulatively between 2015 and 2022, including by reinforcing and equipping security forces to prevent irregular migration and stop boats heading for Europe.

17 In March 2023, the EU was finally able to convince the Tunisian government and the Ministry of Interior, in particular, to adopt a “Code of Conduct” that, according to one top European diplomat involved in the talks, “sets-out important elements pertaining to the principles and values that the security forces are to uphold and adhere to and provides clarity [around] professional and operational conduct. Very usefully it includes specific chapters pertaining to women, children, and victims as well as to communication and mechanism[s] to ensure the Code is implemented.” Unfortunately though, as of October, several European diplomats confirmed to RI that little progress had in fact been made in the actual implementation and enforcement of the Code, highlighting the systematic limitations of even “light touch” security sector reform to date.
Embassies also relayed that the Tunisian government and the TSF specifically are not monoliths – there are some officials who want to steer toward a more productive course. Embassy interlocutors affirmed that elements within the Tunisian government regard the proliferation of violence toward migrants, and the rising collusion between smugglers and TSF elements, with deep alarm. Both dimensions speak to a fragmentation in state capacity and weakening control by the Tunisian government over areas of the south. These concerns within the government may provide an entry point for engaging in a more productive dialog with the Tunisian government over a different approach to migration management. The core message must be that an approach prioritizing humane and legal treatment of refugees, asylum seekers, and migrants will also yield the most orderly and stable outcomes for the Tunisian state.

Western partner governments can and should test this premise that more productive collaboration is viable. If cooperation with the TSF is to continue, it should do so only under a rigorous set of conditions that would improve oversight, protect the rights of displaced people, ensure much larger-scale access to emergency assistance, and prevent future abuses (outlined more specifically in this report’s recommendations). A deeper investigation of TSF collusion in smuggling operations is also a necessary precursor to any further collaboration. A clear and credible Tunisian policy framework on protecting the rights of displaced people – even if not fully enshrined in legislation – must also be a critical component of credible future collaboration.

Absent such guardrails, future collaboration is likely to simply spur further abuses while yielding negligible impact on migration through the Mediterranean. The collusion with smugglers appears quite ingrained and will be difficult for the government in Tunis to unravel quickly – meaning that a deal with Tunisia will have limited immediate impact in changing outflows. But such a deal would put greater pressure on the central government in Tunis to deploy forces from the central level to occasionally demonstrate action to curtail migration – and as witnessed in July, this involves mass human rights abuses against migrants. This is a delicate balance for Western partner governments and for elements within the Tunisian government who seek a better approach – but simply doubling down on the status quo will serve no one.

Western governments, and in particular the European Union, should also step back and reconsider the overall feasibility of their migration management goals in Tunisia. The structural factors that have turned Tunisia into the principal hub for Mediterranean migration – geographic proximity to Europe, relative stability and safety compared to its neighbors, ease of transit from Sub-Saharan Africa, and the instability of many Sub-Saharan African countries – are not going to change. EU deterrence policy has failed to deter migration through Tunisia, as have the gross abuses of the Tunisian Security Forces. There is no realistic likelihood that region-wide migration can be bottled up along the coastline of one small North African country. Rather than obsessing over deterrence and irregular migration numbers, the EU should expand safe routes for vulnerable migrants – expanding refugee resettlement channels and other safe pathways for displaced people who need protection.