

|  |  |
| --- | --- |
|  |  |
|  |  |
| **UN Human Rights Council**  **UPR 27th session** |  |
|  |  |

|  |
| --- |
|  |

**Statement by Sweden in the interactive dialogue on Tunisia**

*Delivered by Minister-Counsellor Josefin Simonsson Brodén*

*Geneva, May 2, 2017 (speaking time 1 min 10 sec)*

Mr President,

Sweden wishes to welcome the distinguished delegation and express our thanks for its presentation.

Sweden would like to give the following recommendations to the Government of Tunisia:

1. to adopt a comprehensive law on violence against women and girls that addresses the importance of consent and provides adequate protection for victims and appropriate penalties for perpetrators,
2. to amend or repeal Article 227 and 239 of the Penal Code to explicitly criminalize marital rape and redefine rape in line with international standards,
3. to, without further delay, take steps to adopt the laws called for in its Constitution to safeguard the unique status of independent agencies (*instances indépendantes*) in Tunisia,
4. to amend or repeal Article 230 of the Penal Code to end criminalization of same-sex sexual relations.

Tunisia has, since the 2011 revolution, marked strides in the field of gender equality. Nevertheless, reports of sexual harassment and sexual violence, including by state agents, persist. Current legislation does not provide adequate protection against sexual and gender-based violence. The Penal Code provides an inadequate definition of rape, marital rape is not explicitly recognized as a crime by national legislation and effective investigation and prosecution of gender-based violence occur rarely.

The Constitution of Tunisia guarantees key human rights and stipulates the permanent establishment of independent institutions to ensure rule of law. However, many of these institutions, including the Tunisian Anti-Corruption Agency (INLUCC), remain operational on the basis of a provisional law only.

Despite the significant steps and positive legal changes that have taken place in Tunisia, human rights violations continue against the LGBT community, including legal discrimination. Article 230 of the Penal Code criminalizes same-sex sexual relations as punishable by up to three years in prison. LGBT persons are at risk of violence and other abuses by the police.

I thank you, Mr President.