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'I Can Finally Dream': Tunisia Expands Protection for Battered Women

By Lilia Blaise

NY Times (12.05.2018) - <https://nyti.ms/2KtJ3K6> - For women like Sihem Ben Romdhane, the options used to be fewer. Her husband of 19 years often beat her and she lodged complaints with the police, who told her they would have to jail him.

So she would withdraw her complaints each time "because I don't want my children to be without their father," she said. Then last November, her husband started beating their 9-year-old son.

"I just could not take it anymore," she said in an interview in Gafsa, the hard-bitten Tunisian mining town where she lives.

Ms. Ben Romdhane, a Libyan national who has lived in Tunisia for the past 20 years, decided to leave and found refuge in a shelter in Gafsa for battered women.

It is one of just a handful of shelters that have newly opened in the country after Parliament passed a law last year outlawing a broad range of specific violent acts against women, as well as discrimination against them. The law also urged the opening of new shelters and other facilities to protect women in emergency situations.

Tunisia has always prided itself on being the most advanced Arab country when it comes to women's rights. Women here have long had the right to divorce and gain custody of their children, and polygamy was abolished the year after the country became independent in 1956.

Yet violence against women remains a widespread and persistent problem. Economic violence and domestic sexual abuse are among the most prevalent types of aggression.

In 2016, 60 percent of Tunisian women were victims of domestic violence, according to the Ministry of Women, Family and Children, with studies from nongovernmental groups suggesting the figure may even be higher. And 50 percent of women said they had experienced aggression in a public area at least once in their lives.

Legislators and women's activists say they are hoping to reduce those numbers with the new law and the shelters that opened at the recommendation of the legislation.

From outside, the new shelter in Gafsa looks like an ordinary house. The inside is homey except for the schedule on the kitchen door, which sets out the hours to eat and clean. The storage closet is stocked with sanitary pads, toothbrushes and clothes.

"Sometimes the women who come here ran away from a desperate situation with no luggage whatsoever. So we provide everything," said Sonia Mhamdi, the manager of the intake center that is the first stop for women in distress before they are placed in shelters.

There are seven women's shelters in Tunisia, funded by the European Union. Most opened after the country's Arab Spring revolution, which began in December 2010 and inspired a string of uprisings around the Middle East and North Africa. The shelters offer protection, legal advice, some free job training, child care, and psychological and medical treatment.

While the new law and the shelters are breakthroughs, the next challenge is to broaden awareness of the changes and to get more abused women to make use of the new institutions and measures to protect them. The police, judges and doctors must also be made aware of the provisions of the new law.

"We need to educate children and their parents to respect family values, which include women's rights," said the minister of women, family and children, Néziha Labidi.

The legislation outlaws domestic rape and bars a rapist from marrying his victim in order to diminish his sentence. Police can face jail time if they refuse to take a woman's abuse complaint or try to dissuade her from lodging one. Even if the victim drops the charges in a case of violence against women, the investigation is still required to go on.

Reporting of domestic abuse has increased, yet the rate of prosecutions remains low. According to the Ministry of Justice, 5,569 complaints of violence against women were registered between 2016 and 2017. But more than half of them were dropped or dismissed.

Sexual harassment is punishable by two years in prison, and the law goes as far as to oblige any witness of violence against women to report it. It also sets up specific courts and judges dedicated to violence against women as well as special police units, mostly led by women.

"The new law is innovative because before, when the woman was abused and forgave the abuser, he would not be punished by law," said Amor Yahyaoui, a general inspector for the Ministry of Justice. "Now even if the woman forgives him, he will face the law and he will be accountable."

The shelter in Gafsa is one of the newer ones, located in one of Tunisia's more impoverished and conservative regions.

For Ms. Ben Romdhane, 45, the shelter in Gafsa helped her build a legal case against her husband and learn ways to protect herself.

"The women in the center provided me with legal assistance and also psychological support," she said. "I know my rights, but I need support to be sure that my children will remain safe in the process and benefit from at least some help."

Officials in Tunisia have traditionally been unsympathetic toward battered women, often telling them to go back to their husbands, said Khaoula Matri, a sociologist who worked on violence against women in Tunisia.

"The new law offers a lot of legal safeguards to avoid such behavior. But will the mind-set change as well?" she said.

Ms. Mhamdi, the manager of the intake center, said just renting a suitable house required lengthy negotiations with the community. Homeowners feared trouble from the husbands or the families and single mothers are generally not well perceived in Tunisian society, she said.

"The neighbors on the street all had to sign a charter," she said. "The charter states that they agree to the presence of this center here and that they will do everything to protect the privacy and the security of these women. The confidentiality of the place is really important. We can't have angry husbands coming here to look for their wives."

Women must be in an emergency situation or immediate danger to get a spot in the Gafsa shelter.

Twelve women have come to the shelter since it opened last year. They stay anywhere from a few days to four months. The bedrooms have also beds for children and a roof terrace is walled for privacy from the neighbors. The shelter staff say they often play the role of mediator between couples or families.

"It is hard because the women still prefer to get a divorce rather than go through a trial for domestic abuse," said Salah Chragua, the shelter's psychologist. "There is the question of the children, but also the shame it might cause in front of a conservative society."

Another woman, Jomaa Z., said she came to the shelter after being badly injured by her spouse. The 34-year-old said she did not want to disclose her full identity because she feared her husband. She stayed a month with her children.

"I went back to him and it scared him to see that I was able to leave like that, that I did not need him," she said in an interview at the shelter. "He changed after that. The next step for me is divorce, but I am afraid of raising my children alone," she added.

Despite the conservatism of the society in Gafsa, there are signs of change. In February, the regional court sentenced a man under the new law to two years in jail after his wife accused him of repeated sodomy.

"Women and men come every day to the court for marriage issues and to ask for child support and women do not hesitate to complain about their violent husbands," said Mohamed Khlefi, the public prosecutor of the Gafsa court. "It is not taboo anymore."

In the Gafsa shelter, one of the success stories is Salima Abidi, who is 50 and single and used to be jobless. She never got married because she was at home caring for her sick mother. She did not finish high school, and after her mother died, she ended up living with her father and brother who did not want her.

"I was a burden for them despite all that I sacrificed for my family. It quickly became verbal and physical," she said. "Both my brother and my father blamed me for staying with them, so I finally left."

She spent three months at the shelter, mostly to build up her self-esteem but also to learn how to be financially independent.

"I felt abandoned and it is really hard here to be a single woman with no family," she said. She now has a job as a building manager and lives in a center for women who have no family in exchange for a meager rent.

"I am free. I have some money set aside. I can finally dream and think about my future," she said. "I know my relatives inquired about me. But I am not ready to see them again."

Tunisia lifts ban on Muslim women marrying non-Muslims

President's initiative secures Tunisian women's right to choose spouse despite opposition from mainstream Muslim clerics

Al Jazeera (14.09.2017) - <http://bit.ly/2fpyiLR> - Tunisia has abolished a decades-old ban on Muslim women marrying non-Muslims as the president seeks to secure equal rights for the country's female population.

"Congratulations to the women of Tunisia for the enshrinement of the right to the freedom to choose one's spouse," presidency spokeswoman Saida Garrach wrote on Facebook on Thursday.

The announcement came a month after President Beji Caid Essebsi called for the government to lift the ban dating back to 1973, arguing that existing practice violates Tunisia's constitution, adopted in 2014 in the wake of the Arab Spring revolution.

He created a commission, led by a female lawyer and rights activists, aimed at drafting revised rules.

Until now a non-Muslim man who wished to marry a Muslim Tunisian woman had to convert to Islam and submit a certificate of his conversion as proof while a Muslim Tunisian man is allowed to marry a non-Muslim woman.

Human rights groups in the North African country had campaigned for the ban's abolition, saying it undermined the fundamental human right to choose a spouse.

Inheritance inequality

Tunisia is viewed as being ahead of most Arab countries on women's rights, but there is still discrimination, particularly in matters of inheritance.

Daughters are entitled to only half the inheritance given to sons.

Mainstream Muslim clerics almost universally see the inheritance rules as enshrined in the Quran, Islam's holy book, and consider the rules on marriage to be equally unquestionable in Islamic law.

The country's leading imams and theologians have issued a statement denouncing the president's proposals as a "flagrant violation of the precepts" of Islam.

Some worry that such changes could stir up anger in a country that has already suffered deadly attacks.

The first president of independent Tunisia, Habib Bourguiba, championed a landmark social code in 1956 that set a standard for the region by banning polygamy and granting new rights to women unheard of in the Arab world at the time. But even he didn't dare push for equal inheritance.

Tunisians demand change to Muslim marriage decree

Arab News (27.03.2017) - <http://bit.ly/2nPff8R> - An alliance of Tunisian human rights groups on Monday called on authorities to scrap a 1973 decree that bans Muslim women from marrying non-Muslims.

The alliance of some 60 groups signed a statement calling for the decree to be revoked, saying it undermines "a fundamental human right: which is the right to choose a spouse."

Sana Ben Achour, president of the Beity association, told a news conference "it is inadmissible today for a simple decree, which has almost no judicial value... to command the lives of thousands."

The decree issued in 1973 by the justice ministry stipulates that a non-Muslim man who wishes to marry a Tunisia woman must convert to Islam and submit a certificate of his conversion as proof.

Wahid Ferchichi, of the Adli association for the defense of individual liberties, said the decree violates Tunisia's constitution which promotes equality between all citizens, regardless of gender.

The coalition said it would mount a campaign to mobilize public opinion and seek meetings with the ministers of justice, interior and the head of government, hoping the decree will be scrapped by November.

Tunisia is viewed as being ahead of most Arab countries on women's rights.

The North African country and birthplace of Arab Spring protests that ousted several regional autocratic, adopted a new constitution in 2014 which guarantees equality between men and women.

Article 21 of the constitution states: "All citizens, male and female, have equal rights and duties, and are equal before the law without any discrimination."

But discrimination against women in Tunisia remains rife, particularly in matters of inheritance and the country's Code of Personal Status designates the man as the head of a family.