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Tunisia: Freedom of Expression in draft Constitution

The Centre for Law and Democracy is today releasing a Note analysing the freedom of expression provisions in the new draft Constitution for Tunisia, dated 1 June 2013. As the foundational document for the system of governance in post revolutionary Tunisia, it is very important that the Constitution provide strong guarantees for human rights and particularly those rights, including freedom of expression, which were roundly abused under the previous regime.

“We welcome the strong guarantees for freedom of expression and information in the new draft Constitution,” said CLD Executive Director, Toby Mendel. “We do, however, recommend further changes to bring them fully into line with international standards.”

Key recommendations in the CLD Note include the following:

- The regime for restrictions on freedom of expression and information should be consolidated into one provision to avoid duplication and potential confusion.
- Restrictions on expression and access to information should be permitted only where they are provided by law and are necessary to protect an overriding interest.
- The Constitution should envisage two independent bodies in the information sector – a broadcast regulator and an access to information oversight body – rather than a single body with an extremely broad mandate, as the draft currently provides for.

CLD urges the relevant Tunisian authorities and stakeholders to do what they can to promote further reform of the draft Constitution to bring it into line with international standards.

The Note is available at: <http://www.law-democracy.org/live/tunisia-freedom-of-expression-in-draft-constitution>.

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