

2014-07-18

Fråga-svar

Situationen i Tunisien för shiamuslimer samt militärtjänstgöring

Fråga

1. Hur ser situationen ut för shiamuslimer i Tunisien för närvarande? Är det en utsatt grupp? Vad har de tunisiska myndigheterna för vilja och förmåga att hjälpa i sådana situationer? Är myndighetsskyddet av sådan beskaffenhet att man kan säga att det utgör ett tillräckligt skydd?
2. Vid vilken ålder gör man typiskt sett värnplikten i Tunisien? Om man vägrar göra militärtjänst riskerar man att utsättas för våld då?

Svar

1. Salafister mot shiamuslimer

United States Department of State (2013):

There were reports of societal abuses based on religious affiliation, belief, or practice. Individuals believed to be Salafists attacked targets across the country they deemed "un-Islamic," including a church and synagogues. Objecting to the presence of graves of venerated Sufi scholars in mosques, individuals believed to be Salafists attacked dozens of Sufi religious shrines they believed were idolatrous. For example, the police arrested five Salafist violent extremists for vandalizing, burglarizing, and setting fire to the Sufi Saida Manoubia Shrine on October 15. Salafists also attacked hotels and individuals that sell alcohol on September 3 in Sidi Bouzid and October 27 in Tunis. Salafists threatened and attacked events they associated with Shia Islam. ...

International Crisis Group. ICG (2013):

Social response: Some of the most widespread Salafi violence is perpetrated by disorientated youth in the country's interior and poorest, most disadvantaged working-class districts. Before embarking on any security-based response, the government should provide wide-ranging and substantial social and educational development services to these young people, especially programs to help them return to employment and education.(sid. 42)

Al-Akhbar (2012):

On May 4, they [Salafi] shut down a book fair in the town of La Soukra (governorate of Ariana) under the pretext that it displays Shia manuscripts that promote "deviant religious beliefs" and threatened to set fire to the whole exhibition. Two weeks later, on May 20, thousands of Salafis paraded around the Great Mosque of Uqba ibn Nafi in Kairouan demonstrating their martial arts skills and raising the al-Qaeda banner over its minaret. ...

Rättssäkerhet

Human Rights Watch (2014):

On December 24, 2013, the National Constituent Assembly (NCA) adopted the Law on Establishing and Organizing Transitional Justice. The law was largely the result of the work of a technical committee set up by the Ministry of Human Rights and Transitional Justice. Most committee members were representatives of Tunisian human rights groups. ...

Under the law, violations include "any gross or systematic infringement of any human right committed by the state's apparatuses or by groups or individuals who acted in the state's name or under its protection, even if they did not have the capacity or authority to do so. Violations shall also include any gross or systematic infringement of any human right committed by organized groups."

Freedom House (2014):

After Ben Ali's ouster, ultraconservative and Salafi Muslims, like all religious groups, had more freedom to openly discuss the role that religion should play in the public sphere and to express their beliefs without state interference. However, this resulted in periodic violent clashes with their political and ideological opponents, attacks on

purveyors of alcohol or allegedly blasphemous art, and public threats by Salafis against state institutions. At least four Sufi Muslim shrines, which Salafi Muslims consider un-Islamic, were destroyed, and several others were forced to close. Extremists in 2013 continued to attack citizens and businesses participating in activities they viewed as religiously offensive, at times without intervention by police, prompting accusations that the government was too lenient toward radical groups.

US Department of State (2014):

Security forces failed to pursue adequately and authorities failed to prosecute effectively attacks by Salafist extremists on individuals, private homes, and businesses. On May 28, a judge issued two-year suspended sentences for 20 militants convicted of attacking the U.S. Embassy in September 2012. On May 31, the government appealed the sentence, but the hearing was postponed for various reasons, including a failure by the prosecution to produce the necessary documents as well as a request by the defense for postponement. The hearing was scheduled for January 28, 2014. (sid. 6)

2. Värnplikt

Central Intelligence Agency, CIA (2012):

Tunisia
20-23 years of age for compulsory service, one year service obligation; 18-23 years of age for voluntary service; Tunisian nationality required (2012)

Kanada. Immigration and Refugee Board, IRB (2008):

In a 10 September 2008 telephone interview, a representative of the Tunisian Consulate in Montréal reiterated the information provided in a previous telephone interview on 18 September 2006 regarding the penalties for refusing to perform military service; that is, that there are no absolute answers and that decisions are made on a case-by-case basis....

Child Soldiers International (2008):

The constitution stated that “defence of the country and the integrity of the territory is a sacred duty of every citizen” (Article 15). In accordance with Article 1 of Act No. 51-1989 of 14 March 1989, recruitment into the armed

forces was compulsory for all citizens once they reached the age of 20, unless they were medically exempt. The minimum age for voluntary recruitment of Tunisian citizens into the armed forces was 18 years. 3

Migrationsverket, Militärtjänst i Tunisien, 2006-11-30 (Lifos 15682)

Sveriges ambassad i Tunis p.t. Stockholm har den 13 april 2005 i svar på en förfrågan uppgett att man inte kan bli inkallad till militärtjänsten före 20 års ålder. Det är omöjligt att bli tvångsinkallad före dess. Om en person avviker från militärtjänstgöringen blir det normalt disciplinstraff - förlängd tjänstgöring eller kortare fängelsedom.

Militär straffrätt

Enligt nedanstående källa går det inte att få befrielse och dispens från att skriva in sig i register på inskrivningscenter. Den som inte infinner sig vid inskrivningscenter förs automatiskt in i registret. En kortvarig desertering som sker för första gången och som gäller en nyinryckt rekryt bestraffas med mellan tre och sex månaders fängelse. Tunisier i åldern 20 till 30 år är skyldiga att göra militärtjänstgöring i ett år.

Tunisien. Lagstiftande organ, *Militär Straffrätt. Tunisien*. [Översatt från franska språket av Eqvator], 2005-06-04 (Lifos 13368, Åtkomstbegränsning - Upphovsrätt)

Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

Källförteckning

(länkarna är hämtade 2014-07-18)

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