

"A Blueprint For Complicity"

Three Years On, the EU-Tunisia Deal Continues to Fuel Human Rights Violations

Joint Statement by 46 human rights and humanitarian organizations

Three years since the signature of the [European Union \(EU\)-Tunisia Memorandum of Understanding \(MoU\)](#), the agreement has not only failed to guarantee respect for refugees and migrants' rights, it has fuelled and normalized serious human rights violations and undermined the EU's leverage to address the deteriorating human rights environment in the country. We call on the European Commission and EU member states to immediately suspend border and migration control support to Tunisia, notably to Tunisian security forces responsible for serious human rights violations.

The MoU was signed on 16 July 2023 by the European Commission despite objections by the European Parliament, [bypassing](#) its legislative [scrutiny](#) and concerns raised by the Commissioner for Human Rights of the Council of Europe over the [lack of crucial safeguards](#). Since then, EU leadership has hailed it as a "[blueprint](#)" for further agreements with countries in the region.

EU-Tunisia cooperation without effective human rights safeguards has supported border control in Tunisia which has included reckless and violent interceptions at sea of refugees, asylum seekers and migrants, as well as collective and summary expulsions without being able to claim international protection. The right to seek asylum and the right to leave any country including one's own are fundamental rights guaranteed in international human rights and refugee law that must be respected and protected in the adoption and implementation of migration control objectives.

The European Union should change course and embrace a human rights-based approach that does not risk complicity in serious human rights violations, embeds strong monitoring and accountability mechanisms, and strengthens the rule of law and respect for human rights instead of authoritarian practices in partner countries.

Three Years of Intensified Externalization at the Expense of Human Rights

Through the MoU with Tunisia, the EU has reinforced its [externalization of border controls](#) at a significant cost to human rights and dignity. The MoU has privileged containment and prevention of departures via support to Tunisian coast and [border guards](#) over strengthening access to asylum and protection and safe and legal pathways. Under the migration component of the MoU, the EU and its member states mobilised [EUR 105 million](#) in support of interceptions at sea and border control, [including](#) through the provision of vessels, equipment, training, operational support and a maritime rescue coordination centre (MRCC) designed to prevent people from reaching Europe from Tunisia. As of February 2024, at least [EUR 65 million](#) of this amount have been allocated to train and equip the Tunisian Coast Guard and Tunisian Maritime Rescue Coordination Centre established in April 2024.

This approach builds on the model of migration externalisation in Libya which has trapped people in cycles of human rights violations and abuse. As interceptions and containment in Libya, among other factors, pushed more refugees, migrants and asylum seekers onto desert routes into Tunisia, the resulting increase in transit through Tunisia was used to justify the signature of the MoU. Today, the same logic is creating new cycles of abuse: people intercepted at sea and returned to Tunisia are frequently brought back or smuggled back into Libya, where they face renewed arbitrary detention, exploitation and violence.

Within the Tunisian Search and Rescue Region (SRR), [called for and supported](#) by the European Commission, the EU-backed Tunisian National Guard has intercepted people at sea and forcibly returned them to Tunisia. [Numer-](#)

[ous reports](#) and [testimonies of survivors](#) show that the Tunisian National Guard has engaged in reckless, unlawful, and violent conduct during these interceptions, putting peoples' lives at risk and causing [deaths](#), while disembarking people without individualized protection assessments. Based on estimates, the Tunisian National Guard had intercepted more than 140,000 people by the end of 2024 with the actual figure likely to be significantly higher.¹

Tunisia Is Not Safe

In light of the documented deterioration of the human rights situation for Tunisian nationals, migrants and refugees, Tunisia [cannot](#) be considered a 'Place of Safety', according to international maritime law. [UN experts](#), [Amnesty International](#), [Human Rights Watch](#), the World Organisation Against Torture (OMCT), and [independent investigative reporting](#) have reached similar conclusions.

Despite being party to the 1951 Refugee Convention, Tunisia lacks a functioning national asylum system, and the government has [suspended](#) UNHCR asylum registration and refugee status determination procedures since June 2024, effectively [eliminating access to asylum](#). Until today, the government criminalises irregular entry, stay and exit.

Refugees, asylum seekers and migrants have faced racist violence in the country, as well as arbitrary detention, collective expulsions, abuse and torture and other ill-treatment including [rape by security forces](#). Tunisian authorities have collectively expelled people to [remote border areas](#) with [Libya and Algeria](#). Those expelled to Libya have been transferred to detention under inhumane conditions and are at risk of being ransomed for their freedom, while others have been abandoned at the border without food or water, threatening their lives and exposing them to further violations and abuse. These serious human rights violations have been consistently documented by [UN bodies](#) and [human rights organizations alike](#).

[Racist rhetoric](#) and [discriminatory practices](#) by the Tunisian President, senior officials and parliamentarians against Black Africans, including Tunisian nationals, continue to [fuel](#) racially discriminatory human rights violations and abuse including racist violence, racial profiling and collective expulsions. Only two days after the MoU was signed, UN experts [sounded the alarm](#) on allegedly discriminatory treatment of migrants and the practice of collective expulsions. Since then, the Tunisian authorities have [arbitrarily arrested and prosecuted](#) critical voices denouncing racism and discriminatory policies while civil society organisations providing refugee and asylum support continue to be [criminalized](#). On 23 June 2026, a Tunis court upheld the eight-year prison sentence against [Saadia Mosbah](#), a leading anti-racist figure in Tunisia.

The EU's Responsibility

The border control measures funded under the MoU and their link with documented human rights violations notably during EU-backed interceptions at sea and their aftermath raise serious concerns regarding the EU's risk of complicity in grave violations of international refugee law and international human rights law, including violations of the principle of non-refoulement.

The European Commission bears the "[ultimate responsibility](#)" for the implementation of EU funds and must ensure compliance with the EU Charter of Fundamental Rights, international law and the human rights principles governing [EU external action](#). Most of the support provided under the EU-Tunisia MoU is channelled through the NDICI–Global Europe instrument, whose [regulation](#) requires EU external action, including migration-related measures, to respect and promote human rights, fundamental freedoms and the rights and dignity of migrants, refugees and asylum seekers.

The 2024 reports of the [European Ombudsman](#) and the [European Court of Auditors](#) raised serious questions about whether continued funding, training, equipment and operational support to Tunisian authorities complies with the EU's legal obligations and safeguards contained in the NDICI framework.

Yet notwithstanding the fact that the EU and member states could have foreseen the risk of human rights violations, the MoU was signed without necessary or effective safeguards, as evident by the [lack](#) of prior human

¹ This calculation is based on numbers and estimates of FTDES and IOM, including approximately 60,600 people intercepted in 2023 and an estimated more than 80,000 in 2024 (added together: 140.600 people). No comprehensive official figures have been published for 2025 or 2026 to date as numbers remain blocked by Tunisian government sources.

rights assessment, clear and transparent benchmarks, or independent human rights monitoring. Despite mounting documentation of human rights violations, steps taken to address the lack of safeguards have been weak, narrow and untransparent – including the [announcement](#) of monitoring mechanisms and an internal procedure for handling allegations of human rights violations that have remained vague and not been made public. Clauses providing for a halt to cooperation in the event of human rights violations in [contractual agreements](#) are limited by restrictive conditions and have been ineffective, while the Commission has [reaffirmed](#) its commitment to support the Tunisian National Guard.

Respect for Human Rights Should Be Key Condition to Migration Cooperation

Since President Kais Saied's consolidation of power [in 2021](#), Tunisia has undergone a serious deterioration of the rule of law and civic space. [Political opponents](#), [journalists](#), [lawyers](#), [civil society organisations](#) and [human rights defenders](#) have increasingly been subjected to arbitrary arrests, [detention](#), criminal investigations, administrative restrictions for associations and other forms of repression.

Despite these concerns, Tunisia was included in the EU list of so-called “[Safe Countries of Origin](#)” in February 2026. Designating Tunisia as a ‘safe country of origin’ while [mentioning human rights concerns](#) undermines the individual assessment of asylum claims for Tunisians in the EU and the credibility of human rights commitments in the EU’s external action.

The same Tunisian state institutions responsible for border control and immigration enforcement – primarily the Tunisian National Guard and police – are also implicated in the crackdown on civil society, judicial independence and human rights. Therefore, continued EU migration cooperation without effective safeguards takes place within—and risks reinforcing and perpetuating—a wider system of authoritarian governance and cannot be viewed in isolation from the broader human rights context in which it operates. Despite these findings, the EU has not consistently and publicly raised human rights concerns based on clear criteria and transparent monitoring and has failed to ensure compliance with the principles set out in [Articles 2 and 21](#) of the Treaty on European Union (TEU).

Call to Action

Three years after the signing of the EU-Tunisia Memorandum of Understanding, the evidence is undeniable that the EU's migration partnership with Tunisia has come at an unacceptable human cost. The intensification of cooperation on migration control despite mounting evidence of human rights violations associated with EU support demonstrates the urgent need to realign EU migration policy with its legal obligations, including human rights commitments. The European Union and its Member States should prioritise protection over containment and human rights over deterrence to act as a principled actor and avoid complicity.

The European Commission and EU member states should:

Ensure Accountability and Oversight

- Conduct a comprehensive review of all migration-related cooperation between the EU and Tunisia to ensure compliance with international human rights, refugee and maritime law and ensure that no EU funds or material support contribute to or perpetuate human rights violations.
- Ensure full transparency of EU migration cooperation with Tunisia by publishing action documents for all EU-funded external migration-related programmes in Tunisia, as well as their human rights assessments, funding decisions and internal and third-party monitoring reports to enable effective oversight and public scrutiny.
- EU migration cooperation with Tunisia should be based on transparent human rights benchmarks, and be tied to genuine due diligence, ex-ante and ongoing risk assessments and independent, publicly available monitoring of the broader context in which this cooperation takes place and on its impact on human rights in the country.

Suspend Support for Migration Control and Operational Cooperation

- Immediately suspend EU-funded programmes supporting Tunisian security forces responsible for documented human rights violations in the area of migration management and border control.

- End operational, technical and financial support to the Tunisian National Guard and the Tunisian Maritime Rescue Coordination Centre including indirect support.
- Publish the criteria and assessments explaining why Article 2 of the TEU has, or has not, triggered any suspension, amendment or corrective measures in relation to EU funding under the MoU in line with the recommendations in the 2024 reports of the [European Ombudsman](#) and the [European Court of Auditors](#).

Safeguard International Protection

- Revoke Tunisia's designation as a safe country of origin.
- Ensure that EU member state authorities do not instruct disembarkation of refugees and migrants in distress at sea in Tunisia, which cannot be considered a Place of Safety, or refer vessels to the Tunisia MRCC.
- Respect the principle of non-refoulement and the law of the sea by ensuring that people rescued at sea are brought to a genuine place of safety where they are not at real risk of persecution or human rights violations.
- Press the Tunisian authorities to reestablish a refugee protection system and guarantee access to asylum by allowing UNHCR to operate in the country without restrictions.

Promote Human Rights and the Rule of Law

- Use public diplomacy more consistently and at the highest levels to condemn the crackdown on civil society, dissent and free speech in Tunisia, and call for the release of arbitrarily detained human rights defenders, lawyers, journalists, politicians and activists.
- Ensure that all cooperation with Tunisia includes strict human rights safeguards and does not risk supporting human rights violations.

Deliver an EU Migration Policy That Upholds Rights and Refugee Protection

- End the outsourcing of EU migration control and cooperation to third states that do not uphold human rights and often lack adequate monitoring and evade public scrutiny.
- Uphold the right to seek asylum, the right to leave any country and the principle of non-refoulement.
- Expand safe and legal pathways and protect and strengthen search and rescue in the Mediterranean Sea.

Signatories (46)

- Amnesty International
- Avocats Sans Frontières
- borderline-europe - Menschenrechte ohne Grenzen e.V.
- Campaign Against the Criminalization of Civil Society Work and Solidarity
- Change asbl Belgium
- Civil Rights Defenders
- COCAD asbl
- Comité pour le respect des libertés et des droits de l'Homme en Tunisie (CRLDHT)
- CompassCollective
- Diritti di Frontiera APS
- ECCHR (European Center for Constitutional and Human Rights)
- EMERGENCY
- Equinox Initiative for Racial Justice
- EuroMed Rights
- European Network Against Racism
- Fédération des tunisiens citoyens des deux rives (FTCR)
- FTDES
- Human Rights Watch
- Jesuit Refugee Service (JRS) Malta
- La Strada International
- Maldusa Project
- medico international
- Mediterranea Saving Humans
- Melting Pot
- Mission Lifeline International e.V.
- Multivolti
- MV Louise Michel project
- Payoke
- People in Need
- Pilotes volontaires
- PRO ASYL
- r42 - Sail And Rescue
- Refugees in Libya - APS
- RESQSHIP e.V.
- Sailidarity
- Sea Punks
- Sea-Eye e.V.
- Sea-Watch e.V.
- SOS Humanity e.V.
- SOS MEDITERRANEE
- Specto Média
- Terre des Hommes Germany
- United4Rescue – Gemeinsam Retten e.V.
- Watch The Med - Alarm Phone
- #DiasporaVote!
- All Included

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