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PEACE &
SECURITY
MONITOR

Challenges in
The Mediterranean
Region



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Cover photo: Carthage, Tunis, Tunisia by Natalia Timchenko

ISSN: 2989-3054

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Challenges in The Mediterranean Region

Issue 16

July 2024

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Foreword

As much of the democratic world votes this year in 2024, Tunisians seek to protect their fledgling democracy from authoritarianism at the ballot box. In Syria, on the other hand, the war continues as regional power brokers and non-state actors fill the vacuum left by the reduced U.S presence. France has been the subject of number of human rights concerns, as discrimination by law enforcement, stricter migrant policies and crackdowns on protests tarnish the French image of liberty, equality and fraternity. Amid the chaos of the war in Gaza, the human rights of Persons with Disabilities have often been overlooked and ignored, as their access to medical treatment has been greatly reduced and their humanitarian assistance impeded.



2024 Tunisian Presidential Elections: An Authoritarian Backslide?

Alicia Blackham

Key takeaways:

- A climate of fear and repression hangs over the 2024 presidential election in Tunisia, provoking concern about how free and fair it will be. As a result, rather than representing a democratic process, the election is, instead, a continuation of Tunisia's backslide into authoritarianism that began with President Saied's self-coup in 2021.
- In light of President Saied's imprisonment of political opponents and rising voter 'apathy', it is likely that he will be re-elected. This would give him the legitimacy to continue dismantling Tunisia's democracy.
- Opposition to Saied and authoritarianism is still prevalent in Tunisia, with politicians and protestors continuing to call for free and fair elections despite risking imprisonment. As such, there is still optimism that Tunisia, as a country that has overthrown tyranny before, can do so again at the ballot box.



Figure 1: Kasbah Square and Town Hall in Tunis, Tunisia by CataFratto

Background: Democratic Transition and Self-Coup

In 2011, the first of the Arab Spring uprisings took place in Tunisia, removing President Zine el-Abidine Ben Ali and ushering in a 'democratic transition'. Following the uprising, the new government oversaw the creation of a liberal constitution, the holding of free and fair elections, the fostering of a vibrant civil society and the development of more inclusive political institutions. Despite these significant gains for democracy, Sarah Yerkes highlights that the government failed to address underlying issues such as socioeconomic disparity, unemployment and corruption, leading to rising anger in Tunisia. [1] 2019 saw President Kais Saied, a populist leader with no political party, elected president. Two years later, in 2021, he executed a self-coup, dismantling a democracy that was still in its infancy.

Poor economic performance and a fragmented parliament had weakened Tunisia's democracy, enabling Saied to take advantage of public dissatisfaction by capitalising on three interrelated crises: the COVID-19 pandemic, the economy and a fractured political system.[2][3] As a result, he initially had considerable public support, with Tunisians seeing him as someone who would act to address problems.[4] Saied justified the coup as an emergency measure in exceptional circumstances, but this has been extended indefinitely, with Tunisians even approving "a constitutional referendum that effectively codifies Saied's power grab into Tunisian law" in July 2022.[5] Since 2021, Saied has "systematically destroyed Tunisia's remaining democratic institutions, either by suspending them outright or replacing their members with loyalists." [6] This is the environment in which the 2024 Presidential election will take place.

The Current Tunisian Political Landscape

In 2024, a country that was once held as an example of democratic transition in the region experienced 3 years of backsliding into authoritarianism. In the run-up to the election, the political landscape is one of restriction, with Saied making significant efforts to suppress dissent through the arrest of his political opposition, journalists and critics. Thus, “the upcoming 2024 presidential elections in Tunisia present a starkly different political landscape from its predecessors”, with significant concerns about the extent to which the election will be free and fair.[7]

Given this context, the opposition picture is complex. On 6 April, Saied announced his re-election bid, stating that he seeks to “save Tunisia from foreign forces.”[8] Meanwhile, as of May 2024, 4 out of 10 candidates who have expressed intent to run for office are in prison.[9] This includes the country’s leading opposition figure, Rached Ghannouchi, leader of the moderate Islamist Ennahda party who was instrumental in Tunisia’s democratisation, imprisoned on reportedly ‘spurious’ charges of accepting external financing.[10]

Essam Chebbi, leader of the centrist liberal democratic Republican party, described by the news outlet The New Arab as “the main opposition hope”, is also campaigning for the presidency from prison.[11] Another prominent candidate, Abir Moussa, has also been in prison for months, and Mondher Zanaidi announced his candidacy whilst living in France, amid expectations that he would be arrested if he returned to Tunisia.[12] Arrests have continued throughout 2024, with the leader of the Republican Party, Lotfi Mraïhi, being arrested as recently as 3 July, purportedly for money laundering.[13]

With his main opponents in prison, Saied’s path to re-election may seem straightforward and, according to a report published in March 2024, he is ahead in the polls.[14]

Despite a climate of repression and fear of arrest, the political opposition continues to take a stand

against Saied’s authoritarianism.

The National Salvation Front, the main opposition coalition, stated at the end of April that they would not take part in the election unless Saied’s opponents are freed and judicial independence is restored, further elevating the concern that the election would not be fair.[15] Imed Khemiri, a member of the Salvation Front and senior official in the Ennahda party, stated that “today there is no climate for fair elections and there is no date...the authorities are repressing politicians, lawyers and journalists.”[16] However, whilst the opposition seems to be united in their concerns regarding the election, boycotts of the election may only further clear the path for Saied’s re-election.



Figure 2: Left to right - Tunisia First Lady Ichraf Saied, Tunisia President Kais Saied, United States President Joe Biden, and United States First Lady Jill Biden at the U.S.-Africa Leader Summit, December 14, 2022, in the Diplomatic Reception Room of the White House. (Official White House Photo by Adam Schultz)

Backsliding into Authoritarianism?

Whilst elections are central to a functioning democracy, holding a presidential election in the case of Tunisia does not necessarily suggest a return to a more democratic political system. On the contrary, it seems unlikely that this election will be free and fair and may, instead, give Saied a stronger mandate to continue with his authoritarian measures. On 2 July, the election date was finally set for 6 October. This came after “unprecedented” delays from the Independent High Authority for Elections (ISIE) in announcing the electoral roadmap, with some commentators suggesting that “ISIE’s reticence is a strong

indicator that the body is waiting for a green light from the republic's presidency.”[17]

This, along with other actions by both Saied and the ISIE, has raised major concerns over the fairness of the upcoming election. Saied has prohibited international electoral observers from monitoring the 2024 polls, an action that certainly raises suspicions over his plans for the transparency of the election.[18] Moreover, ISIE reportedly plans to introduce a requirement for candidates to provide a copy of their criminal record, which will be of particular concern to those who have been imprisoned.[19]

Furthermore, given the arrests of politicians and other critics, Lamine Benghazi of the Tahrir Institute writes that “this climate of terror within the judiciary severely impacts political freedoms in Tunisia.”[20] Benghazi goes on to say that “while the upcoming elections offer an opportunity to peacefully reclaim power and restore democratic processes, the risks of participating in an electoral process devoid of norms for free and fair elections is high, while the chance of success is slim.”[21] Marwa Murad, spokesperson of the Swiss Human Rights Organisation Committee for Justice, asserted that “Saied’s latest wave of oppression appears to be intricately linked to the upcoming election”, explaining that he aims to increase his power and limit opposition through the repression of civil society and freedom of expression.[22]

In addition, voter apathy appears widespread in



Figure 3: Anti-coup protest, Tunis, Tunisia 10 October, 2021 (Dodos photography)

Tunisia, with the public exhibiting growing disengagement from political affairs, as illustrated by a mere 12.44% voter turnout in the 2024 local elections.[23] Whilst the lack of political engagement may also suggest that Saied’s supporter base is also increasingly apathetic, without solid momentum behind the opposition calling for democracy, re-establishing a democratic Tunisia may be challenging. In light of this, despite it being difficult to determine Saied’s approval rating as boycotts have made recent elections “comically lopsided”, his re-election is undoubtedly a possible outcome.[24] This would likely give him the legitimacy to further entrench his authoritarian power in the fledgling democracy.

Hope for Democracy?

Although these major concerns surrounding the upcoming election cannot be disregarded, some commentators retain hope for an eventual return to democracy in Tunisia. Dr. Sarah Yerkes from the Carnegie Endowment for International Peace has repeatedly highlighted the potential for optimism. In an article for Foreign Affairs, she argues that Saied “should remember the very first lesson of the Tunisia model: that the Tunisian people, when united, have the power to demand change and take down a tyrant.”[25] In a research paper published by Carnegie, Yerkes concludes that “it is too early to completely close the door on Tunisian democracy.”[26] She has also pointed out that “you still have civil society groups and a media in Tunisia which can act as a check on his power, and there are still protests by the public. This is not the end of Tunisia’s democratic story.”[27]

In May 2024, hundreds took to the streets to demand the release of prisoners and the setting of a date for the election, illustrating the scope of opposition on the part of both political groups and the Tunisian public.[28]

The protest, organised by the Salvation Front, proves that there remains a willingness in Tunisia to protect democracy and those willing to make their voices heard in spite of the climate of fear

and repression. On the topic of the opposition and protest, The Africa Center for Strategic Studies additionally suggests that “opposition parties are also now working more closely together with the aim of fielding a single candidate to contend what will surely be a less than free and fair process.”[29] This unity will likely be crucial in the fight for democracy to be re-established in Tunisia, particularly given the role that political fragmentation played in Saied’s successful self-coup.

Gordon Gray, a previous US ambassador to Tunisia, reflects similar optimism. He argues that Tunisia can still be a catalyst for global democratic reform, citing Freedom House’s assertion that “while authoritarians remain extremely dangerous, they are not unbeatable” and explaining that the Tunisian people proved that during the 2011 revolution when they united to overthrow a dictator.[30] He calls for people throughout the world to support Tunisia, including by helping to fix its economy.[31] Ambassador Gray concludes that “the protection of Tunisia’s democracy would stand as a beacon of hope. It would offer a compelling model for the entire Middle East and North Africa region to advance towards peace and prosperity and showcase the transformative power of democratic ideals amidst tumultuous times.”[32] This argument offers an international perspective, hinting both at the international community’s role in supporting democracy in Tunisia and Tunisia’s potential to once again be an example of democracy in the region.

Conclusion

In many ways, this election represents a backslide towards authoritarianism. Saied’s efforts to silence opposition and concerns over the election’s fairness illustrate that simply holding an election does not necessarily mean that a democratic process is taking place. Further, if Saied were to win, he would be able to use the result to legitimise his actions, therefore, potentially further entrenching authoritarianism in Tunisia. Nevertheless, this does not mean that the end of democracy in Tunisia is a foregone conclusion. The world saw Tunisia take a stand

against tyranny in 2011; therefore, it would be premature to assume that they cannot succeed again. As it stands, Saied can only have one more term as president, so hope for re-establishing democracy in Tunisia in the future is not lost even if he wins in October.

Recommendations

- Opposition political parties must unite around key demands such as free elections, the release of political prisoners, freedom of expression and the re-establishment of the democratic process. Whilst establishing a united front is challenging, in order to stand against authoritarianism, pro-democracy opposition parties must try to avoid the political fragmentation on which President Saied capitalised to carry out his self-coup in 2021.
- In order to overcome both support for Saied and voter apathy, the opposition must also work to engage the public in the political process and aim to present a viable economic and political alternative that voters can get behind. Economic policy is particularly crucial given the central role of the economic crisis in justifying Saied’s self-coup.
- International actors can play an important role in calling out backsliding and should reaffirm their support for Tunisia’s democratic transition. Democratic Tunisia was unique in its isolation as the only democracy in the region, meaning it faces particular challenges; this renders support from democracies further afield especially crucial.
- In the event of an electoral victory for the pro-democracy political opposition, international actors can help foster Tunisian democracy by considering investments in the economy in sectors like manufacturing and tourism, establishing vital economic and cultural links to other democracies in the Mediterranean.

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Krak de Chevaliers, al-Husn, Syria

Terror Groups Rising in Syria and the Potential Impact on the Israel– Hamas War

Fabio Calzati

Key Takeaways

- Tensions between Israel and Iran following the October 7th Hamas attack on Israel have increased. Tel-Aviv has escalated its military actions against Iran and its ally Hezbollah, including lethal attacks in Aleppo and striking the Iranian consulate in Damascus. By taking these steps, there is a chance that the violence could spread to Syria and further destabilise the area.
- Due to reduced U.S presence in Syria, Iran, Hezbollah, and ISIL have gained confidence in the region. This change has diminished American influence and given these organisations more clout, endangering regional security and even intensifying the war in Gaza.
- Ceasefire remains fundamental: in order to prevent an escalation of the conflict in Gaza, the most immediate step remains an agreed ceasefire among different, involved actors.



Figure 1: Syrian Democratic Forces watch as a coalition airstrike hits its target on a known Islamic State of Iraq and Syria location near the Iraq–Syria border, May 13, 2018. DoD photo by Army Staff Sgt. Timothy R. Koster

Background

The ongoing conflict in Gaza risks expanding. Tel-Aviv has taken an aggressive posture against Iran and increased attacks on its ally Hezbollah in Syria by targeting the Iranian consulate in Damascus and killing seven members of Iran's Islamic revolutionary Guard Corps, as well as by striking the Syrian province of Aleppo where 40 people – including some Hezbollah fighters – were killed.[1][2][3] Such acts on Syrian territories are likely to increase in the future due to a number of factors, such as the strategic function played by Syria in the geopolitics of Iran and Hezbollah, as well as the instability of the country.

U.S Withdrawal Creates a Power Vacuum

Since the beginning of the conflict in Syria, the United States have been involved through the use of airstrikes and deployment of ground forces against the terrorist organisation known as the Islamic State of Iraq and the Levant (ISIL or Daesh in Arab).[4] In April 2018, U.S. President Donald Trump declared victory over ISIL and wanted to remove American troops from Syria.[5]

Such words were greeted with strong reactions among political analysts as well as by Jim Mattis, then Secretary of Defense, due to the control gap that the U.S. were leaving in favour of actors like Russia, Iran and other stakeholders in the area – including Hezbollah and resilient ISIL forces.[6][7]

Since the statement of Trump, the presence of U.S. troops has been reduced from 2,000 to 900 soldiers on the ground. Despite the Biden administration declared to have no intention of making any changes to the U.S. military operation in Syria and to keep supporting Kurdish ally, the Syrian Democratic Forces (SDF), the credibility of

the U.S. has been significantly damaged and continues to raise doubts - particularly given analysts' predictions of a possible re-election of Donald Trump.[8][9][10][11][12]

Additionally, a potential and total U.S. withdrawal from Syria might push key allies towards opponent actors: this is the case of the already existing cooperation between Turkey, NATO member, and Russia or also between the SDF and the Al-Assad regime.[13][14]

Finally, the retreat of U.S. troops could lead to the strengthening of the still existing ISIL armed forces in Syria and to a new attempt to reconstitute an Islamic State. The evolving dynamics in the region could expand warfare from the rekindled conflict in Gaza, particularly involving actors like ISIL, Iran and Hezbollah. These players are poised to significantly influence the trajectory of the Gaza conflict, potentially extending its impact deeper into the Syrian landscape.

ISIL's Resurgence Amid Regional Turmoil

Today, ISIL's presence in Syria has been significantly weakened by the common efforts of the international Global Coalition. However, as

stated by U.S. Army Gen. Maj. J.B. Vowell, "Daesh remains a threat to international security" and even more at the national level.[15] The SDF guard captured ISIL fighters in eastern Syria who present a strategic opportunity to rebuild the jihadist group forces: these include 10,000 formerly ISIL combatants and about 30,000 family members (mostly children) which present potential recruitment and radicalization hubs for the militant group.[16][17]

Since October 7th and the worsening conflict in Gaza, ISIL has claimed 153 attacks in Syria, as well as Iraq. The U.S. Central Command stated that ISIL is "on pace to more than double the total number of attacks they claimed in 2023", in addition to an increase of ISIL fighters.[18] Recent attacks led in al-Raqqah, Homs, and Deir el-Zor are also suggestive of another element. ISIL has concentrated on low-cost operations and gained influence on areas as "a response to ongoing protests and local governance crises - a political environment conducive to its [ISIL] activities". [19] [20] The conflict in Gaza, coupled with Arab governments' declared neutrality or tacit support for Israel, has fuelled anti-Western sentiments, particularly towards the United States.[21] ISIL is likely to exploit this resentment to mobilise "lone wolves"

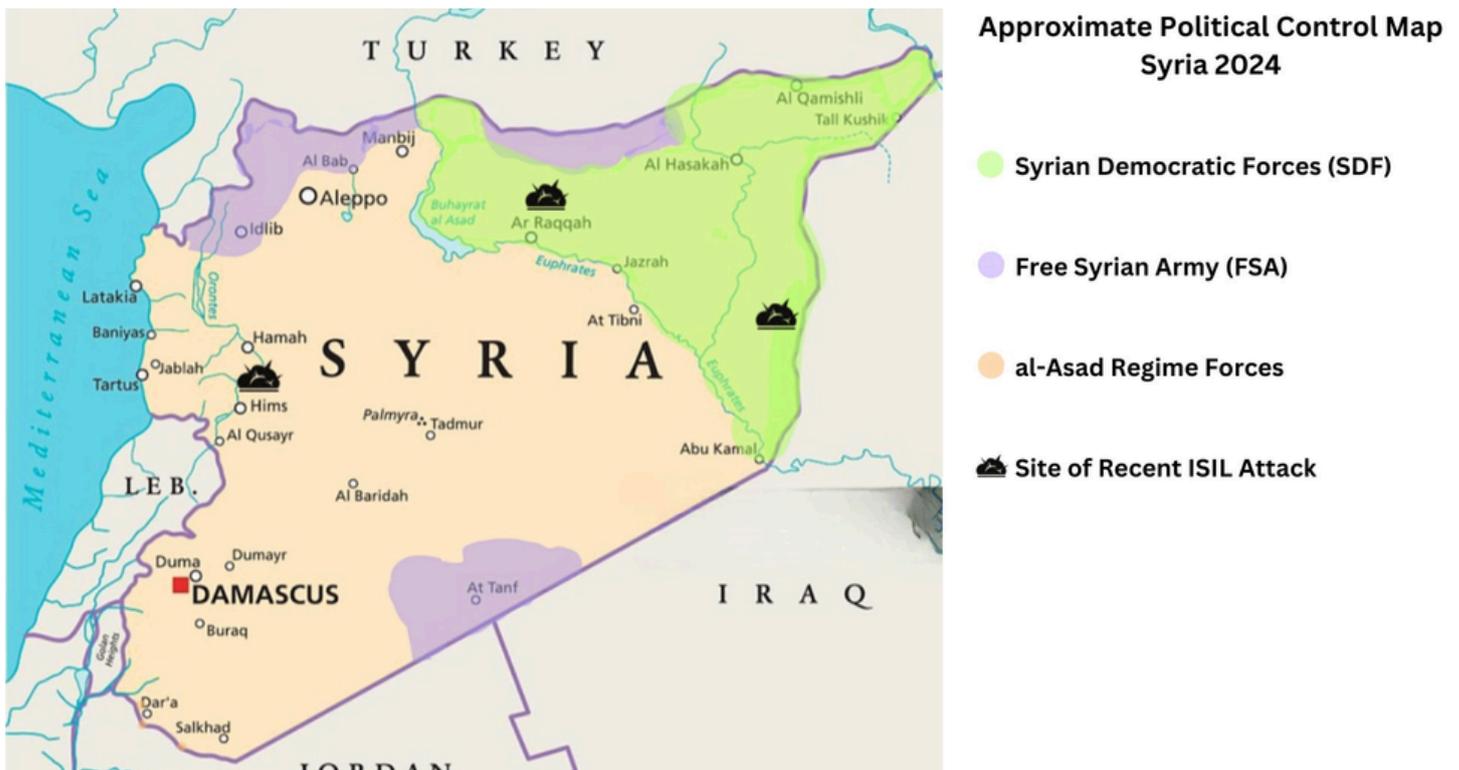


Figure 2: 2024 map of approximate political control in Syria by Fabio Calzati

for future operations in an effort to regain influence, targeting both traditional areas of influence like Syria, as well as Western countries where these terrorist elements are present.[22] [23] Given the complexity of the conflict in Gaza and the expectations of its prolonged duration, ISIL may exploit the situation to advance their agendas and profit from a potential U.S. disengagement.

Iran's Strategic Depth & Confrontation in Syria

The Iranian presence in Syria is based on its opposition to US influence in the Middle East and confrontation with Israel. This is enforced through a policy of “offensive defence” which consists in the creation of a larger framework based on deterrence.[24] Within the Syrian context, Iran collected important victories to ensure this deterrence by allowing the survival of the Al-Assad regime first during the Obama’s administration and then by ensuring a “land bridge” towards the Mediterranean with the partial withdrawal of U.S. troops under the Trump’s administration.[25] By doing so, not only did Tehran achieve its goal of building weapons factories in Syria, but it also ensured a safe passage for weapons and supplies across Syrian territory to South Liban and the Golan heights – Iranian strategic points to maintain military pressure on Israel.[26] While Iran has been engaging in a shadow war against Israel and the U.S. for years in Syria, the escalation of the conflict in Gaza has brought more blunt and direct tensions between these actors especially in the Syrian arena. Specifically, the war in Gaza is pulling the longstanding conflict between Iran and Israel out of the shadows.[27] Between December 2023 and April 2024, Israeli strikes killed Islamic Revolutionary Guard Corps (IRGC) commander Sayyed Razi Mousavi in Damascus and other 9 IRGC members in the Syrian capital.[28] In response, on April 13th, Iran launched hundred of missiles and drones – to signal strength without causing significant harm – in retaliation of Iranian loss in Syria.[29] Simultaneously, Iran is exploiting U.S. support for Israel in the Gaza war to fuel the recruitment of fighters from tribal groups and

increase Iranian influence in eastern Syria: in order to ensure this, Iran-backed groups and the Al-Assad regime labelled the SDF as an occupying force allied with a foreign power – the U.S..[30] Such recruitment action further expands support from Iranian-backed groups in Syria where Hezbollah, another Tehran-backed militia, has been increasing its military capacity to the point that could launch massive attacks of 2,500 to 3,500 rockets per day against Israel from its bases in Syria. [31]



Figure 3: Ayatollah Ali Khamenei meets with Bashar al-Assad in Tehran, 25 Feb 2019 (image sourced from Khameni.ir)

Hezbollah's Strategic Calculations

Together with the Al-Assad regime, Hezbollah is part of the Iran-led alliance which aims to counter Western interests in the Middle East, specifically those of the United States and Israel. [32] In Syria, Hezbollah has received financial and material support for years from the Assad regime, which offered a safe port for Hezbollah training camps and weapons storage.[33] Additionally, with the start of the civil war in Syria, Hezbollah directly joined numerous operations in support of Syrian military and paramilitary forces. The role of Hezbollah has been so important to train the National Defence Forces and to ensure a part of Syrian territory to protect its interests in Lebanon. [34] Since October 2023 and the rising of tensions in Gaza, Hezbollah militias, together with al-Assad regime forces, have increased attacks towards US and SDF forces in Syria and have

launched attacks against Israeli barracks in occupied Golan Heights using drones. [35][36] However, such attacks have been part of a “constrained warfare”, namely “deliberate attempts by an actor [Hezbollah] to restrain its use of full force to contain the response of its enemies [Israel]”. [37] Such an approach of Hezbollah to the ongoing Gaza conflict is due to two factors. On one hand, over the years, Hezbollah has been presenting itself as a “resistance movement” aiming to liberate Palestine from Israel and, therefore, it cannot relinquish to implement military actions in support of Gaza. [38]

On the other hand, a more decisive intervention in Gaza would mean to put at risk the physical survival of the group itself, as this could entail a greater reaction of Israel – which has already been threatened – as well as the direct intervention of the U.S.[39][40]

Conclusion

The ongoing conflict in Gaza, triggered by the October 7th attack on Israel by Hamas, has the potential to expand into Syria, involving key regional actors like Iran, Hezbollah, and ISIL. Iran and Hezbollah, long-standing allies with significant influence in Syria, have escalated their activities in response to Israeli actions, which have included targeting Iranian and Hezbollah positions within Syria. This has been exacerbated by the U.S.'s diminishing military presence in the region, creating a power vacuum that these actors are eager to fill. Notwithstanding increased military actions, relevant stakeholders carefully calculated their actions to avoid the fatal step that could lead to the enlargement of the conflict in Syria. Iran's shallow support for Hamas and the calculated attack on April 13th exemplify this.[41] The conflict in Gaza has simultaneously provoked tensions between Iranian-backed militias, like Hezbollah, with the U.S. and Israel alike. The group justifies the attacks by citing U.S. support for Israel's war on Gaza. Additionally, it is motivated by Iran's long-held goal of expelling the U.S. from Syria and Iraq. Should the Gaza war escalate further, or if Israel launches a broader assault on

other Iranian assets or on Iran itself, the contained warfare policy could be abandoned. In such a scenario, Tehran and Hezbollah might decide to launch more decisive attacks on Israel, potentially opening a northern front on the Golan Heights. This could easily bring to the expansion of the conflict to whole Syria and benefit solely ISIL in its attempt to rebuild itself.

Recommendations

- **Boost Diplomatic Efforts:** In order to stop the Gaza conflict from spreading to Syria, international actors must step up their diplomatic efforts and agree on a ceasefire. In order to lower tensions between Israel and Iran, this involves mediating the situation and making sure that regional powers like Turkey and Russia contribute positively to stability.
- **Reevaluate Military Plans:** In order to fill the power void left by the troop departure, the United States and its allies should review their military plans in Syria. The influence of Iran, Hezbollah, and ISIL may be resisted by keeping a strong presence and aiding regional groups like the SDF.
- **Enhance Intelligence Sharing:** Increased intelligence sharing between partners can aid in anticipating and averting attacks by ISIL and militias with Iranian support. To lessen the possibility of a larger confrontation, this entails keeping an eye on these groups' recruitment efforts and interfering with their networks.
- **Encourage Humanitarian Initiatives:** Rebuilding areas devastated by conflict and offering humanitarian aid can help lessen the attractiveness of extremist organisations. Rebuilding infrastructure and attending to the needs of displaced people can support regional stability and peace over the long run.

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2024 Human Rights Reports: Is Respect for Human Rights in France Deteriorating?

Alicia Blackham

Key Takeaways

- France has a historical relationship with the establishment of international human rights law and continues to present itself as a country where human rights are important. However, the human rights reports published in 2024 by prominent organisations threaten this presentation, instead arguing that we are currently witnessing the degradation of human rights in France.
- The key themes in these reports are an increase in discrimination perpetrated by both institutions and the general public, widespread abuses by law enforcement, and recent restrictions on freedom of assembly, all of which are key parts of international human rights law. They also sit in direct opposition to France's national motto - *liberté, égalité, fraternité* - suggesting the need for France to reassess its position.
- Numerous rights organisations, both domestic and international, have now drawn attention to these key issues. Concerns have also been raised about the government's attempts to ignore the criticism or, at times, even deny it. In light of this denial, it does not appear that the government is currently motivated to act upon this criticism.

Background: History of Human Rights in France to the Modern Day

In order to analyse the current state of human rights in France, it is important to consider France's historic relationship with human rights law and discourse. The Declaration of the Rights of Man and of the Citizen, ratified in 1789, is arguably the start of this history. This text sets out the "natural and inalienable" rights to freedom,

ownership, security, resistance to oppression and equality before the law.[1] Thus, in this regard, the use of a language of rights in France that is still recognisable today can be traced back over 300 years. Crucially, France continues to recognise the importance of the Declaration, with the Constitution of the Fifth Republic citing it in its preamble.[2] Two centuries later, the Universal Declaration of Human Rights was signed in Paris in 1948, placing France right at the centre of modern international human rights law.

The French government and its institutions have repeatedly referenced the importance of human rights in France. Writing about the Universal Declaration, France's Permanent Mission to the United Nations described it as having "created the foundation on which all international mechanisms to defend human rights have been built" and reaffirmed their commitment to human rights as "one of the founding principles of the French Republic." [3] Similarly, the Ministry of Europe and Foreign Affairs includes on its website a summary of the institutions protecting human rights in France, emphasising their support for the Office of the High Commissioner for Human Rights (OCHCR), the Human Rights Council, and the European Court of Human Rights (ECHR). [4]



Figure 1: A popular front demonstrator carries a sign which reads "Democracy = Neither Le Pen Nor Macron", June 15, 2024 (Jeanne Menjoulet)

President Macron's government has reiterated similar discourse, with the Minister for Europe and Foreign Affairs and the Minister for Justice organising an event in 2023 to celebrate the 75th anniversary of the Universal Declaration of Human Rights, at which Macron gave the closing speech. This event aimed to reiterate the importance of the Declaration, emphasise the role of human rights defenders, identify contemporary challenges, and underline the role of justice in the fight to safeguard human rights.[5] Human Rights Watch also notes that, in 2023:

"France reaffirmed its commitment to the multilateral human rights protection system, the protection of civilians in conflict, international criminal justice, women's rights and the fight against sexual violence, the protection of journalists, and the rights of lesbian, gay, bisexual, and transgender (LGBT) people." [6]

Thus, France clearly considers itself to be a country of rights, both historically and in the present day. The country has certainly played a part in the establishment of key human rights legislation and institutions. However, Human Rights Watch notes that the implementation of its commitment to the multilateral human rights protection system has been uneven and has, at times, failed.[7] Further, the most recent human rights reports published in 2024 by both Human Rights Watch and Amnesty International note significant concerns regarding the deteriorating state of human rights in France.[8][9] Consequently, questions can be asked regarding whether France can legitimately portray respect for human rights as a guiding principle of its republic.

2024 Human Rights Reports: Amnesty International and Human Rights Watch

In April 2024, the President of Amnesty International, Jean-Claude Samouiller, asserted that respect for human rights in France is "deteriorating", warning that hate speech and challenges to international law are on the rise.[10] He further stressed that "civil society must remain vigilant." [11] Amnesty International expanded upon

their concerns in their report for 2023/2024, summarising that:

"Systemic racism and religious discrimination persisted, including against Muslim women and girls. Racial profiling continued with impunity. Excessive restrictions on protests and excessive use of force by police continued. Mass protests and unrest followed the killing of a 17-year-old boy of Algerian descent by police at a traffic stop. Racist, xenophobic and anti-LGBTI vandalism and violent attacks were frequently reported." [12]

Human Rights Watch noted similar issues in their World Report 2024. In particular, they emphasised:

- The excessive use of force by law enforcement against protesters.
- The erosion of the rule of law.
- An increase in antisemitic attacks.
- Restrictions on pro-Palestinian protests.
- Inhumane living conditions for migrants and asylum seekers.
- Discriminatory identity checks.
- The lack of consistent prioritisation of human rights in foreign policy despite the government's stated commitment to multilateral human rights protection.[13]

The fact that two prominent human rights organisations have highlighted similar abuses across a range of different areas cannot be ignored. Whilst many of these issues have been noted in the past, Amnesty International is clearly of the opinion that the situation is worsening and must be addressed imminently. Looking at these concerns in more detail will reveal a number of trends, most notably the increase in discrimination by both the government and the public, the extent of abuses in law enforcement, and the heightened restrictions on freedom of assembly.

Key Concerns

Discrimination

Reports illustrate that discrimination in France is on the rise. A report published by the country's human rights commission (CNCDH) in June stated that tolerance is "declining towards all minorities"[14], further explaining that "the year 2023 was marked by a strong progression in the rejection of the Other, whether in opinions or acts."[15] The report found that antisemitic and islamophobic acts increased by 284% and 29%, respectively, while other types of racist acts increased by 21%.[16]

The government and other authorities have also been accused of discriminatory practices. Despite the recommendation of France's Public Rapporteur, the Council of State ruled that the French Football Federation could prohibit Muslim women and girls from competing while wearing religious headgear.[17] Moreover, in September 2023, the Minister for Sports stated that women wearing religious headgear could not represent France in the upcoming Paris Olympics, inciting criticism from the OHCHR.[18] Such rulings have also affected school-age girls, with the Minister for Education prohibiting the wearing of abayas and gamis in all state schools; in some schools, police were stationed outside, refusing entry to some Muslim girls and thus "breaching their rights to education and non-discrimination" according to Amnesty International.[19]

Discrimination has also been found to be widespread within law enforcement, leading Human Rights Watch, Amnesty International, and three French rights groups to lodge a complaint with the United Nations Committee on the Elimination of Racial Discrimination in April 2024. [20] This is not the first time that racial profiling by the police has been highlighted over the course of 2023 and 2024. In June 2023, OHCHR urged the government to "seriously address the deep issues of racism and discrimination in law enforcement."[21] Then, in October 2023, the French Council of State issued a decision in a lawsuit against the police for ethnic profiling that was brought by six rights groups in 2021. The

Council ruled that ethnic profiling cannot be explained away as isolated cases, yet "failed to order French authorities to take necessary measures to end it."[22]

Despite these warnings, the French government has taken little action to combat discrimination and, in some cases, has even perpetuated it. With regards to racial profiling by the police, Human Rights Watch asserted that "by failing to take the necessary measures to put an end to this practice, the French government is failing to meet its obligations under several international treaties."[23] Nathalie Godard, from Amnesty International France, wrote in an article that "discrimination exists, as does the denial of the government."[24] Given the lacklustre response of the government to discriminatory practices, it seems unlikely that the situation will improve in the near future, thus risking a further deterioration of respect for equality and human rights in the country.



Figure 2: Scene of urban violence following the homicide of Nahel Merzouk, 29 June 2023 in the Planoise district of Besançon. (Toufik-de-Planoise)

Law Enforcement Abuse

In addition to racial discrimination, law enforcement in France has been accused of other types of abuse. The shooting of Nahel, a 17-year-old citizen of Algerian descent, by the police during a traffic stop in June 2023 is a stark example of the use of excessive force by law enforcement. Following this, the spokesperson for the UN High Commissioner for Human Rights emphasised that it was time for France to

seriously address its problems with racism in law enforcement. However, the government's response has been to dismiss accusations of systematic discrimination as "unfounded", aptly highlighted by Nathalie Godard.[25]

The excessive use of force to dispel protests has also been criticised; according to Amnesty, authorities have used "abusive force to maintain order", referencing "violent dispersals and indiscriminate beatings".[26] The use of tear gas on protesters remains commonplace, including against groups protesting the rise of the far-right across France in June 2024.[27] Overall, there are major concerns surrounding the actions of law enforcement in France, rendering it unsurprising that human rights defenders both in France and internationally have suggested that discrimination and abuse are systematic and warrant action on the part of the government.



Figure 3: Pro Palestinian protest in Paris, May 15, 2021 (Nadim Kobeissi)

The Right to Protest

Not only have authorities responded to protests with undue force, but freedom of assembly itself has been threatened. In October 2023, the French Minister of the Interior, Gerald Darmanin, called for prefects in France to ban all pro-Palestinian demonstrations. This was met with widespread criticism, with Samouiller asserting that "the ban on all demonstrations in support of the Palestinians in France constitutes a serious and disproportionate attack on the right to demonstrate." [28] Hundreds gathered in Paris on the same day in defiance of the ban, but France's top courts nonetheless ruled that demonstrations could only be banned on a case-by-case basis after evaluation by local authorities.[29]

Human Rights Watch emphasised in their report that "actions taken to curb civil society activities raised concerns about the erosion of the rule of law", citing other instances of the narrowing of civic space, like the dissolution of *Soulèvements de la Terre*, an environmental activist group, as a result of their protest against the construction of a giant water reservoir in Western France.[30][31] However, the Council of State overturned the dissolution in November 2023.[32]

It is, therefore, clear that there are checks and balances in place in France - through institutions such as the courts - that can prevent certain human rights abuses. Nevertheless, the government's repeated attempts to institute restrictions on civil society remains concerning.

Migrants and Asylum Seekers

Particular attention has been paid to the treatment of migrants and asylum seekers in France who have "continued to face inhumane living conditions, detention, and police abuse." [33] This has been compounded by immigration discourse promoted by the *Rassemblement National*. Although the far-right party recently fell short to a leftist alliance in the parliamentary elections, their platform, largely based on restricting the rights of immigrants, has emboldened racist opinions, according to the CNCDH.[34]

Significantly, Macron's own party recently moved to the right regarding to immigration law, passing a new bill in December thanks to the support from the far-right, following numerous revisions to make the bill harsher.[35] Godard argues that security narratives have been used to justify human rights infringements, including in the case of the recent immigration bill.[36] At the moment, the conditions for migrants and asylum seekers in France are evidently challenging. Furthermore, the willingness of governments to disregard criticism from rights groups and, at times, infringe on international human rights law in order to restrict immigration brings into question the status of the relationship between states and international rights organisations.

Conclusion: France as a Country of Human Rights

It is evident that France has sought to conceptualise itself as a country in which human rights matter. Even its national motto – liberté, égalité, fraternité – reflects this. However, the extensive criticism from prominent human rights organisations calls into question the reality of this conceptualisation. Liberty is threatened by restrictions to freedom of assembly, equality is threatened by systematic discrimination, and fraternity is threatened by the increased divisiveness that follows. Significantly, in response to the 2024 human rights reports discussed, a Tunisian newspaper exclaimed that “France can no longer give lessons on human rights”, questioning what will become of the “country of human rights”.^[37] This is a question that France must consider – if its international reputation is damaged as a result of such reports, then its commitment to including human rights as part of its foreign policy could be undermined.

Representatives from Amnesty International have also reflected on the future of human rights in France following their recent reports. Samouiller emphasises that this “is a really bad sign for the future of our country”, and Godard concludes that recent events have brought France closer to the “tipping point”, moving towards a degraded rule of law as well as weakened rights.^{[38][39]} She ends by saying that “in France as well, they must be protected.”^[40] The widespread criticism from multiple organisations, both domestically and internationally, cannot be permanently ignored or denied. These criticisms can, therefore, be seen as a call to action for the government in order to avoid further degradation and to, instead, re-establish themselves as the type of country they seemingly want to be seen as – one where human rights and civil liberties are respected.

Recommendations

- The state has a responsibility to protect human rights and avoid the stigmatisation of certain groups. Thus, the French authorities must take recent human rights reports seriously and begin to systematically address the concerns raised. This will involve a thorough evaluation of law enforcement abuses and racial profiling by the police, a robust policy to tackle the rise in discriminatory attacks, and a re-evaluation of its position on protests and freedom of assembly.
- From a foreign policy perspective, countries that claim to centre human rights in their foreign policy cannot avoid introspection when it comes to adhering to human rights law at home. Commitment to a multilateral human rights protection system should also involve acting to protect human rights within a state’s borders. The government must illustrate this commitment if it wishes to avoid damage to its international reputation.
- Both international organisations and civil society have a key role in holding governments to account. Whilst it is clear that rights groups have sought to do this in the case of France, the government has been accused of not responding adequately. Nevertheless, this criticism should continue, including thorough follow-up reports and media coverage, in order to mount pressure on authorities to commit to their human rights obligations.

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Palestinians inspect the damage following an Israeli airstrike on the El-Remal area in Gaza City on October 9, 2023. (Palestinian News & Information Agency (Wafa) in contract with APImages)

Invisible Wounds: Navigating the Rights of the Disabled in War-torn Gaza

Fabio Calzati

Key Takeaways

- Persons with Disabilities (PwDs) in Gaza encounter numerous obstacles in obtaining daily necessities, basic goods, and humanitarian aid. The conflict has severely restricted their access to food, clean water, medical care, and assistive devices, which are crucial for their survival and health.
- Despite ratifying the UN Convention on the Rights of Persons with Disabilities (CRPD), Israel has faced criticism for not adequately protecting PwDs in Gaza. There is a pressing need for compliance with international humanitarian law to protect the rights and lives of PwDs in conflict zones.
- Addressing the needs of PwDs in Gaza requires urgent attention and action from global stakeholders. It is imperative to advocate for and ensure the protection and inclusion of PwDs in compliance with international human rights law.



Figure 1: Palestinians inspect the damage following an Israeli airstrike on the El-Remal area in Gaza City on October 9, 2023 (Palestinian News & Information Agency (Wafa) in contract with APImages)

The Escalating Impact on Persons with Disabilities

Since the attack on Israel by Hamas on October 7th 2023, and the subsequent Israeli retaliation in Gaza, the war has severely impacted persons with disabilities (PwDs) living in the besieged areas.[1] PwDs in Gaza encounter multiplied difficulties in accessing daily necessities, basic goods, and humanitarian aid. They are at greater risk of severe injuries, sexual violence, and other forms of harm, including death, and struggle to access “the most basic needs” such as food, water, sanitation, and healthcare services.[2][3][4] Additionally, the ongoing conflict has worsened the lack of inclusive humanitarian assistance, further deteriorating their physical and mental health.

Daily Struggles for PwDs in Gaza

Before the Israeli offensive in Gaza, the number of PwDs in Palestine was 115,000 people, with around 58,000 in the Gaza strip.[5] This number is expected to sharply increase due to the ongoing military attacks.[6] The Palestinian Bureau of Statistics estimated the number of children with disabilities to be 98,000 by the end of 2023.[7] The increase in PwDs includes not only physical disabilities but also mental health disorders, intellectual disabilities and psychological traumas.[8] Médecins Du Monde reports a mental health crisis of unprecedented magnitude in Gaza.[9] Most Gazans endure psychological traumas such as being unaware of the location and condition of relatives as well as exposure to artillery attacks.[10] The disruption of routines and environmental changes can create significant distress for individuals with developmental disabilities, like autism, potentially resulting in heightened

mental health needs.[11] Hence, the ongoing war is expected to worsen the already concerning state of mental health for 70 percent of Gazans, who, according to the World Bank in 2023, exhibited symptoms consistent with depression. [12] The OCHA report “Humanitarian Needs Overview: Occupied Palestinian Territory” also highlighted the risk of developing or worsening disabilities through depression and post-traumatic stress disorder.[13]

Barriers and Risks Faced by PwDs

PwDs in Gaza are often displaced, seeking refuge in emergency shelters with no sanitation and having to leave their assistive devices behind. Human Rights Watch warns that the lack of accessibility tools might prevent the safety of PwDs during attacks as “people who have visual, hearing, and developmental, or intellectual disabilities might not hear, know about, or understand what is happening”.[14] Additionally, power failures and internet disruption make it difficult for PwDs to determine where, when, and how to escape to safety.[15] These conditions further influence PwDs with intersectional identities, such as women and children. According to the UN Committee on the Rights of Persons with Disabilities (CRPD), women and children with disabilities are among the 70 percent of civilians killed and 75 percent of those reportedly injured.[16] They face heightened vulnerability to sexual abuse, sexually transmitted infections, and forced healthcare practices (such as forced sterilisation) due to limited access to sexual and reproductive health services (SRHS). [17] Displacement and living in refugee camps prevent women with disabilities from being economically autonomous, making them less likely to report intimate partner violence.[18] Overcrowded emergency shelters, with no gender-segregated toilets and insufficient lighting, increase the risk for women with disabilities to suffer gender-based violence including sexual trafficking and enslavement.[19] [20] The lack of access to healthcare services and stigma around sexual and gender-based violence make it extremely difficult for Gazan women and girls with disabilities to exercise their health and sexual rights.[21]



Figure 2: Christmas Eve Ceasefire Vigil in front of the White House at 1600 Pennsylvania Avenue, NW, Washington DC on Sunday evening, 24 December 2023 (Elvert Barnes Photography)

International Legal Obligations and Violations

The risks faced by PwDs have not been adequately taken into account by the Israeli military and political leaders. Israel, having ratified the UN Convention on the Rights of Persons with Disabilities (CRPD), is obligated to take “all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflicts”. [22] This highlights Israel’s responsibility to protect PwDs under international law and take the necessary actions during the ongoing conflict in Gaza. Despite alleged warnings from the Israeli army, many people were unable to evacuate to safety, especially PwDs who rely on caregivers for evacuation.[23][24] General warnings are insufficient: conflict stakeholders must provide “tailored, accessible advance warnings, evacuation routes and safe passages for PwDs”. [25] Regarding PwDs, Israel is responsible for violations of international humanitarian law and international human rights law, as early warning without the development and implementation of contingency plans can be considered forced displacement.[26] The Al-Ahli Hospital exemplifies these violations. Despite warnings to evacuate hours before the explosion, 471 people were killed, and 342 were injured or possibly permanently disabled.[27] The Office of the UN High Commissioner for Human Rights states that “failure to comply with obligations in an accessible and inclusive manner amounts to discrimination on the basis of disability”.[28] UN

Security Council Resolution 2475 also calls on Member States and armed parties to protect PwDs in conflict situations and ensure they have access to justice, basic services and unimpeded humanitarian assistance.[29]

Following the escalation of the October 7th attack, political figures worldwide released statements. The United States and European countries expressed solidarity with Israel, emphasising its right to defend itself within international humanitarian law and international human rights law. MENA countries highlighted their solidarity with the Palestinian people, the need for peace and the protection of civilians.[30] However, specific calls for the protection of PwDs were notably absent. This oversight highlights a significant gap in both academic literature and international discourse regarding the vulnerabilities of persons with disabilities in conflict zones. Despite ample evidence of the heightened risks faced by PwDs during conflicts, many States and policymakers fail to prioritise their needs in humanitarian response strategies. Consequently, the unique challenges and protection needs of PwDs remain under-addressed, exacerbating their marginalisation and suffering in times of crisis. Some exceptions to this include international organisations, like the CRPD Committee, which voiced concern about “the impact on persons with disabilities of the ongoing displacement of civilians and bombardment of Gaza, and restrictions placed on access to Gaza”.[31]



Gaza, February 2007 (Marcin Monko)

The conflict in Gaza has exacerbated the already challenging conditions for persons with disabilities, a group that now faces amplified risks and barriers to survival and fulfilment of basic needs. From physical injuries and displacement to the severe psychological repercussions, the impact on this vulnerable group is profound.

Recommendations

- Advocate for and ensure the protection and inclusion of PwDs in line with international humanitarian law and human rights obligations.
- Establish an immediate ceasefire – Israel’s allies and the international community could increase the pressure on President Netanyahu to cease hostilities and ensure full, accessible humanitarian support for persons with disabilities in Gaza.
- Cessation of the Israeli blockade – Israel’s allies, such as the United States, the United Kingdom, and the European Union, as well as member states of the CRPD, should call Israel to restore the flow of electricity, water, and allow medical aid, assistive devices, and psychosocial support to reach persons with disabilities in Gaza.
- Accountability of Israel and its leaders for the violation of PwDs’ human rights – international bodies should enforce strict monitoring and reporting mechanisms, leveraging the role played by the United Nations and various human rights organisations to rigorously document abuses on persons with disabilities.
- Include representatives from disability rights organisations and affected individuals in peace negotiations and humanitarian planning. Policies and programs should be designed considering gender, age, and socio-economic status alongside disability, in order to implement a complete process towards disability justice.
- Improve data collection on disabled people – in the ongoing conflict, NGOs, international bodies, and relevant stakeholders should gather, collect, and analyse relevant information to ensure PwDs’ rights, as well as share learned lessons to employ in other conflict-related areas.

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The Peace & Security Monitor is produced by the Platform for Peace and Humanity

The Peace & Security Monitor
Challenges in The Mediterranean Region
Issue 16
July 2024
ISSN 2989-3054

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