



COUNTRY PROFILE TUNISIA

Arab Business Legislative Frameworks Tunisia Profile

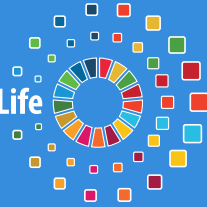


Shared Prosperity Dignified Life





Shared Prosperity **Dignified Life**



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Economic and Social Commission for Western Asia

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UNITED NATIONS
Beirut

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United Nations publication issued by ESCWA, United Nations House, Riad El Solh Square, P.O. Box: 11-8575, Beirut, Lebanon.

Website: www.unescwa.org.

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Country Profile

TUNISIA



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Summary



The Republic of Tunisia declared independence from French rule in 1956, experienced a totalitarian rule from 1987 until 2011, and has been facing sporadic political instability with its attempts to form a new government. The Tunisian legal system is a predominantly civil law, based on the French Civil Code and Islamic law.

Competition



- Tunisia was one of the **EARLIER ADOPTERS** of a **competition law**, with **Law No. 64 of 1991**. Most recently, Tunisia passed **Law No. 36 of 2015** on **reorganizing competition and prices**;
- **TUNISIAN LAW** on competition establishes the **Competition Council and the General Directorate of Competition and Economic Investigations** (under the Ministry of Trade), with **enforcement powers**;
- Moreover, Tunisian law on competition distinguishes between **FOUR MAIN TYPES OF ANTICOMPETITIVE BEHAVIOURS**, including: **restrictive agreements; abuse of dominant position; abuse of economic dependence**; and abusively **low pricing**.

Foreign Direct Investment



- Of late, Tunisia established **LAW NO. 71 OF 2016** on **Investment**, and **Law No. 2017-8 of 2017** on **Financial and Tax Incentives** that provide the **main legal framework** for domestic and foreign investment;
- The **TUNISIAN INVESTMENT LAW** also established the **High Investment Board** as the **key centralized body to manage investments** into the country, as well as the **Foreign Investment Promotion Agency**;
- Despite these steps, Tunisia still has **RESTRICTIONS ON FDI** based on **labour regulations, prohibitive customs and tax regimes, restrictions on foreign investment** in numerous essential sectors, and the ongoing large role of **state-owned enterprises**.



Anti-Corruption



- Tunisia has one of the **STRONGEST REGULATORY AND LEGISLATIVE SYSTEMS** that **tackle corruption**. Most of Tunisia's anti-corruption laws were passed since 2011, during a push towards **greater transparency** following the **Arab Spring** and in reaction to popular demands to reduce corruption. These include **Law No. 59 of 2017 on Anti-Corruption**; **Law No. 22 of 2016 on Access to Information**; **Law No. 10 of 2017 on Reporting Corruption and Protection of Whistleblowers**; and **Law No. 46 of 2018 on Disclosures of Gains and Illicit Wealth**;
- Furthermore, **TUNISIA'S LAW NO. 10 OF 2017** on whistleblowers provides one of the **most robust and clear definitions of corruption, transparency, accountability and integrity** in the whole region.

Consumer Protection



- Tunisia is one of the **FIRST COUNTRIES IN THE ARAB WORLD** to establish an **explicit consumer protection law**, which is **Law No. 117 of 1992**;
- However, the law itself is **RELATIVELY BRIEF** as it **relied on other successive laws** that were established over time to **reinforce the consumer protection law**.

Main Headings

● Very Strong
 ● Strong
 ● Developed
 ● Moderate
 ● Basic
 ● Weak
 ● Very Weak

COMPETITION

● **BASIC**

Anti-Trust and Competition Laws	● Developed
Anti-Dominance and Monopolisation Laws	● Moderate
Cartels and Anti-Competitive Agreements	● Developed
Competition Enforcement Practices	● Moderate
International Trade Agreements	● Very Weak
Liberalisation and Competition Intervention in Regulated Sectors	● Moderate
Merger Regulatory Regime	● Very Weak
Labor Protection	● Weak




FOREIGN DIRECT INVESTMENT (FDI)

● **MODERATE**

Banking Regulations	● Developed
Macroeconomic Policies	● Developed
Investment Regulatory Framework	● Very Strong
Incentivisation Schemes	● Developed
Bi-lateral Treaties	● Very Weak



ANTI-CORRUPTION		● STRONG
Anti-Corruption and Integrity in Public Sector	● Very Strong	
Anti-Bribery and Whistle Blow Laws	● Strong	
Budgeting and Public Expenditures	● Very Strong	
Digital Government	● Very Strong	
Open Government and Transparency	● Strong	
Public Procurement Standards	● Developed	

CONSUMER PROTECTION		● BASIC
Physical Safety Regulations	● Developed	
Protection of Consumers' Economic Interests	● Developed	
Measures Enabling Consumers to Obtain Redress	● Weak	
Promotion of Sustainable Consumption	● Very Weak	

Sub-categories

● Very Strong
 ● Strong
 ● Developed
 ● Moderate
 ● Basic
 ● Weak
 ● Very Weak

COMPETITION

Laws/Decrees (i.e. national legislations/regulations) ● Developed



Definitions (i.e. legal definitions within legislation/treaties) ● Moderate

Institutions (i.e. bodies/authorities) ● Strong

International Agreements (regional/international conventions, treaties, trade agreements) ● Very Weak

Enforcement (i.e. positive or negative, such as incentives, subsidizes, sanctions, fines, prison sentences) ● Strong

Exemptions ● Very Weak

Accessibility/Transparency ● Basic

FOREIGN DIRECT INVESTMENT (FDI)

Laws/Decrees (i.e. national legislations/regulations) ● Moderate



Definitions (i.e. legal definitions within legislation/treaties) ● Developed

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Exemptions ● Very Weak

Accessibility/Transparency ● Very Strong

ANTI-CORRUPTION

Laws/Decrees (i.e. national legislations/regulations)	● Very Strong	
Definitions (i.e. legal definitions within legislation/treaties)	● Strong	
Institutions (i.e. bodies/authorities)	● Very Strong	
International Agreements (regional/international conventions, treaties, trade agreements)	● Moderate	
Enforcement (i.e. positive or negative, such as incentives, subsidizes, sanctions, fines, prison sentences)	● Very Strong	
Exemptions	● Developed	
Accessibility/Transparency	● Developed	

CONSUMER PROTECTION

Laws/Decrees (i.e. national legislations/regulations)	● Very Weak	
Definitions (i.e. legal definitions within legislation/treaties)	● Developed	
Institutions (i.e. bodies/authorities)	● Moderate	
International Agreements (regional/international conventions, treaties, trade agreements)	● Weak	
Enforcement (i.e. positive or negative, such as incentives, subsidizes, sanctions, fines, prison sentences)	● Basic	
Exemptions	● Developed	
Accessibility/Transparency	● Very Weak	



