

The protection of sub-Saharan migrants in Tunisia: community responses and institutional questioning

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Abstract: This article explores the kind of violence endured by migrants in Tunisia, the kinds of formal protective mechanisms exist and the ways migrants themselves attempt to remain safe. The article reveals significant gaps in the formal protective frameworks and their implementation. Migrants are trapped in a state of precariousness and vulnerability that exposes them to violence. Such violence comprises ordinary everyday forms of violence as well as state violence and neglect, often the result of the EU's externalisation of border management to Tunisia. Consequently, migrants are caught in a protective limbo with few rights and opportunities and must compete with the Tunisian population, which is also becoming increasingly precarious. To address this lack of protection, migrants have developed protective skills and resorted to a set of communal protective responses and strategies that comprise national, religious, territorial and virtual communities of protection. Though effective, these forms of protection entail the risk of increased and potentially dangerous visibility leading to what we have called the invisibility paradox and generating the migrant stigma.

Keywords: Migration, protection skills, community responses, migrant stigma, invisibility paradox.

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Introduction

Victim of a robbery gone wrong, Falikou Coulibaly, president of the Association of Ivorians in Tunisia, lost his life on the night of Sunday, 23 December 2019. Coulibaly was the father of two children and a pillar of the sub-Saharan community of Soukra, a neighbourhood in the northern suburbs of Tunis. The crime that cost him his life sheds light on the violence to which sub-Saharan migrants are exposed in Tunisia, as well as the vulnerability that affects them and the precariousness in which they live (Crépeau 2013; Veron 2020). Following the news of his death, sadness and indignation drove hundreds of protesters to march the six miles from the hospital where Coulibaly died to the Ivory Coast Embassy in Tunis. This, the first protest of its kind, was repeated the next day on the stairs of the Municipal Theatre of Tunis on Bourguiba Avenue, in the very centre of Tunis. While the Minister in charge of Relations of Constitutional Bodies, Civil Society and Human Rights Mohamed Fadhel Mahfoudh expressed doubts concerning the racist motive, he gave his assurance that the government would undertake an investigation. The protest was the first of a series of public protests demonstrating the sub-Saharan community's fears and calling for protection. It revealed the existence of a large community of migrants in Tunisia, who until then had intentionally remained politically invisible. The protest also drew attention to the institutionalised blindness to their presence. The violence against the migrants brought the community and the lack of institutional attention into full view. Consequently, this article asks, 'What kinds of violence do migrants experience, both state and non-state? What kinds of protection does the state extend to them? And how do they attempt to protect themselves and stay safe?'

These questions require closer conceptualisation of the protection and of the potential risks that make protection necessary. As the article explores the context of migrants, humanitarian protection may bring to mind something akin to what is provided by the United Nations High Commissioner for Refugees (UNHCR). However, while some migrants in Tunisia may fulfil the requirements for humanitarian protection, they rarely apply for it. The UNHCR has very little presence, except for one camp in the southern part of the country. Migrants find ways to enter legally and then exceed their stay. Some enter illegally and attempt to find ways to survive and, not least, move on to Europe and elsewhere. However, as the EU has tightened and externalised its border control (Lemberg-Pedersen 2013), increasing numbers of migrants are finding themselves in a semi-permanent state in Tunisia, in need of a different kind of protection against the violence of both state and non-state actors. As part of Tunisia's recent transition from dictatorial to democratic rule, the new democratic state is a signatory to a range of human rights instruments and frameworks (Anders and Zenker 2014; Ticktin 2006). This includes ratifying the Convention against Torture, Cruel, Inhuman and Degrading Treatment and Punishment. However, as Kelly and Jensen

(this issue) argue in the Introduction to this volume, the formal protective frameworks must be studied critically. The means by which and extent to which the frameworks work for specific groups and how the groups themselves try to stay safe in the contexts of both state and non-state violence should also be explored. As shown in this article, it is fair to question whether the formal frameworks are effective in dealing with quotidian violence against migrants in Tunisia. Indeed, as the article shows, migrants have begun to engage in a range of innovative as well as counter-productive protection strategies, most of which are communitarian in nature.

We based the study primarily in the northern part of Tunis, which has attracted sizeable migrant populations in various stages of transit. Some have established themselves in more permanent manners while others still aspire to migrate onwards. The area, which includes the municipalities of Soukra, Raoued and Bhar Lazrag, is also the part of the city that was home to the murdered Falikou Coulibaly. These peri-urban and rapidly expanding spaces attract migrants wishing to settle. They are therefore also spaces where issues concerning protection loom large. The data for the article comprise interviews and focus group interviews with migrants in the northern parts of the city supplemented by a number of interviews with state institutions and NGOs working within the fields of human rights and humanitarian protection mechanisms. Whereas the latter interviews highlight the existing frameworks as well as the gaps, the interviews with migrants allow us to explore what Kelly & Jensen (forthcoming) conceptualise as protection from below, that is, how potential victims of human rights violations navigate fields of insecurity (Nah 2020). Clearly, the pandemic and charged political situation in Tunisia following the presidential take-over¹ in July 2021 has made fieldwork and data collection difficult. However, working with the material revealed new trends in the migration, urban politics and protective strategies employed by migrants struggling to find ways to survive in the country. This task is not easy in a country that does not consider itself a migrant-receiving country but has been enticed to assume a central role in EU migration management, and in a society that is struggling with hard political, economic and social issues and dilemmas.

The discussion is presented in three sections. Immediately after these introductory remarks, the article explores the normative frameworks of protection against migration and torture set out by the Tunisian transition successive governments. The section illustrates that although Tunisia has indeed adopted many of the international frameworks, they have little or no impact, partly because they work on assumptions that make little sense in Tunisia. The second section, describes the violence against migrants in the emerging peri-urban areas to the north of Tunis. These areas are rapidly expanding, not solely due to an influx of sub-Saharan Africans. The emergence of

¹ On 25 July 2021, Kais Saied, the Tunisian Republic president elected in October 2019, dismissed the Government, dismissed the parliament and assumed executive authority.

these areas has reconfigured and transformed the urban dynamics of Tunis in important ways, introducing new forms of violence and challenging the state authorities on new fronts. The third section explores the different strategies that migrants employ to stay safe. We identify four scales of protection—national/racial, religious, territorial and virtual. As already mentioned, some of these are innovative and suggest new means of protection. Others are counter-productive, perpetuating violent urban politics. The article concludes by consolidating the insights on wider forms of protection.

The politics of protection in Tunisia

Following the 2011 revolution, which marked the fall of the regime of Zine El Abidine Ben Ali, president of Tunisia from 7 November 1987 to 14 January 2014, Tunisia embarked on a democratic transition that has been heralded as the only successful transition of the increasingly bleak Arab Spring. In 2014, a democratic constitution was passed, guaranteeing Tunisians a range of new rights. Parallel to, indeed often as a direct result of, the constitutional development, institutional reform was set in motion across the state apparatus (El-Issawi 2012; McCarthy 2019). As with other democratic transitions, the international community played a decisive and important role by providing legal and institutional support (Teitel 2003; Anders & Zenker 2014). This support was, however, conditional. Particularly the EU, the most important donor, made a series of demands related mainly to migration control and management as part of what is referred to as the externalisation of the EU border (Badalic 2019; Casas-Cortés Cobarrubias & Pickles 2015). In this way, the architecture and politics of migrant protection in Tunisia were animated by both legalistic understandings of human rights from the transitional democracy manuals and migration concerns. Important gaps emerged in the institutional and legal means of protection available to migrants. This is clearly reflected in two of the more important normative frameworks related to protection—anti-torture and anti-trafficking legislation—as they emerged after 2011.

The National Authority for the Prevention of Torture (INPT) was established by law in 2013 with three tasks: monitoring places of detention, collecting and disseminating documentation to advocate against torture, and collecting data, ensuring protection through the reception of complainants and the gathering of their testimonies. The Authority was established in response to the ratification of the Optional Protocol for the Convention Against Torture (OPCAT). The Authority became operational in March 2016 and began verifying prison conditions, accessing prisoners' files and meeting prisoners individually and in strict confidentiality to protect them from reprisals.

² All interviewees' names have been changed.

The establishment of the Authority and the passing of the anti-torture law have been major milestones. However, a number of problems beset the implementation. As Narjess,² employed by the Authority, asserts in an interview, contrary to the normative framework around the OPCAT, the Authority does not have the legal authority to demand an interview with a prison warden or guards. Furthermore, the Authority's organisational architecture allows for conflicts between a strictly legalistic versus a psychosocial approach that also attends to issues of vulnerable groups (LGBTQ+, women, migrants and children). The legalism of the lawyers frequently prevails, as testified by one magistrate working with torture cases. He asserts, 'The victim does not provide a definition of torture; that is the role of the law! And the definition is only the one provided by the law, and not by the victim'. The rigid local interpretation of the law also stipulates, against alternative readings of the Convention against Torture (Choudhury, Jensen & Kelly 2018), that the violation must be motivated in 'obtaining confessions and information'. This excludes violations that would otherwise be classified as torture. Finally, the Authority also limits its work to places of detention as per the OPCAT mandate. These issues, the very strict and legalistic implementation, the narrowing of the monitoring scope and the focus on places of detention—all legitimate limitations—de facto ensure that almost no migrants can avail themselves of the Authority's protection. To mitigate the gaps, several civil society organisations attend to broader issues related to torture that can also include migrants. Such organisations include the Tunisian Organisation Against Torture, Terre d'Asile, Red Crescent, Caritas, the Nebras Institute, and the Tunisian Association for Justice and Equality 'Damj'.

In addition to the gaps in torture protection, there is a lack of formal visibility and recognition of migrants in Tunisia, not least before 2011 (Cheikh & Chekir 2008). After 2012, the government developed a National Migration Strategy (NMS). This quite general document discusses 'the protection of the rights of immigrants, whatever their status and situation'. It also pays attention 'to the protection of the most vulnerable migrants, particularly through a gender-sensitive approach, as well as the informal work of immigrants' by referring to the Constitution. Finally, the policy recognises the right to political asylum (OTE 2017). The right to asylum was passed into law and a bill established the National Institute for Refugee Protection in 2018 (Bisiaux 2020). It was tasked with, for example, granting refugee status and access to education, health care and the labour market (Ben Achour 2018). However, as Vasja Badalic (2019) suggests, the state and the police often circumvent the right to apply for asylum through a range of policing strategies. These practices are anchored in the Tunisian migration policy which routinely condone, even perpetuate, the excesses, primarily through the service of externalising EU border control to complying North African states, including Tunisia.

Arguably, the most concerted effort to protect migrants related to the passing of anti-trafficking laws and the National Authority to Combat Trafficking in Persons. This body was created in 2016. Operational since February 2017, it aims to develop a national strategy to prevent and combat trafficking, as well as establishing coordinated mechanisms for the identification, care and protection of victims and the prosecution of perpetrators. According to Samia, a high-ranking Authority staff member interviewed for this article, it has limited resources and has focused on training lawyers and judges at the expense of access to potential victims. Samia explained that staff have tried to mitigate this and ensure ‘protection at all levels: social protection, medical protection, judicial protection, social reintegration’ through mobilising connections, for instance, in the Ministries of Social Affairs and Health. Furthermore, Amina, another staff Authority member added that the Authority has consolidated identification issues by linking the support network to one of identification spanning from judicial police officers to customs, including child protection delegates, labour inspectors, the police and magistrates. She went on to assert that the staff considers it an important task to inform ‘the beneficiaries [...] to help them regularise their situation and obtain appropriate compensation for the harm they have suffered’, which is extended by providing assistance in following up their cases with the public authorities, in coordination and collaboration with state institutions, civil society and international partners. A specific advisory board composed of migrants has been constituted inside the Authority to convey the concerns of the migrants to the Authority and integrate them into the decision-making mechanism. However, many of these initiatives are hampered by their reliance on project-based funding. As Neil, a volunteer at a local humanitarian association, asserts, ‘Projects for migrants are programmed only for a certain period of time. Once they are over, there is nothing left for them’.

Although the protection of trafficked migrants is marked simultaneously by challenges and goodwill, the focus on human trafficking arguably illustrates how authorities and their European backers conceive of migration and protection. Human trafficking suggests that migration into Tunisia is less relevant than migration through Tunisia. Tunisia is perceived as a transitory country, not a destination. Furthermore, the focus on human trafficking aligns with one of the most important aspects of the EU externalisation of borders, namely the fight against human smugglers (Lucht 2015; Richter 2019; 2021). While no one—neither the EU nor the Tunisian authorities—will contemplate regularising migration, they can agree on fighting human smuggling. Furthermore, as Tunisia will not recognise the increasingly important migration into Tunisia, migrants remain in a legal and political limbo (Badalic 2019). This limbo is characterised by important forms of ambiguity where violence against migrants and detention go hand in hand with often generous forms of permissiveness. At the same time, EU funding to Tunisia is conditional on the country playing its part in stopping migrants reaching European soil. This is what the Tunisian Forum for Economic

and Social Rights (FTDES) condemns under the name of ‘policies of non-hosting in Tunisia’ (Bisiaux 2020). As Libya and Algeria are becoming increasingly violent and insecure, anecdotal evidence from our interviews suggests that migrants are congregating in Tunisia in a semi-permanent legal limbo. Therefore, ambiguous ‘non-hosting’ policies seem to be the only response of a Tunisian state constrained by the demands of its main partner and financial backer (Dini & Giusi 2020). In some ways, Tunisia is becoming a vast storage facility for migrants with few rights and no recognition. The Ouardia detention centre may be emblematic of this. As Neil suggests, ‘the Ouardia centre is more of a hostel than anything else. There is no real provision for the needs and no information centre’. Ilyes, a staff member from the Tunisian section of an international humanitarian organisation, echoes Neil’s sentiments, suggesting that what is anomalous about the centre is its limited accessibility for humanitarian organisations and even for the lawyers of the migrants who are ‘housed’ there, generally against their will. The migrants do not exist as legal entities. This is also the case for the thousands of other migrants across the country who are ‘stranded’ in Tunisia because of EU and Tunisian policies. Increasingly, they gravitate towards the northern areas of Tunis, which are developing into a hub for permanent migrants who exist in a legal limbo but with a physical presence that is becoming undeniable. Their increasing numbers and permanence are causing protection issues to shift and transform.

Migrants and urban violence

This section explores the kinds of violence that migrants experience from state and non-state actors, as well as the way in which violence relates to the transformation of urban space and politics. Migrants are increasingly seeking accommodation in specific districts in the Greater Tunis area to the north of the old centre. These areas are newly developed and still developing. It is fair to say that while migrants are attracted to this part of the city due to the availability of cheap, often illegal housing, they are also reconfiguring this urban space. First the migrants’ habitation of this new periphery will be outlined and then their precarious social position and the state and non-state violence to which they are subjected and the violence that they sometimes perpetrate themselves will be explored. The protective strategies in which they engage can then be identified and situated.

The ‘new’ periphery

Since 1950, Tunis has developed from a rather small, provincial town of less than 500,000 inhabitants into a sprawling, cosmopolitan area with almost 2.5 million

inhabitants. The growth of Greater Tunis has affected the urban form, functions and city practices inherited from the period of the protectorate (1881–1956) and onwards. Successive waves of rural migrants ensured massive growth rates from the 1950s onwards (Stambouli 1996; Chabbi 2012). This marked the emergence of what Morched Chabbi refers to as ‘neo-urban’ migration (Chabbi 2012). While transitioning from a socialist to a liberal model of development in the early 1970s, the Tunisian State established clientelist housing programmes intended for the middle classes (Chabbi 2012). This reorientation of urban policies in the early 1980s (Miossec & Signoles 1984; Stambouli 1996), led to unprecedented urban expansion thanks to transport networks (the tramway in particular) to the north and west. While the European city centre was largely dedicated to the tertiary sector, business and central administration, the old Medina of Tunis remained a relatively poor, under-serviced neighbourhood with a resident population that has emerged mainly from the different successive waves of rural migration since 1957 (Chemlali *et al.* 2018).

While home ownership expanded for the middle classes, the working classes were confined to unregulated neighbourhoods that developed from the so-called ‘*gourbivilles*’ (literally towns made of huts, referring to rural migrants) constructed with rudimentary materials by poor rural households freshly arrived in the city. The new city dwellers (auto)-constructed the unregulated neighbourhoods from the 1970s through a process of land grabbing carried out by ‘illegal developers’ for the working classes who had been excluded from the official market. Areas such as Douar Hicher and Ettadhamen came to epitomise these semi-legal but also fundamentally marginalised spaces (Lamloum & Ben Zina 2015). They were marked by high levels of poverty, violence, imprisonment and drug abuse, and were also branded as areas from where Islamist challenges had emerged. All this made these areas particularly liable to police and intelligence surveillance and intervention (Lahlou & Fahmi 2020).

In recent years, Greater Tunis has begun to expand northward, past the airport and the historical site of Carthage. Historically, these areas, Soukra, Bhar Lazrag and Raoued, constituted the urban-rural frontier, and have grown rapidly in recent decades. Soukra, for instance, almost doubled in size between 2000 and 2015. Among these peripheral areas, Raoued experienced the most rapid and dynamic development. For several decades, it attracted inhabitants from the hinterland because of the low cost of land in a coastal urban area largely dominated by illegal settlements. Between 2004 and 2014, Raoued’s population growth exceeded 4 per cent, one of the highest national rates (Zari 2018) and in 2014, the municipality registered one of the highest concentrations of inhabitants (between 500 and 3000/km²) in the country. A part of this growth relates to sub-Saharan migrants settling in the area. According to Jihene, a municipal agent interviewed for this article, ‘there are more than 2,700 sub-Saharan nationals in Raoued, all ages included’. ‘In most cases’, he continues, ‘they are families with a larger number of men. They live in working class neighbourhoods. Most of

them are illegal migrants. They have specific needs and they have difficulties adapting, especially in workplaces'. Many of the adjacent areas, such as Soukra, Dar Fadhal, and Bhar Lazrag, resemble Raoued and host a sizeable population of sub-Saharan migrants.

Sub-Saharan migrant's motivations for travel to Tunis vary significantly. Tunis appears first as a city of transit for migrants en route to Europe. However, opportunities and risks have turned the city into a permanent destination. Migrants are attracted by employment and education opportunities, but some are also motivated by protection from their war-torn countries. They use the right to legally enter the country in an attempt to secure stable employment. Having overstayed their visas, they drift towards the informal settlements in the north and are exposed to new sets of risks. The lack of residence permits leads to the violation of labour rights of refugees, asylum seekers and migrants, and increases the risks of facing both state and non-state abuse and violence.

Violence against migrants

Interviews with migrants, civil society organisations and municipal authorities allow for us to distinguish between three forms of violence. These comprise (i) localised, everyday forms of violence perpetrated by Tunisians, (ii) police abuse, and (iii) violence occurring in gang-like structures among migrants. First, this article explores the localised, everyday forms of violence.

Soukra, Bhar Lazrag and Raoued have been identified as particularly unsafe for migrants, with a multitude of protection abuses reported there (Aouani, Giraudet & van Moorsel 2020). Not least women are at risk, as sub-Saharan women are particularly exposed to sexual harassment, and limited accessibility to the labour market and regular housing. Charles, president of a sub-Saharan association in Raoued, mentions the case of migrant women abused by employers 'who refuse to pay their employees, and who go as far as committing offences, sexual abuse of women. He'd take her as a housemaid and would make advances to her; if the girl rejects them, he'd kick her out often without paying her'.

Irregular migrants, both men and women, who choose to live in these neighbourhoods for the affordable rental costs have no housing contracts and face abusive practices. The Covid-19 lockdowns, from March 2020, also dramatically impacted on the migrant population and increased their vulnerability. For instance, due to financial constraints from lack of employment and support networks, these individuals gave up safety and comfort for cheaper rent in a less safe area in overcrowded shared flats. The vulnerability and precariousness have caused deep frustration, exacerbated by the legal and administrative void in which migrants find themselves. Not having a residence permit means being unable to travel, unable to receive public healthcare and

unable to defend oneself against dishonest employers (Planes-Boissac 2010). Neil, the volunteer mentioned above, considers the single mothers as the most vulnerable category: ‘a woman with a baby is sometimes denied rent in a residential area. Some landlords take advantage of this vulnerability and demand housework, apart from the rent’.

However, ethnicity and nationality also animate these risks and the presence of ‘the other’ generates ethnic tensions at a local level (Boubakri & Mazzella 2005). This has led to increasing hostility from the local Tunisian population. Ilyes, concludes regretfully about Tunisian reactions locally, ‘The migrants let it go once, twice, and then when the neighbourhood is entirely populated by sub-Saharan and Ivorians, they resort to violence’. In July 2021, violent clashes broke out in Raoued between a community of sub-Saharan migrants and Tunisian men. The conflict was caused by the armed robbery of an elderly Tunisian man, presumably by a migrant. This incident came as a response to a series of clashes between migrants and young Tunisian men from the community, which migrants describe as ‘part of daily life’ and with no clear motivation, while, in the words of Umberto, a member of an Ivorian NGO in Raoued, ‘we said no, enough is enough!’. For three days, violent clashes occurred between Tunisians and sub-Saharan migrants in Raoued, and particularly the popular district of Aichoucha.

The police, the second category of violence explored in this section, intervened in the conflicts and, assisted by municipal officials, became the migrants’ preferred interlocutor on matters of violence. Gaston, a member of an association of Ivorian migrants, insisted for instance, ‘when it is impossible to come to a gentleman’s agreement in a fight between a Tunisian and a sub-Saharan, the police are the preferred interlocutor’. According to Umberto, the support provided by the police included real assistance, such as identifying the perpetrators. This is also confirmed by Bobo, spokesperson for a migrant political movement: ‘To be honest, if we face a problem, we bypass these [municipal, organisational] structures and go directly to the police. We trust the police, who have been responsive, more than those different structures and their administrations that have been so slow’. In interesting ways, this resonates with experiences from South Africa where the police became the most important protector of migrants, in some cases against xenophobic violence (Hornberger 2008). However, as was also the case in South Africa and elsewhere, police often constitute the most serious risk to migrants, as, for instance, documented by Vадja Badalic (2019). For most migrants, security forces are part of the problem. According to Norbert, a sub-Saharan refugee and community worker, the police are the main source of obstacles in daily life, ‘when a sub-Saharan is assaulted, the officers do not even take a statement’. Norbert also endured corruption while travelling with friends in the coastal cities of Sousse and Hammamet. After being asked to show their ID cards, he and his friends were requested to give 30 dinars each for permission to circulate freely. In

Hammamet, that was followed by a more ambiguous request from a police officer: ‘What would you do for me?’ While corruption and extortion do not necessarily lead to physical violence, the success of extortion practices is based on potential violence, as [Jensen & Andersen \(2017\)](#) argue. Fear of corruption and police abuse also discourages migrants from seeking police assistance or leads them to drop their charges or withdraw their statements at the last minute.

The migrants also seem to be hampered by their inability to understand Arabic, and find it hard to make themselves understood in French at police stations. Arabic is also the only administrative language, which puts more constraints on the sub-Saharanans. The latter are indeed unable to read and countersign the reports presented to them, as attested by Norbert: ‘They wrote documents in Arabic that they wanted us to sign’. But it is legally and practically impossible for police offices to produce such documents in French. The language barrier is thus at play and further reduces the status of these ‘invisible’ inhabitants who are asked for a residence permit to register complaints. These remarks suggest that the role of the police is entirely ambiguous. In some cases, they constitute the most important ally in dealing with violence. In other cases, the administrative and legal void renders migrants vulnerable. Finally, extortion and corruption are based on potential police violence and the threat of deportation. Indeed, while our interviews do not reveal direct police violence, [Badalic \(2019\)](#) has documented that this does occur regularly.

Finally, groups of migrants, organised in criminal bands, constitute an increasing problem for ordinary migrants. According to Ilyes, the staff member from the Tunisian section of an international humanitarian organisation mentioned above, ‘mafias have formed on both sides. There are mafias among the sub-Saharanans themselves. Smugglers, drug traffickers, etc. They used to operate only within the communities, but now tend to go beyond this framework to attack Tunisians. [...] There are groups that have formed solely in response to the feeling of rejection’. Raoued was formerly perceived as peaceful by migrants, however, the security situation deteriorated in 2020 due to the Covid-19 pandemic and the decline of the living conditions of the vulnerable Tunisians and migrants in the locality. Norbert, a migrant himself, condemns the misdeeds of an armed band of migrants that ‘acts here with impunity’. He continues, ‘They chiefly target the sub-Saharan community here in Raoued. But they have started to attack the Tunisians, and this is where the danger lies’. Indeed in Bhar Lazrag, one organised crime group has a name, the ‘Black Brigade’, and is rampant in the neighbourhoods occupied by sub-Saharanans, where it engages in racketeering, robberies and knife attacks on the population, whether Tunisian or sub-Saharan. Norbert asserts that the gang was originally composed of sub-Saharanans but now includes some Tunisian members ([Aouani, Giraudet & van Moorsel 2020](#)). ‘They are everywhere in Tunisia. All over the country. It is a brigade formed by sub-Saharanans; there are even Tunisians; and this brigade provides security, so they say; but actually,

they are bandits: they assault, they rape, they do evil things'. Norbert denounces the deeds of this brigade in Raoued, which has not been spared. Drug-dealing and pimping seem to be the main activities of the Black Brigade, which has spread its influence throughout the country. The emergence of such criminal groups, engaged in protection rackets, constitutes an increasingly serious risk for migrants, both because the groups target and prey on migrants, but also, as Norbert's comments suggest, because they attract the hostility and attention of local Tunisians and the police.

Scales of protection

This section examines the various protection mechanisms brought to light through the study. These mechanisms are part of the community's response to the various forms of violence its members experience, and aim to address the absence and inadequacy of the institutional mechanisms put in place. While they are difficult to separate in everyday life, a heuristic distinction is made between four different scales of protection: the West-African/national, the religious, the territorial and the virtual.

The 'African' family: solidarity, identities and exile

Sub-Saharan Africa comprises a group of countries and a multi-ethnic constellation with borders that are somewhat in accordance with the administrative divisions made during their respective accesses to independence (N'Goulakia 2015). It is more of a geographical expression than a real political entity. Nevertheless, our interviews and literature (e.g. Richter 2019) suggest that migration played a part in creating a distinctive extra-territorial identity that brings together various ethnicities and nationalities, some of which, in their native territories, would have been conflictual rather than exhibiting solidarity. Thus, French-speaking sub-Saharan Africans define themselves as 'brothers' who are members of the same 'family'. The territorial identity is arguably the result of the marginalisation and stigmatisation as 'same' that they have experienced during migration. The community is a safe system, a haven according to Neil, the volunteer mentioned above, who notes that 'once they are left to their own devices, migrants try to get closer to join their national community. Housing is rented in groups then each one makes its own way'. The protest that followed the murder of Falikou Coulibaly (Haddad 2018) can be considered the first time 'the family's' existence publicly materialised through a collective action.

Our study of the phenomenon of belonging and of these families of diaspora standing together reveals a mechanism of multi-scale solidarity. If the 'family' and the status of 'brother' and 'sister' are overall components, a finer breakdown reveals that there is a gradation in community levels and in respective solidarity. The second scale

is nationality, which make ethnic differences less salient even in the case of countries where civil wars and ethnic conflicts have taken place. These conflicts were passed on although they have somewhat abated, but in Tunis, a land of exile, ethnic and religious affiliations do not seem to remain latent. They are triggered when the potential limits of general community aid emerge, those of the 'Family', of the national communities, and of the country of origin. In this case, the fact of belonging to the same ethnic group or, in some cases, to the same village or territory of origin offers an additional 'guarantee' for receiving deeper and more binding help and assistance. Norbert sums up succinctly this multi-scale sub-Saharan-solidarity: 'In Tunisia, when I come across a black kin, I feel close to him, and soon would seek to know where he's from; if he's Ivorian, I would get closer to him, then I'd get to know what region he's from; if he's from the Midwest like me, that we make us even closer. Then I'd seek to know his ethnic group; if he's Bete like me, I'd feel even closer; I'd seek to know what town he's from, and if we happen to be from the same district, then I'd say he is a kin; that's how it works. Otherwise, the violence endured as well as the needs are quite the same in the different ethnic groups'.

Religious protection: the church of poor or the invisible actor

Neglected by human rights organisations, the religious component is quite startling in that it is paradoxically absent from the migration discourse and conspicuously present in the lives of the migrants we met. Religious affiliations are structured around the main religions and movements: Sunni Islam, Catholic Christianity, Protestant Christianity, and Evangelical movements. The latter brings together members of churches and disparate prayer communities.

At the religious level, solidarity finds expression in spaces of worship, whether official or not. Very few of the migrant spaces of worship are formalised or recognised. Thus, Charles confirmed that there was a church at Raoued beach located in a garage, which he described as a place of meeting and community exchange where everyone can discuss their situations and seek advice and assistance from the community. Solidarity generates an intra-community protective field that operates through private prayer groups created for evangelical services, Facebook groups and announcement-specific WhatsApp groups. The latter also relay messages from important community members during moments of tension. Charles explains that through these WhatsApp groups, 'we call our brothers to ask them to stay calm, and to tell them that we are fighting to restore peace and that harbouring vengeful or aggressive thoughts is unnecessary'. The practices of solidarity and fund-raising enable needs to be covered and difficulties to be overcome. A task that shows a community wishing to integrate in a country of destination and demonstrates that cohabiting with the Tunisians will facilitate acceptance. These religious celebrations are supplemented by those of

the officially recognised churches in Tunisia, such as the Roman Catholic Church, the Reformed Church and the Anglican Church. Prayer groups and other informally constituted ‘congregations’ voluntarily operate in clandestine, underground fashion with respect to local authorities, but not necessarily with respect to other sub-Saharan migrant communities. The motives of churches and congregations were described as sometimes self-serving. Our study revealed the practice of ‘migration blessings’, a lucrative business consisting of selling collective prayers, or ‘spiritual protection’ to facilitate migration. This resembles the practices that [Hans Lucht \(2015\)](#) identifies in Ghana where considerable spiritual investment is made to make dangerous migration safe. Many of the practices of self-proclaimed evangelical pastors escape control and surveillance because of the absence of official clergy in the Reformed churches.

The fact that the informal religious players are inconspicuous to the authorities can be explained partly by the poor knowledge of the ways sub-Saharan communities operate and, in particular, of the crucial role played by religious institutions. Thus, Ilyes explains that the religious dimension does exist, but does not pertain to cult or practice, rather to its underground aspect, insofar as ‘underground churches are not controlled by the state or by an official religious body’. For sub-Saharan communities, which are generally religious, ‘pastors have the status of sacred persons’. Humanitarian organisations have therefore used the pastors’ stature to access these evangelistic networks and to detect cases of control, psychological or cultic abuse and exploitation, which would open the door for trafficking.

Left to their own devices, these self-proclaimed churches can offer the worst as well as the best to these vulnerable migrants. When pastors work for the broader community, these religious spaces act as focal points for humanitarian organisations to help solve the problems of migrants and to organise information sessions on trafficking. This was the case with an evangelical pastor who was sensitive to the problems of his flock and concerned about the well-being of his community. He discovered a number of minors who were victims of violence, including one who was raped at the age of twelve in Libya and who reached Tunisia illegally via Algeria. When she entered Tunisia, he took her from the smuggler and informed a humanitarian organisation. The chain of protection was thus set in motion with the help of the regional child protection services, the Anti-Torture Authority and a number of in-situ international organisations that allowed her to be housed, protected and recognised as both a minor and an asylum seeker. It is also worth noting that solidarity between sub-Saharan migrants transcends existing religious divides. This takes on its full symbolic force in the case of Evangelical and Muslim communities that help each other during periods of fasting and worship, offer each other assistance and food donations, and exchange courtesy visits. Thus Charles testifies that ‘when it is the fasting period for our Muslim brothers, we make contributions and reach out to them. It’s the same for the Christians. The mix is indeed there, and we live in harmony’. This conduct

reveals a degree of ‘tolerance’ and ‘respect’ that is generated in exile and born of the need to face adversity in an existence generally marked by the irregularity of sources of income and settlement—shortly after entry into the territory. Similarly, during the unrest in Bhar Lazrag, one of the main associations of sub-Saharan migrants sought the intervention of imams in the neighbourhood, thus acknowledging their influence on the local Tunisian population.

However, some of our interviews indicate that some of the churches, often transitory in nature, can become relays for criminal gangs engaged in human trafficking and act as the tentacles of trafficking networks. Furthermore, the status of cults in Tunisia and more particularly of Christian churches sustains the current situation. Since 1964, the Roman Catholic Church has had only four churches in Tunisia, following the *Modus Vivendi* established between the Vatican and the Tunisian Republic (Boissevain 2014). The Russian Orthodox, Anglican and Reformed churches have only one church each, and the Greek church has three places of worship, including a cathedral located in Tunis; and almost all of them are in the city centre. The churches and official places of worship are not only limited in number, but also far from the localities where the sub-Saharan migrant communities live and work. These populations, who make up the bulk of the church parishioners of various denominations today, are thus denied the effective enjoyment of the freedom of worship and the practice of their religious rites. They end up gathering in church-garages that are ‘community spaces in solidarity’, as Ilyes puts it. Here, they ‘pray together, cry together and have their children blessed’ and where, according to Charles’ own experience, ‘they no longer feel alone’. This group activity in informal places of worship in a country hard hit by radicalisation and extremist discourse exposes them to major risks. Indeed, in the name of combatting radicalisation and terrorism, religious proselytising as well as unwarranted religious meetings are banned in Tunisia. Clearly, this drives the churches further underground, limiting their protective potential and increasing the risk of abuse. In this way, while religious institutions and affiliations may offer migrants a *modicum* of protection, they may sometimes also expose migrants to risks.

Virtual protection: from neighbourhoods to social media

As shown above, much of the communication and engagement between church-based religious congregations or even national communities takes place via online platforms. In fact, at the associative level, the observed tendency to gather rarely transforms into the actual creation of an official association. Many are only *de facto* associations and exist nowhere but on Facebook pages and in WhatsApp discussion groups. Nevertheless, the important role they play as a communication and mobilisation tool if a member expresses a need should be recognised.

These platforms, spanning from job searches to reports of abuse or economic violence, function as a priority community relay for migrants who are geographically located far from the residential areas of larger communities. The tools are also used to mobilise the communities who are most present on the territory when matters arise concerning rights and appeals, and to focus public opinion in their favour. As Umberto, the member of an Ivorian NGO in Raoued mentioned above, testified: ‘we toss our complaints on social networks’. The Ivorian community, which originally comprised isolated young adults who came for work or to pursue higher education, seems to have evolved firstly as a result of the alliances made within the sub-Saharan community, transcending national, ethnic, and sometimes even religious differences, and secondly thanks to the fruit of these alliances, their children, for whom issues of status, nationality, access to health care, and access to public educational facilities are crucial. Consequently, the extent of virtual scales of protection deserve attention, not least in the contexts of pandemic lockdowns and xenophobic violence against migrants.

Territorial protection and urban communities: the ‘invisibility paradox’

The fragility of migrants was noted by all the informants interviewed for this article and takes on a particular dimension when analysed from a territorial perspective. Indeed, the practice of mobility is a daily struggle for a population that carries the stigma (Tyler 2018) of its status and its vulnerability marker. For Neil, the Tunisian humanitarian NGO officer, ‘migrants are fragile. They are afraid of the police and avoid all contact with the authorities. [...] They do not go out at night! When we make donations, they request that they receive them during the day because at night they are afraid of being robbed or attacked. This is true for those living in working-class neighbourhoods’.

This points to what this article refers to as the invisibility paradox of the sub-Saharan migrant community. In order to avoid being the victim of assaults or segregation, migrants fade into the urban fabric in an attempt to become invisible. But this intentional invisibility is a source of vulnerability. As noted in the previous section, migrants appear to be living together in the same neighbourhoods as a result of seeking low-cost housing solutions rather than seeking protection. The first communitarian protests and the ability to provide protection in districts where the number of sub-Saharan residents is high revealed that collective action is possible and that resorting to invisibility has its disadvantages (Bjarnesen & Turner 2020).

Associative grouping facilitates access to police services. However, the concentration of migrants in territories where they have become a dominant element reinforces

their ghettoisation and generates an alternative territorial management. In some cases, this territorialisation has reached quite sophisticated levels. In Sfax for instance, a city to the south of Tunis, informants asserted that migrants ended up with their own police station. This situation presents some similarities to Morocco where each sub-Saharan migrants' ghetto is ruled by a chief, and each national unit is managed by a president and a council, which includes some 'police officers' who are in charge of upholding 'law and order' (Richter 2019).

For these communities, the fact of sharing a common fate is a community- and identity-affirming feature that can help stage public events, mainly cultural and, less so, religious ones. These events are not only intended to mark important celebrations in the countries of origin, but also to unite communities around structuring elements that provide them with a territorial anchor. Arguably, it affirms their presence and creates a local identity embodied by their offspring born in Tunisia. This process is not specific to migrant communities as it is observed among vulnerable populations in disadvantaged areas for whom the special relationship maintained within the neighbourhood stem from them being the only places that young people can appropriate and control (Bachman 1992). With the risk of ghettoisation that this entails, such neighbourhoods therefore play the role of both a refuge and a prison (Chemlali *et al.* 2018).

Migrants base their identity on a strongly developed sense of the locality and community entities that foster cohesion and pride in belonging to a territory where specific aspects of their culture of origin have a rightful place. As such, parades and commemorations enact the appropriation of the territory and the restoration of peace. For instance, in February 2021, to celebrate Mardi Gras [Pancake Day], the children from 'Les Chérubins' day care centre, defined by members of the community as a 'day care centre for sub-Saharan children', paraded through the streets of the locality of Bhar Lazrag, a district that houses a large sub-Saharan community. The children were dressed in Ivorian traditional costumes but with a few items from Tunisian clothing culture such as the *djebba* and the *chechia*.

Sport is also mobilised by associations active in the field, such as the association 'Jeunesse Consciente et Engagée' (i.e. aware and committed youths—who do not have legal residency status in Tunisia). On 29 August 2021, this association organised a football tournament with young participants from both communities, which was assumed to drive 'communion and integration of the migrant population' in the district of El Aouina. The photographs of the event and captions accompanying the publication were provided by the online magazine *Afrikyes*. This initiative was a follow-up to a football tournament in Raoued organised by the Union of Ivorians of Tunisia with the same objectives and support from the municipality. This process of territorial anchoring seems to have succeeded, at least to some extent.

In fact, neighbourhood solidarity is now demonstrated towards migrants even when the latter are involved in fights or settling scores. As Hassib, a young Tunisian student living in Raoued, explained:

They [the migrants] are attacking people more and more now, maybe because there are people who support them; people who are always ready to defend them; maybe they even think that if they attack other people, local youths will side with them. They also cover for each other, claiming victim status and calling us racist’.

Norbert, the sub-Saharan refugee and community worker mentioned above, confirmed that ‘the solution does not lie in revolt [...] we must aim to be adopted by the Tunisian people [...] with a view to becoming integrated’. In this way, territorial affiliations (Rhein 2002) with specific areas and increasing visibility are central aspects of how Norbert views protection. It is surely a strategy that works to some degree. We may even say that the Black Brigade plays along the same lines, even if Norbert is strongly critical and anxious about their illegal but allegedly protective practices. However, it also illustrates the deep ambiguity of protection in relation to the invisibility of individual migrants and visibility of migrant communities (Bjarnesen & Turner 2020).

Conclusion: social stigma, integration or exclusion?

This article has explored the kinds of violence experienced by migrants in Tunisia, both state and non-state; the formal protection offered by state mechanisms; and how the migrants attempt to protect themselves and stay safe. Significant gaps have been revealed in the formal protective frameworks and their implementation. Migrants, trapped in precariousness and vulnerability, are consequently exposed to violence spanning from ordinary everyday forms of violence to state violence and neglect. To some extent, the violence and neglect emanate from the specific context of migration in Tunisia. Tunisia does not perceive itself as a migration destination. Similarly, the EU’s externalisation of border management to Tunisia has produced a large population of transitory but also increasingly permanent migrant populations in the country. Consequently, migrants are caught in a protective limbo where they have few rights and opportunities and must compete with a Tunisian population that is also becoming increasingly precarious. This situation has led to increasing forms of violence, not least in the areas investigated in this article in the northern periphery of Tunis.

In the face of this violence, sub-Saharan migrants with similar interests have banded together in communities that overlook differences of faith and nationality with a view to forming an active and protective ‘family’. These protection mechanisms aim to close the gaps where protection, though expected, is not provided by official

institutions, and where non-governmental actors are inadequate, deemed as they are to be aloof from the actual site and unequipped for sufficient and effective means of action. These protection mechanisms are organised along religious, ethnic, virtual and territorial lines of community-based solidarity (Roulet 2020) structures that become operational in situations of vulnerability and violence. While these communal forms of protection work to a large extent, they are potentially counterproductive as they generate potentially risky visibility. Migrants therefore often attempt to stay out of sight and invisible (Bjarnesen & Turner 2020). Emerging as a group to claim their rights does afford some degree of protection, as this article describes in the case of the group that called on the police to mitigate in conflicts with Tunisians. However, it also compromises some aspects of protection. Overall, therefore, communal protection mechanisms are highly ambiguous, as they attract the attention of both the police charged with keeping migrants out, and Tunisians worried about competition for limited resources. As the situation currently stands, a new generation of migrants' children born on Tunisian soil is being deprived of schooling and often of civil status, including citizenship only open for third-generation legal immigrants. Ultimately, this heightens the risk of inequality, discrimination and the inevitable emergence of violence that, to date, has affected only adult newcomers. Not least human rights organisations must realise that Tunisia is becoming a migration destination where these vulnerable youths will need protection and inclusion now and in the future. One place to start is by recognising the opportunities and limitations in the protective strategies employed by migrants themselves.

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