

This document contains unofficial English translations of the following legal texts:

- **Presidential Decree No. 607 / 2022,
correcting errors of the draft
constitution of June 30, 2022..... 1**
- **The 2022 Constitution of the Tunisian
Republic..... 9**

The Official Gazette of the Republic of Tunisia

Friday 9, 1443 AH – 30 June 2022	Year 165	Issue 77
Decrees and Decisions		
Presidency		

Presidential Decree No. 607 / 2022 dated July 8, 2022, relating to the correction of errors that leaked into the draft constitution published pursuant to Presidential Decree No. 578/2022 dated June 30, 2022 relating to the publication of the new draft constitution for the Republic of Tunisia.
The object of the referendum is scheduled for Monday 25 July 2022.

The President of the Republic,

having perused the Constitution,

And presidential Decree n° 117/2021 dated September 22, 2021 relating to exceptional measures,

And decree n° 30/2022 dated May 19, 2022, establishing the “National Consultative Commission for a New Republic”,

And decree n° 32/2022 dated May 25, 2022, relating to exceptional provisions for the referendum on July 25, 2022, in particular the first chapter thereof,

And presidential decree n° 506/2022 dated May 25, 2022, calling for a referendum on a new draft constitution for the Republic of Tunisia on Monday, July 25, 2022,

And the Presidential Decree n° 578/2022 dated June 30, 2022, relating to the publication of the new draft constitution for the Republic of Tunisia. The object of the referendum is scheduled for Monday 25 July 2022. The following Presidential Decree is issued:

Chapter 1: Some errors leaked into the draft constitution, which was published pursuant to Presidential Decree No. 578 / 2022 dated June 30, 2022 referred to above in the Official Gazette of the Republic of Tunisia. N° 74, issued on June 30, 2022 (1 Dhu al-Hijjah 1443) and it should be corrected as follows:

1. Instead of: "and the promises stated in the second paragraph of the introduction, it shall be stated: and promises".
2. Instead of: "We are establishing the foundation of a constitutional order" stated in paragraph 14 of the introduction.
It shall be mentioned: "We are establishing a new constitutional order".
3. Instead of: "Tunisia is part of the Islamic Nation, and the State must work alone to achieve the objectives of Islam in protecting the soul, honor, money, religion and freedom.
Fifth chapter states: Tunisia is part of the Islamic nation, and the State has to work alone, under a democratic system, in order to achieve the objectives of Islam in protecting the soul, honor, money, religion and freedom."
4. Instead of: "the rights of election, voting, and candidacy are guaranteed in accordance with the provisions of the law.
The State seeks to guarantee women's representation in elected councils."
Chapter thirty-nine states:
"the rights of election, voting, and candidacy are guaranteed in accordance with the provisions of the law".
5. Instead of: "The State protects the rights of the child and takes care of abandoned children or those of unknown parents.
Parents and State must guarantee the rights, dignity, health, care, education and schooling of the child.
The State must also provide all types of protection for all children without discrimination in accordance with the best interests of the child.
Chapter Fifty-two states: "Children's rights are guaranteed. His/ her parents and the State must guarantee him/her dignity, health, care, education, and schooling. The State must also provide all types of protection for all children without discrimination in accordance with the child's best interests. The State takes charge of abandoned children or those of unknown parents".
6. Instead of: "No restrictions shall be placed on the rights and freedoms guaranteed in this Constitution except by virtue of a law and for the necessity of national defense, public security, public health, protection of the rights of third parties or public morals.
These restrictions must not affect the essence of the rights and freedoms guaranteed in this Constitution, and they must be justified by their objectives and commensurate with their justifications.
No rectification may prejudice the gains and freedoms of human rights guaranteed in this Constitution. All judicial bodies must protect these rights and freedoms from any infringement ."
Fifty-fifth chapter states: "No restrictions shall be placed on the rights and freedoms guaranteed in this Constitution except by virtue of a law and for the necessity of a democratic system with the aim of protecting the rights of third parties or for the requirements of public security, national defense or public health.
These restrictions must not affect the essence of the rights and freedoms guaranteed in this Constitution, and they must be justified by their objectives, commensurate with their justifications.
No rectification may prejudice the gains and freedoms of human rights guaranteed in this Constitution. All judicial bodies must protect these rights and freedoms from any infringement".
7. Instead of: "Candidacy for membership in the Assembly of the Representatives of the People is a right for every voter born of a Tunisian father or a Tunisian mother and has reached the age of twenty-three years on the day of submitting his candidacy". Chapter fifty-eight topic states: "Candidacy for membership of the Assembly of the Representatives of the People is the right of every male or female voter born from a Tunisian father or a Tunisian mother and has reached the age of twenty-three years on the day of submitting his/her candidacy, provided that he/she is not covered by any form of deprivation set by the electoral law".

8. Instead of: “Every citizen who has Tunisian nationality and who has reached the age of eighteen years, fulfilling the conditions specified by the electoral law has the right to vote”. Chapter fifty-nine states: “Every male or female citizen who has Tunisian nationality and has reached the age of eighteen years fulfilling the conditions specified by the electoral law, is considered an elector”.
9. Instead of: “Members of the Assembly of the Representatives of the People are elected for a term of five years during the last three months of the parliamentary term. If elections cannot be held due to an imminent danger, the parliament’s term is extended by law .” Chapter Sixty states: “Members of the Assembly of the Representatives of the People are elected in a universal, free, direct and secret election for a period of five years during the last three months of the parliamentary term in accordance with the electoral law”.
10. Instead of: “The member of the Assembly of the Representatives of the People is prohibited from exercising any activity, with or without compensation”. First paragraph of Chapter sixty-one states: “The member of the Assembly of the Representatives of the People is prohibited from exercising any other activity with or without compensation.”
11. Instead of: “If the elections cannot be held due to an imminent danger, the term of the parliament is extended by law .” Chapter sixty-three states: “If the elections cannot be held on the specified date due to war or imminent danger, the term of the parliament shall be extended by law”.
12. Instead of: “The member of the Assembly of the Representatives of the People cannot be put under surveillance, arrested, or prosecuted for opinions he expresses, suggestions he submits, or actions that fall within the framework of his representative functions within the parliament .” Chapter Sixty-four states:” The member of the Assembly of the Representatives of the People cannot be put under surveillance, arrested or prosecuted for opinions or suggestions he submits, or acts that fall within the framework of the duties of his representative within the Parliament.”
13. Instead of:” It is not possible to be put under surveillance or arrest a member of the Assembly of the Representatives of the People during his term of office for the purpose of penal proceedings unless the Assembly of the Representatives of the People lifts the parliamentary immunity. In the case of flagrante delicto, the member of the Assembly of the Representatives of the People may be arrested and the Parliament shall immediately be notified. The member shall be released if the Parliament so requests.” First paragraph of Chapter Sixty-five states: “A representative of the Assembly of the Representatives of the People cannot be prosecuted or arrested for the duration of his mandate due to criminal charges unless the Assembly of the Representatives of the People lifts the immunity. In the case of flagrante delicto, he can be arrested and the Parliament shall immediately be notified. The arrest continues if the Parliament lifts the immunity”.
14. Instead of:” The member of the Assembly of the Representatives of the People does not have parliamentary immunity in relation to defamation, slander, and exchange of violence committed inside the Parliament. He also does not have parliamentary immunity in the event that he disrupts the normal course of the Parliament’s work. Chapter sixty-six states: The member of the Assembly of the Representatives of the People does not have parliamentary immunity in relation to defamation, slander, and exchange of violence committed inside or outside the Parliament and he also does not have it in the event that he disrupts the normal course of the Parliament’s work“ .
15. Instead of:” The Assembly of the Representatives of the People holds a regular session that begins during the month of October of each year, provided that the beginning of the first session of the

parliamentary term of the Assembly of the Representatives of the People takes place within a maximum deadline of fifteen days from the date of announcing the final results of the elections at the convocation of the President of the Assembly whose term has expired or at the convocation of the President of the Republic in the event of the dissolution of the Assembly of the Representatives of the People.” The first paragraph of chapter seventy-one states: “The Assembly of the Representatives of the People shall hold a regular session that begins during the month of October and ends during the month of July, provided that the beginning of the first session of the parliamentary term of the Assembly of the Representatives of the People takes place within a maximum deadline of fifteen days from the date of announcing the final results of the elections at the convocation of the Speaker of the Representatives of the People whose term has expired or at the convocation of the President of the Republic in the event of the dissolution of the Assembly of the Representatives of the People.

16. Instead of: “Extension of the term of the Assembly of the Representatives of the People in accordance with the provisions of the second paragraph of chapter sixty of this Constitution.” Paragraph ten of chapter seventy-five states: “Extension of the term of the Assembly of the Representatives of the People in accordance with the provisions of chapter sixty-three of this constitution”.
17. Instead of:” Extension of the presidential term in accordance to the provisions of the second paragraph of chapter ninety of this Constitution”. Paragraph eleven of chapter seventy-five states: “Extension of the presidential term in accordance with the provisions of the paragraph five of chapter ninety of this Constitution”.
18. Instead of:” Setting the developmental orientations in the development plan. It shall be approved by law. “Chapter seventy-seven states: “Development orientations are set in the development plan that shall be approved by law”.
19. Instead of: “The law authorizes the state’s resources and costs according to the conditions stipulated in the Budget Law. The Assembly of the Representatives of the People approves the draft finance laws and budget closure in accordance with the conditions stipulated in the Budget Law“. First and second paragraphs of chapter seventy-eight state: “The law authorizes the state’s resources and costs in accordance with the provisions stipulated in the Budget Law. The Assembly of the Representatives of the People approves the draft finance laws and budget closure in accordance with the provisions stipulated in the Budget Law”.
20. Instead of: “It is forbidden to combine membership in the National Council of Regions and Districts and any activity with or without compensation”. Second paragraph of Chapter eighty-two states: “It is forbidden to combine membership in the National Council of Regions and Districts and any activity with or without compensation”.
21. Instead of: “The Finance and Development Plans Law can only be approved by an absolute majority of both Assemblies”. Second paragraph of Chapter eighty-four states: “The Finance and Development Plans Law shall not be approved except by a majority of the present members in each of the two Assemblies, provided that this majority is not less than one third of the members of each Assembly”.
22. Instead of: “Candidacy for the position of President of the Republic is a right for every Tunisian who does not hold another nationality. The candidate must be born from a Tunisian father, mother, paternal grandfather, maternal grandfather, all of whom are Tunisians without interruption. The candidate must be, on the day of submitting his candidacy, at least forty years old and enjoy all his

civil and political rights. The candidacy is submitted to the Higher Independent Elections Commission according to the modality and conditions stipulated in the electoral law.” Chapter eighty-nine states: “To run for the office of the President of the Republic is a right for every Tunisian man or woman who does not hold another nationality, born from a Tunisian father, mother, paternal grandfather, maternal grandfather, all of whom are Tunisians without interruption. The male or female candidate, must be, on the day of submitting his/her candidacy, at least forty years old and enjoy all his/her civil and political rights. Candidacy is submitted to the Higher Independent Elections Commission according to the modality and conditions stipulated in the electoral law”.

23. Instead of: “The President of the Republic is elected for a five-year term by means of universal, free, direct, and secret election, during the last three months of the presidential term. In the event of failure to hold the presidential elections on the specified date due to war or imminent danger, the presidential term shall be extended by law until the removal of the reasons that led to the postponement . The President of the Republic may only renew his candidacy once ”. Chapter ninety states:” The President of the Republic shall be elected for a period of five years by means of universal, free, direct, and secret election during the last three months of the presidential term and by an absolute majority of the authorized votes. It is required that a male or female candidate be recommended by a number of members of the elected parliament or from voters in accordance with the provisions of the electoral law.

In the event that no candidate achieves such a majority in the first round, a second round shall be organized during the two weeks following the announcement of the definitive results of the first round. Only the two candidates having won the highest number of votes during the first round may stand for election in the second round

In the event of the death of one of the candidates during the first or second round, nominations shall be reopened and new dates for elections shall be set within no more than forty-five days. Withdrawal of candidates from the first or second round will not affect the election

In the event of failure to hold the presidential elections as a result of a war or an imminent danger, the term of presidency shall be extended until the removal of the reasons that led to the postponement.

The office of presidency cannot be occupied by the same person for more than two full terms, whether consecutive or separate. In the case of resignation, the term counts as a full term.”

24. Instead of: “The President of the Republic is the guarantor of the independence of the nation, the integrity of its territory, respect for the constitution and the law, and the implementation of treaties. He ensures the normal functioning of the public authorities and the continuity of the state.” First paragraph of chapter ninety-one states: “The President of the Republic is the guarantor of the independence of the country, the integrity of its territory, the respect for the constitution and the law, and the implementation of treaties. He ensures the normal functioning of public authorities and guarantees the continuity of the state.”
25. Instead of: “The elected President of the Republic swears the following oath before the Assembly of the Representatives of the People and the National Council of Regions and Districts : “I do solemnly swear, by God Almighty, to maintain the independence of Tunisia and the integrity of its territory, to respect its Constitution and legislation, as well as to fully safeguard its interests.”
If this oath cannot be taken before the Assembly of the Representatives of People and the National Council of Regions and Districts, for any reason, the President of the Republic shall take it before the members of the Constitutional Court ”.

Chapter ninety-two States: “The elected President of the Republic takes the following oath before each of the Assembly of the Representatives of the People, and the National Council of Regions and Districts: “I do solemnly swear, by God Almighty, to maintain the independence of Tunisia and the integrity of its territory, to respect its Constitution and legislation, as well as to fully safeguard its interests.”

If this oath cannot be taken before the Assembly of the Representatives of the People and the National Council of Regions and Districts, for any reason, the President of the Republic shall take it before the members of the Constitutional Court.

The President of the Republic may not combine his responsibilities with any partisan responsibility.

26. Instead of: “The President of the Republic accredits representatives of the country abroad and accepts the credentials of representatives of foreign countries”. Chapter ninety-five states: “The President of the Republic accredits representatives of the country abroad and accepts the credentials of representatives of foreign countries.”
27. Instead of:” The President of the Republic in a state of imminent danger threatening the entity of the Republic and the country’s security and independence, in which it is impossible for the normal functioning of the state’s work, has to take exceptional measures necessitated by circumstances after consulting the Prime Minister, the Speaker of the Assembly of Representatives of the People, and the President of the National Council of Regions and Districts. In this case, the President of the Republic may not dissolve the Assembly of the Representatives of the People and the National Council of Regions and Districts, nor may submit a blame list against the government. These measures shall cease when their causes cease, and the President of the Republic shall direct a statement in this regard to the Assembly of the Representatives of the People and the National Council of Regions and Districts. ”
Chapter ninety-six states:” The President of the Republic, in the event of an imminent danger threatening the entity of the Republic and the country’s security and independence, which makes it impossible for the normal functioning of the state’s work, has to take the exceptional measures necessitated by circumstances after consulting the Prime Minister, the Speaker of the Assembly of Representatives of People, and the President of the National Council of Regions and Districts .He directs a statement to the people in this regard. In this case, the President of the Republic may not dissolve the Assembly of the Representatives of the People, the National Council of Regions and Districts, nor both of these two councils. He may not submit a blame list against the government. These measures shall cease when their causes cease. The President of the Republic directs a statement to the People, the Assembly of Representatives of People, and the National Council of Regions and Districts.”
28. Instead of: “In the event the position of President of the Republic becomes vacant due to death, resignation, total disability, or for any reason, the President of the Constitutional Court shall immediately assume the duties of the Presidency of the State on a temporary basis, for a period of no less than forty-five days and for a maximum of ninety days“ .
First paragraph of chapter one hundred and nine states: “In the event the position of President of the Republic becomes vacant due to death, resignation, total disability, or any reason, the President of the Constitutional Court shall immediately assume the duties of the Presidency of the State on a temporary basis for a period of no less than forty-five days and a maximum of ninety days”.
29. Instead of: “Chapter Four - the Judicial Function, it shall become: Chapter Five – The Judicial Function.
30. Instead of: “The judiciary is divided into judicial, administrative, and financial judiciary. Each of

- these categories is supervised by a higher council whose composition and competencies are determined by law .”
- Chapter one hundred and nineteen states: “The judiciary is divided into judicial, administrative, and financial judiciary. Each of these categories is supervised by a higher council. The law organizes each of the three mentioned councils”.
31. Instead of: “The President of the Republic appoints the judges based on a nomination by the relevant Supreme Judicial Council .”
Chapter one hundred and twenty states: “The President of the Republic appoints the judges based on the nomination of the relevant Supreme Judicial Council”.
 32. Instead of: “The law guarantees the right for litigation at two levels.”
Chapter one hundred twenty-three states: “The state works to guarantee the right for litigation at two levels.”.
 33. Instead of: “Court sessions are public unless the law provides for a closed hearing. The judgment shall be pronounced only in an open session .”
Chapter one hundred and twenty-four states:” Everyone has the right to a fair trial within a reasonable time. The litigants are equal before the courts.
The right for litigation and the right to defense are guaranteed. The law facilitates recourse to the judiciary and provides legal aid to those who are financially unable to have recourse to justice.
Court sessions are public unless the law requires for a closed hearing. The judgment shall be pronounced only in an open session.”
 34. Instead of Chapter five, to review chapter six.
 35. Instead of: “The Constitutional Court is an independent judicial body composed of nine members. The first one- third is among the oldest Heads of Chambers in the Court of Cassation. The second third is composed of the oldest Heads of the Administrative Court, and the last third is composed of the oldest members of the Court of Auditors. Members of the Constitutional Court elect a President among them in accordance with the provisions of the law.” First and second paragraphs of chapter one hundred and twenty-five state:” The Constitutional Court is an independent judicial body composed of nine members appointed by an order. The first one- third is among the oldest Heads of Chambers in the Court of Cassation. The second third is composed of the oldest Heads of Chambers or advisory in the Court of Cassation at the Administrative Court, and the last third is composed of the oldest members of the Court of Auditors. The members of the Constitutional Court elect among themselves a president and vice-president, in accordance with the provisions of the law”.
 36. Instead of: “The decision of the Court, object of the appeal, shall state whether the rulings are constitutional or not. Decisions shall be justified and binding to all authorities and published in the Official Gazette of the Republic of Tunisia.”. Chapter on hundred twenty- nine states: The decision of the Court, object of the appeal, shall state whether the rulings are constitutional or not. Decisions shall be justified and binding to all and published in the Official Gazette of the Republic of Tunisia”.
 37. Instead of chapter six, to review chapter seven.
 38. Instead of chapter seven, to review chapter eight.
 39. Instead of chapter eight, to review chapter nine.

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40. Instead of chapter nine, to review chapter ten.
41. Instead of: “The President of the Republic seals with the title of Constitutional Law - the Law revising the Constitution, in accordance with chapter one hundred and three of the Constitution .”
First paragraph of chapter one hundred and thirty-eight states: “The President of the Republic presents the draft constitution revision to decide on the validity of the procedures for its revision. If the court decides that the procedures are valid, the President of the Republic shall seal, under the title of a constitutional law, the law amending the constitution in accordance with chapter one hundred and three thereof”.
42. Instead of chapter ten - transitional provisions- to review chapter eleven: final and transitional provisions.
43. Instead of: “The Constitution shall enter into force as of the date of the final announcement of the referendum result by the Higher Independent Elections Commission”. Chapter one hundred and thirty-nine states: “Work in the legislative field continues with the provisions of Presidential Decree No. 117/2021 dated September 22, 2021 relating to exceptional measures until the Assembly of the Representatives of the People assumes its functions after organizing the elections of its members”.
44. Instead of: “This constitution bears the date of the referendum day, which is on July 25, 2022, as an embodiment of the will to adhere to the republican system”.
Chapter one hundred and forty states:” The provisions relating to the National Council of Regions and Districts shall enter into force upon the election of its members after all relevant texts have been drawn up”.
45. Instead of: “Work in the legislative field continues with the provisions of Presidential Decree No. 117 / 2021 dated September 22, 2021 relating to exceptional measures until the Assembly of the Representatives of the People assumes its functions after organizing the elections of its members .”
Chapter one hundred and forty- one states: “This constitution bears the official date, which is the referendum day, July 25, 2022, embodying the will of the people to adhere to the republican system”.
46. Instead of: “The provisions relating to the National Council of Regions and Districts shall enter into force upon the election of its members after all relevant texts have been drawn up. This law shall be implemented as the constitution of the Republic of Tunisia .”
Chapter one hundred and forty-two states: “This Constitution shall enter into force as of the date on which the Higher Independent Elections Commission announces the final result of the referendum. After the President of the Republic shall seal it, issue it, and authorize its publication in a special issue in the Official Gazette of the Republic of Tunisia, this constitution shall be implemented as the constitution of the Republic of Tunisia.
- Chapter 2: The draft constitution, object of referendum dated July 25, 2022, is republished in the Official Gazette of the Republic of Tunisia after correcting the errors stipulated in Chapter One of the presidential Decree.
- Chapter 3: This presidential Decree is published in the Official Gazette of the Republic of Tunisia.

Tunisia on July 8, 2022
President of Republic
Kais Saied

Republic of Tunisia

Constitution of the Tunisian Republic

26. of the month Dhu Al-Hidjdja 1443

25/July/2022

Publication of the official printing house of the Republic of Tunisia

2023

In the name of the people,

On the basis of Presidential Decree n° 2022-506 of 25 May 2022, relating to the convocation of voters for the referendum on a draft new Constitution of the Tunisian Republic on 25 July 2022,

Having regard to the decision of the Independent High Authority for Elections n° 2022-22 of 16 August 2022, relating to the proclamation of the final results of the referendum on a draft new Constitution of the Republic of Tunisia on Monday 25 July 2022,

**The President of the Republic of Tunisia, Kaïs Saïed,
hereby promulgates the Constitution of the Republic of Tunisia, as follows:**

In the Name of Allah, The Most Merciful, the Most Gracious

Introduction

We, the Tunisian People, the Sovereign, who, starting on December 17, 2010, achieved an unprecedented high rise in history, revolting against injustice, tyranny, starvation and abuse in all aspects of life.

We, the Tunisian People, who have been patient and long-suffering for more than a decade following this blessed revolution, have not ceased to raise our legitimate demands for work, freedom and national dignity, but in return we have only received false slogans, false promises, and corruption has worsened, and the seizure of our wealth has worsened. Natural and robbery of public money without any accountability. It was necessary to place a deep sense of historical responsibility from correcting the course of the revolution, and even from correcting the course of history, which took place on the 25th of July of the year 2021, the date of the anniversary of the proclamation of the Republic.

We, the Tunisian People, who sacrificed legions of martyrs for emancipation and freedom, so our pure blood mingled with this good land, drawing with our blood the color of the national flag.

We have expressed our will and our major choices through the national consultation in which hundreds of thousands of male and female citizens participated in Tunisia and abroad, and after considering the results of the national dialogue so that no one would be alone in opinion or be tyrannized by any party to choose.

We, the Tunisian People

We approve this new constitution for a new republic, without forgetting our history, which is full of glories, sacrifices, pain and heroism.

Our dear country has known various liberation movements, not least the intellectual liberation movement in the middle of the nineteenth century, which was followed by a national liberation movement since the beginning of the twentieth century until Tunisia gained its independence and rid it of foreign domination.

An intellectual liberation movement began as a national liberation movement, and the revolutionary explosion came on December 17, 2010, and the correction movement was launched on the occasion of the sixty-fourth anniversary of the proclamation of the Republic, to cross into a new stage in history, to cross from despair and frustration to hope, work and aspiration to the level of a free citizen, in a free and complete homeland, to the stage of achieving justice, freedom and national dignity.

We approve this constitution inspired by the glories and pains of the past and looking forward to a better future for us and for generations that will come after us to raise the national flag higher and higher in every forum and under every sky.

We accept this constitution, recalling our constitutional history that goes deep in history, from the Constitution of Carthage to the Covenant of Security, to the Declaration of the Rights of Shepherds and Subjects, and the Tunisian State Law of 1861, as well as the constitutional texts that Tunisia knew after independence.

A number of these constitutional texts were met with some success, and quite a few of them were deviated when the texts turned into a means of giving false formal legitimacy to the rulers.

In this evoking of Tunisia's constitutional history, the honesty necessitates emphasizing that among the most important constitutional texts is the constitution that Tunisia knew at the beginning of the seventeenth century, and it bore the name Al-Mizan and was known to the population at the time as Zimam al-Ahmar, because its cover was of red color. It was written by Tunisians who believed in the value of justice, symbolized by the scale. It was distributed to the population who used to take refuge in its provisions when they expected unfairness from the Leaders.

We, the Tunisian People,

With this new constitution, we seek to achieve justice, freedom and dignity. There is no social peace without justice, no human dignity in the absence of real freedom, and no dignity for the homeland without complete sovereignty and without real independence.

We are establishing the focus of a new constitutional system based not only on the rule of law but on the community of law so that the legal rules are a true and honest expression of the will of the people, so they internalize them and strive to implement them and confront all those who transgress them or try to go against them.

While approving this new constitution, we believe that true democracy will not succeed unless political democracy is accompanied by economic and social democracy, by enabling the citizen to have the right to free choice, to question his representative, and the citizen's right to equitable distribution of national wealth.

We, the Tunisian people,

We reaffirm our belonging to the Arab nation and our keenness to adhere to the human dimensions of the Islamic religion. We also affirm our belonging to the African continent, which is the name that finds its roots in the name that was given to our dear homeland.

We are a people who refuse to allow our state to enter into alliances abroad, just as we refuse to allow anyone to interfere in our internal affairs. We adhere to international legality and support the legitimate rights of people who, according to this legitimacy, have the right to decide their own destiny, the first of which is the right of the Palestinian people to their stolen land and the establishment of their state after its liberation, with its capital located in honorable Jerusalem.

We, the Tunisian People, the Sovereign,

We renew our commitment to establishing a political system based on the separation of legislative, executive and judicial functions, and on establishing a real balance between them.

We also reiterate that the republican system is the best guarantor for preserving the sovereignty of the people and distributing the wealth of our country fairly to all male and female citizens.

We will work steadfastly and sincerely to ensure that economic and social development is continuous without stumbling or setback in a healthy environment that increases green Tunisia from one end to the other, for there is no sustainable development except in a healthy environment free from all causes of pollution.

We, the Tunisian People, who, on December 17, 2010, raised their trans-historic slogan, The People Wants,
We approve this constitution as the basis for a new Tunisian Republic.

Chapter One

General Provisions

Article 1:

Tunisia is a free, independent and sovereign state.

Article 2:

The Tunisian state system is the republican system.

Article 3:

The Tunisian People are the owners of sovereignty, and they exercise it in the manner specified by this constitution.

Article 4:

Tunisia is a unitary state, and it is not permissible to enact any legislation that would prejudice its unity.

Article 5:

Tunisia is part of the Islamic nation, and the state alone must, , under a democratic system, work to achieve the objectives of Islam in preserving life, honor, money, religion and freedom.

Article 6:

Tunisia is part of the Arab nation and the official language is Arabic.

Article 7:

The Republic of Tunisia is part of the Greater Arab Maghreb and is working to achieve its unity within the scope of the common interest.

Article 8:

The flag of the Tunisian state is red, with a white circle in the middle, with a red star with five rays surrounded by a red crescent, as determined by law.

Article 9:

The motto of the Republic of Tunisia is freedom, order, justice.

Article 10:

Tughra of the Republic of Tunisia is determined by law.

Article 11:

The official anthem of the Tunisian Republic is "Hama Al-Hima".

Article 12:

The family is the basic cell of society and the state must protect it.

Article 13:

The state is keen to provide the necessary conditions to develop the capabilities of the youth and to enable them to use all means in order to contribute effectively to the comprehensive development of the country.

Article 14:

Defending the homeland is a sacred duty of every citizen.

Article 15:

Paying taxes and public costs are the duty of every person on the basis of justice and equity. Every tax evasion is considered a crime against the state and society.

Article 16:

The nation's wealth belongs to the Tunisian people, and the state must work to distribute its revenues on the basis of justice and equity among citizens in all regions of the republic.

Agreements and investment contracts related to national wealth are presented to the Assembly of the Representatives of the People and to the National Council of Regions and Districts for approval.

Article 17:

The state guarantees coexistence between the public and private sectors and works to achieve integration between them on the basis of social justice.

Article 18:

The state must provide all legal and material means for the unemployed to launch development projects.

Article 19:

The public administration and all state facilities at the service of the citizen on the basis of impartiality and equality, and any discrimination between citizens on the basis of any affiliation is a crime punishable by law.

Article 20:

The President of the Republic, the Prime Minister, Ministers, members of any parliament, and judges must declare their earnings in accordance with the provisions of the law.

This provision applies to members of independent bodies and to any person who holds a senior position.

Article 21:

The state guarantees the neutrality of educational institutions from any partisan employment.

Chapter Two

Rights and Freedoms

Article 22:

The state guarantees to male and female citizens individual and public rights, as well as liberties and provides them with the means for a decent life.

Article 23:

Male and female citizens are equal in rights and duties and are equal before the law without any discrimination.

Article 24:

The right to life is sacred. It may not be touched except in extreme cases set by law.

Article 25:

The state protects the dignity of the human person and the sanctity of the body, and forbids moral and material torture. There is no statute of limitations for the crime of torture.

Article 26:

The freedom of the individual is guaranteed.

Article 27:

The state guarantees freedom of belief and freedom of conscience.

Article 28:

The state protects the freedom to perform religious rites as long as they do not disturb public security.

Article 29:

The right of ownership is guaranteed, and it cannot be limited except in some cases such as guarantees stipulated by law.

Intellectual property is guaranteed.

Article 30:

The state protects privacy, the sanctity of the home, and the confidentiality of correspondence, communications and personal data.

Every citizen is free to choose his place of residence and to move within the country and has the right to leave it.

Article 31:

It is prohibited to withdraw the Tunisian nationality from any citizen, or alienate him, or hand him over or prevent him from returning to the homeland.

Article 32:

The right of political asylum is guaranteed in accordance with the provisions of the law, and the extradition of those enjoying political asylum is prohibited.

Article 33:

The accused is innocent until proven guilty in a fair trial in which all defense are guaranteed during the trial and trial phases.

Article 34:

Punishment is personal and can only be in accordance with a previously established legal text, except in the case of the text attached to the accused.

Article 35:

A person may not be arrested or detained except in flagrante delicto or by a judicial decision, and he is immediately informed of his rights and the accusation against him, and he may appoint a lawyer. The period of suspension and retention shall be determined by law.

Article 36:

Every prisoner has the right to humane treatment that preserves his dignity. In implementing custodial penalties, the state takes into account the interests of the family, and works to rehabilitate the prisoner and integrate him into society.

Article 37:

Freedom of opinion, thought, expression, media and publication is guaranteed. No prior censorship of these freedoms may be exercised.

Article 38:

The state guarantees the right to information and the right to access information. The state seeks to guarantee the right of access to communication networks.

Article 39:

The rights to vote, to elect and to stand for election are guaranteed in accordance with the provisions of the law.

Article 40:

The freedom to form parties, unions and associations is guaranteed. Parties, unions and associations, in their statutes and activities, abide by the provisions of the constitution and the law, financial transparency and non-violence.

Article 41:

The right to trade union, including the right to strike, is guaranteed. This right does not apply to the national army. The right to strike does not include judges, the internal security forces and public offices.

Article 42:

Freedom of peaceful assembly and demonstration is guaranteed.

Article 43:

Health is the right of every human being. The state guarantees prevention and health care for every citizen, and provides the necessary capabilities to ensure the safety and quality of health services. The state guarantees free treatment for the bondless and for those with limited income. It guarantees the right to social coverage according to what is regulated by law.

Article 44:

Education is compulsory until the age of sixteen. The state guarantees the right to free public education in all its stages, and seeks to provide the necessary capabilities to achieve quality education, schooling and training. It also works on rooting the young in their Arab-Islamic identity and national affiliation, consolidating and supporting the Arabic language, popularizing its use, being open to foreign languages and human civilizations, and spreading a culture of human rights.

Article 45:

Academic freedoms and the freedom of scientific research are guaranteed.

The state provides the necessary capabilities for innovation and for the development of scientific research.

Article 46:

Work is a right for every male and female citizen, and the state takes the necessary measures to guarantee it on the basis of efficiency and equity.

Every male and female citizen has the right to work in decent conditions and with a fair wage.

Article 47:

The state guarantees the right to a healthy and balanced environment and contributes to a safe climate. The state shall provide the means to eliminate environmental pollution.

Article 48:

The state must provide drinking water for all on an equal basis, and it must preserve the water wealth for future generations.

Article 49:

The right to culture is guaranteed.

Freedom of creativity is guaranteed, and the state encourages cultural creativity, and supports the national culture in its rooting, diversity and renewal, in a manner that enshrines the values of tolerance, rejection of violence, and openness to different cultures.

The state protects the cultural heritage and guarantees the right of future generations to it.

Article 50:

The state supports sports and seeks to provide the necessary facilities for practicing sports and recreational activities.

Article 51:

The state is committed to protecting the acquired rights of women and works to support and develop them. The state guarantees equal opportunities for men and women in assuming various responsibilities in all fields.

The state seeks to achieve parity between women and men in the elected councils.

The state takes measures to eliminate violence against women.

Article 52:

The rights of the child are protected. The State and the Parents must guarantee dignity, health, care, schooling, and education. The state must also provide all kinds of protection for all children without discrimination in accordance with the best interests of the child.

The State should take charge of children who are abandoned or of unknown parentage.

Article 53:

The state guarantees assistance to the elderly who are without support.

Article 54:

The state protects persons with disabilities from all discrimination and takes all measures to ensure their full integration into society.

Article 55:

No restrictions shall be placed on the rights and freedoms guaranteed by this Constitution except by virtue of a law and for the necessity of a Democratic System, national defense, public security, public health, protection of the rights of others or public morals.

These restrictions must not affect the essence of the rights and freedoms guaranteed in this Constitution, and they must be justified by their objectives and consistent with their justifications.

No rectification may prejudice the gains and freedoms of human rights guaranteed in this Constitution. All judicial bodies must protect these rights and freedoms from any infringement.

Chapter Three**The Legislative Function****Article 56:**

The people, the Sovereign, delegate the legislative function to a first House of Representatives called the Assembly of the Representatives of the People, and to a second House of Representatives called the National Council of Regions and Districts.

Article 57:

The seat of the Assembly of the Representatives of the People and the headquarters of the National Council of Regions and Districts are located in Tunis, and they may, in exceptional circumstances, hold their sessions in any other place in the territory of the Republic.

Section One**The Assembly of the Representatives of the People****Article 58:**

Candidacy for membership in the Assembly of the Representatives of the People is the right of every male and female voter born to a Tunisian father or a Tunisian mother and has reached the age of twenty-three years on the day of submitting his candidacy, provided that he/she is not covered by any form of deprivation set by the electoral law.

Article 59:

Every male or female citizen with Tunisian nationality who has reached the age of eighteen years and who fulfills the conditions specified by the electoral law is considered an elector.

Article 60:

Members of the Assembly of the Representatives of the People are elected in a universal, free, direct and secret election for a period of five years during the last three months of the parliamentary term in accordance with the electoral law”.

Article 61:

A deputy is prohibited from engaging in any other activity, with or without payment.

The representative’s procuration may be withdrawn according to the conditions determined by the electoral law.

Article 62:

If a deputy resigns from the parliamentary bloc to which he belonged at the beginning of the parliamentary term, he may not join another bloc.

Article 63:

If elections cannot be held due to war or an imminent danger, the term of the Assembly shall be extended by law.

Article 64:

A representative cannot be put under surveillance, arrested, or prosecuted for opinions he expresses, suggestions he submits, or actions that fall within the framework of his representative functions within the Assembly.

Article 65:

It is not possible to prosecute or suspend a representative for the duration of his mandate for penal proceedings unless the Assembly of the Representatives of the People lifts his immunity. In the case of flagrante delicto, the representative can be arrested and the Assembly is immediately notified. The representative's arrest persists when the Assembly lifts the immunity.

During the Assembly's holidays, the relevant office shall take over the duties.

Article 66:

A Representative does not have parliamentary immunity in relation to crimes of slander, libel and exchange of violence committed inside or outside the Assembly, and the representative also does not have this immunity in the event that he disrupts the normal functioning of the Assembly.

Article 67:

The Assembly of the Representatives of the People exercises the legislative function within the limits of the powers entrusted to it in this Constitution.

Article 68:

The President of the Republic has the right to present bills.

Representative have the right to present suggestions for laws, provided that they are presented by at least ten representatives.

The President of the Republic is responsible for presenting draft laws on approving treaties and draft finance laws.

The projects of the President of the Republic have priority for consideration.

Article 69:

Law proposals and revision proposals submitted by representatives are not acceptable if they would violate the financial balances of the state.

Article 70:

The Assembly of the Representatives of the People may, for a limited period and for a specific purpose, authorize the President of the Republic to draft decrees and submit them for approval by the Assembly upon the expiry of the said period.

Article 71:

The Assembly of the Representatives of the People shall hold a regular session during the month of October of each year and shall end on July, provided that the beginning of the first session of the parliamentary term of the Assembly of the Representatives of the People takes place within a maximum deadline of fifteen

days from the date of announcing the final results of the elections at the convocation of the Speaker of the Assembly whose term has expired or at the convocation of the President of the Republic in the event of the dissolution of the Assembly of the Representatives of the People.

If the beginning of the first session of the parliamentary term of the Assembly of the Representatives of the People coincides with its annual recess, an extraordinary session shall be opened for a period of fifteen days.

The Assembly of the Representatives of the People may also meet during its recess in an extraordinary session at the request of the President of the Republic or one third of its members to consider a specific agenda.

Article 72:

The Assembly of the Representatives of the People elects among its members' permanent committees that work without interruption even during the recess of the Assembly.

Article 73:

The President of the Republic may, during the recess of the Assembly, after informing the competent permanent committee, draft decrees that are submitted for approval to the Assembly of the Representatives of the People, in the regular session following the recess.

Article 74:

The President of the Republic ratifies treaties and authorizes their publication.

Treaties related to state borders, commercial treaties, treaties related to international organization, and those related to the state's financial commitments, and treaties containing provisions of a legislative nature, may not be ratified except after approval by the Assembly of the Representatives of the People.

Treaties are not valid until they are ratified, provided that they are implemented by the other party.

Treaties ratified by the President of the Republic and approved by the Assembly of the Representatives of the People are superior to laws and inferior to the Constitution.

Article 75:

Texts related to the following are considered basic laws:

- General methods of implementing the constitution.
- Approval of treaties.
- Organizing the relationship between the Assembly of Representatives of People and the National Council of Regions and Districts .
- Organization of justice and the judiciary.
- Organizing media, press and publishing.
- Organizing and financing parties, associations, unions, professional organizations and bodies.
- Organization of the national army.
- Organizing the internal security forces and public offices.
- Electoral law.
- Extension of the term of the Assembly of the Representatives of the People in accordance with the provisions of the second paragraph of Article sixty of this Constitution.
- Extension of the presidential term in accordance with the provisions of the fifth paragraph of Article ninety of this Constitution.
- Freedoms and human rights.
- Personal Status.
- local councils, regional councils, district councils and structures that can enjoy the status of a local community.
- Organization of constitutional commissions.

- The budget law.

Texts related to the following are considered ordinary laws

- Creation of types of public establishments and institutions.
- Nationality.
- Civil and commercial obligations.
- Control of felonies and misdemeanors as well as applicable penalties, in addition to infractions subject to a penalty of deprivation of liberty
- General amnesty.
- Control the base of payments and contributions, their percentages, and the procedures for extracting them.
- Currency issue system.
- State loans and financial commitments.
- Declaration of gains.
- Basic guarantees granted to civil and military personnel.
- Organizing the ratification of treaties.
- Finance laws, closing the budget and approving development plans.
- The basic principles of the property system, real rights, education, scientific research, culture, public health, the environment, territorial and urban development, energy, labor law and social security.
- Approval of agreements and investment contracts related to national wealth.

Article 76:

Articles that do not fall within the field of law shall be referred to the general regulatory authority, and previous texts related to these articles may be revised by an order that is obligatory to be submitted to the Administrative Court and issued based on its corresponding opinion.

The President of the Republic may plead not to accept any draft law or any draft amendment that involves interference in the field of public regulatory authority. The President of the Republic submits the matter to the Constitutional Court for decision within a maximum period of ten days starting from the date of notification.

Article 77:

The development orientations are put in place in the development plan and must be approved by law.

Article 78:

The law authorizes the state's resources and costs according to the provisions stipulated in the Budget Law. The Assembly of the Representatives of the People ratifies the draft finance and closure budget in accordance with the provisions stipulated in the Budget Law.

The Finance Bill is submitted to the Assembly no later than October 15 and approved no later than December 10.

The President of the Republic may give back the draft to the Assembly for a second reading within the two days following its approval by the Assembly.

In the event of a response, the Assembly shall meet to deliberate again during the three days following the exercise of the right of reply.

The President of the Republic, or one-third of the members of the Assembly of the Representatives of the People, or one-third of the members of the National Council of Regions and Districts, may, during the three days following the approval of the Assembly for the second time after the reply, or after the expiry of

the deadlines for exercising the right of reply without it having occurred, appeal the unconstitutionality of the provisions of the Finance Law before the Constitutional Court which adopts a decision within a deadline not exceeding five days following the appeal.

If the court rules unconstitutional, it shall refer its decision to the President of the Republic, who in turn shall refer it to the Speaker of the Assembly of the Representatives of the People and the President of the National Council of Regions and Districts, within a deadline not exceeding two days from the date of the court's decision. The two Assemblies approve the bill within the three days following their receipt of the decision of the Constitutional Court.

When the constitutionality of the project is ratified, or when it is ratified again following the response, or when the deadlines for response and the deadlines for appealing unconstitutionality have expired, the President of the Republic seals the finance bill within a two-day deadline. In all cases, the seal shall take place no later than 31 December.

If the Finance Bill is not ratified by the 31st of December, the project can be implemented with regard to the expenditures, in installments of three months, renewable by an Decree, and the resources are drawn in accordance with the laws in force.

Article 79:

The Assembly of the Representatives of the People approves basic laws by an absolute majority of members, and ordinary laws by a majority of the members present, provided that this majority is not less than one-third of the members of the Assembly.

Article 80:

In the event of the dissolution of the Assembly of the Representatives of the People, the President of the Republic may issue decrees that are submitted for approval by the Assembly in its first regular session. Electoral law is excluded from the scope of decrees.

Section Two

The National Council of Regions and Districts

Article 81:

The National Council of Regions and Districts is composed of elected representatives from different regions.

The members of each regional council elect three members from among themselves to represent their region in the National Council of Regions and Districts.

The elected members of the regional councils in each region elect one representative from among themselves to represent this region in the National Council of Regions and Districts.

The representative of the region shall be compensated according to the provisions of the electoral law.

Article 82:

It is not possible to combine membership in the Assembly of the Representatives of the People and membership in the National Council of Regions and Districts.

It is forbidden to combine membership in the National Council of Regions and Districts and any other activity with or without compensation.

Article 83:

The provisions relating to the parliamentary immunity of members of the Assembly of the Representatives of the People apply to members of the National Council of Regions and Districts.

Article 84:

The projects related to the state budget, regional, territory, and national development plans are to be obligatory presented before the National Council of Regions and Districts to ensure a balance between regions and municipalities.

The Finance and Development Plans Law can only be approved by an absolute majority of the present members of both Assembly and Council provided that this majority shall not be less than one third of the members of each Assembly.

Article 85:

The National Council of Regions and Districts exercises oversight and accountability powers in various matters related to the implementation of the budget and development plans.

Article 86:

The law regulates the relations between the Assembly of the Representatives of the People and the National Council of Regions and Districts.

Chapter Four

The Executive Function

Article 87:

The President of the Republic exercises the executive function with the assistance of a government headed by a Prime Minister.

Section One

The President of the Republic

Article 88:

The President of the Republic is the Head of State and his religion is Islam.

Article 89:

Candidacy for the position of President of the Republic is a right for every male and female Tunisian who does not hold another nationality, born to Tunisian father, mother, paternal grandfather, and maternal grandfather, all of whom are Tunisians without interruption.

The candidate must, on the day of submitting his candidacy, be at least forty years old and enjoy all his civil and political rights.

Article 90:

The President of the Republic shall be elected for a period of five years by universal, free, direct and secret elections during the last three months of the presidential term and with absolute majority of authorized votes.

It is required that a male or female candidate shall be recommended by a number of members of the elected parliament or from the electorate in accordance with the provisions of the electoral law.

In the event that no candidate achieves such a majority in the first round, a second round shall be organized during the two weeks following the announcement of the definitive results of the first round. Only the two candidates having won the highest number of votes during the first round may stand for election in the second round

In the event of the death of one of the candidates during the first or second round, nominations shall be reopened and new dates for elections shall be set within no more than forty-five days. Withdrawal of candidates from the first or second round will not affect the election.

In the event of failure to hold the presidential elections as a result of a war or an imminent danger, the term of presidency shall be extended until the removal of the reasons that led to the postponement.

The office of presidency cannot be occupied by the same person for more than two full terms, whether consecutive or separate.

In the case of resignation, the term counts as a full term”.

Article 91:

The President of the Republic is the guarantor of the independence of the country, the integrity of its territory, respect for the constitution and the law, and the implementation of treaties. He ensures the normal functioning of public authorities and guarantees the continuity of the state.

The President of the Republic chairs the National Security Council.

Article 92:

The elected President of the Republic takes the following oath before the Assembly of the Representatives of the People and the National Council of Regions and Districts:

“I swear by Almighty God to preserve the independence and integrity of the country, to respect the country’s constitution and legislation, and to take full care of the nation’s interests.”

If this oath cannot be taken before the Assembly of the Representatives of the People and the National Council of Regions and Districts, for any reason, the President of the Republic shall take it before the members of the Constitutional Court.

The President of the Republic may not combine his responsibilities with any partisan responsibility.

Article 93:

The official headquarters of the Presidency of the Republic is Tunis, but in exceptional circumstances it may be transferred temporarily to any other place in the territory of the Republic.

Article 94:

The President of the Republic is the Supreme Commander of the Armed Forces.

Article 95:

The President of the Republic accredits representatives of the state abroad, and accepts the accreditation of representatives of foreign countries to him.

Article 96:

The President of the Republic, in the event of an imminent danger threatening the entity of the Republic and the country’s security and independence, which makes it impossible for the normal functioning of the state’s work, has to take the exceptional measures necessitated by circumstances after consulting the Prime Minister, the Speaker of the Assembly of Representatives of People, and the President of the National Council of Regions and Districts.

He directs a statement to the people in this regard.

In this case, the President of the Republic may not dissolve the Assembly of the Representatives of the People, the National Council of Regions and Districts, nor both of these two councils. He may not submit a blame list against the government.

These measures shall cease when their causes cease. The President of the Republic directs a statement to the People, the Assembly of Representatives of People, and the National Council of Regions and Districts.”.

Article 97:

The President of the Republic may submit a referendum for any bill relating to the organization of public powers or the ratification of a treaty that may have an impact on the functioning of institutions, without all of this being contrary to the Constitution.

Article 98:

The President of the Republic declares war and concludes peace with the approval of an absolute majority of the members of the Assembly of the Representatives of the People.

Article 99:

The President of the Republic has the right to a special pardon.

Article 100:

The President of the Republic sets the general policy of the state and defines its basic choices and informs the Assembly of the Representatives of the People and the National Council of Regions and Districts. He may address them together, either directly or by way of a statement addressed to them.

Article 101:

The President of the Republic appoints the Prime Minister, as well as other members of the Government, based on a proposal from the Prime Minister.

Article 102:

The President of the Republic terminates the functions of the government or a member of it automatically or on the proposal of the Prime Minister.

Article 103:

The President of the Republic seals constitutional, basic and ordinary laws, and ensures that they are published in the Official Gazette of the Republic of Tunisia within a maximum deadline of fifteen days from the date of their receipt.

The President of the Republic has the right, during the aforementioned period, to give back the draft law to the Assembly of the Representatives of the People or to the National Council of Regions and Districts, or both, for a second reading. If the project is approved by a two-thirds majority, it is issued and published within a deadline not exceeding fifteen days.

The right of reply does not include laws related to the revision of the constitution.

The deadlines for stamping are suspended in the event of an appeal to the constitutionality of the law before the Constitutional Court. The President of the Republic either seals the law if the Constitutional Court judges its constitutionality, or gives it back to the Assembly of the Representatives of the People, the National Council of Regions and Districts, or both, based on the competencies entrusted to each one of them.

Article 104:

The President of the Republic ensures the implementation of laws and exercises general regulatory authority. He may delegate all or part of this authority to the Prime Minister.

Article 105:

Draft laws and draft regulatory orders are deliberated in the Council of Ministers.

The regulatory orders are marked by the Prime Minister and the concerned member of the government.

Article 106:

The President of the Republic, upon the proposal of the Prime Minister, assigns senior civil and military positions.

Article 107:

If the President of the Republic is temporarily unable to carry out his duties, he delegates his functions to the Prime Minister, with the exception of the right to dissolve the Assembly of the Representatives of the People or the National Council of Regions and Districts.

Article 108:

During the period of the impossibility, the government shall remain in place until the impossibility ceases to exist, even if it is subjected to a blame list. The President of the Republic informs the Speaker of the Assembly of the Representatives of the People and the President of the National Council for Regions and Districts of his temporary delegation of his powers.

Article 109:

When the position of the Presidency of the Republic becomes vacant due to death, resignation, total disability, or any reason, the President of the Constitutional Court shall immediately assume the duties of the Presidency of the State temporarily for a period of no less than forty-five days and a maximum of ninety days.

The person in charge of the duties of the President of the Republic shall take the constitutional oath before the Assembly of the Representatives of the People and the National Council of Regions and Districts together, and if this is not possible, before the Constitutional Court.

The person in charge of the duties of the President of the Republic on a temporary basis may not run for the Presidency of the Republic, even if he submits his resignation.

The person in charge of the duties of the President of the Republic temporarily exercises the presidential functions and may not resort to a referendum, terminate the functions of the government, dissolve the Assembly of the Representatives of the People, or the National Council of Regions and Districts, or adopt exceptional measures.

The Assembly of the Representatives of the People may not, during the temporary presidential term, submit a blame list against the government.

During the temporary presidential term, a new President of the Republic is elected for a term of five years. The new President of the Republic may dissolve the Assembly of the Representatives of the People and the National Council of Regions and Districts, or one of them, and call for the organization of premature legislative elections.

Article 110:

The President of the Republic enjoys immunity throughout his tenure of the presidency, and all the statute of limitations and termination periods are suspended in his right, and the procedures can be resumed after the end of his duties.

The President of the Republic shall not be questioned about the actions he has undertaken in the performance of his duties.

Section Two**The Government****Article 111:**

The government ensures the implementation of the state's general policy in accordance with the directions and choices set by the President of the Republic.

Article 112:

The government is responsible for its actions to the President of the Republic.

Article 113:

The Prime Minister directs the government, coordinates its work, and disposes of the wheels of administration.

He may deputize the President of the Republic, when necessary, to preside over the Council of Ministers or any other council.

Article 114:

Members of the government have the right to attend the Assembly of the Representatives of the People and the National Council of Regions and Districts, whether in the framework of the general session or in the framework of commissions.

Every Representative in the Assembly of the Representatives of the People or in the National Council of Regions and Districts may address the members of the government with written or oral questions.

The Assembly of the Representatives of the People and the National Council of Regions and Districts may invite the government or a member of it to have a dialogue about the policy that has been followed and the results that have been achieved or that work is being done to achieve them.

Article 115:

The Assembly of the Representatives of the People and the National Council of Regions and Districts may jointly oppose the government to continue assuming its responsibilities by directing a blame list if it appears to them that it contravenes the general policy of the state and the basic choices stipulated in the constitution. A blame list can only be submitted if it is justified and signed by half of the members of the Assembly of the Representatives of the People and half of the members of the National Council for Regions and Regions, and the vote on it does not take place until forty-eight hours have elapsed since its submission.

The President of the Republic accepts the resignation of the government presented by its president, if the blame list is ratified by a two-thirds majority of the members of both Houses combined.

Article 116:

The President of the Republic, if a second blame list is directed at the government during the same parliamentary term, can either accept the resignation of the government or dissolve the Assembly of the Representatives of the People and the National Council of Regions and Districts, or either of them.

The order related to the dissolution must stipulate calling the voters to hold new elections for members of the Assembly of the Representatives of the People and for members of the National Council of Regions and Districts, or one of them within a period not exceeding thirty days.

In the event of the dissolution of the Assembly and the Council, or the dissolution of one of them, the President of the Republic may take decrees and submit them to the approval of the Assembly of the Representatives of the People and the National Council of Regions and Districts, or to one of them only, according to the competencies assigned to each of the Assembly and the Council.

Chapter Five

The Judicial Function

Article 117:

The judiciary is an independent function exercised by judges over whom there is no authority other than the law.

Article 118:

Judgments are issued in the name of the people, and executed in the name of the President of the Republic.

Article 119:

The judiciary is divided into judicial, administrative, and financial judiciary. Each of these categories is supervised by a higher council.

The law organizes each of the three mentioned councils.”

Article 120:

The appointment of judges shall be by order of the President of the Republic pursuant to a nomination by the relevant Supreme Judicial Council.

Article 121:

A judge may not be transferred without his consent, nor may he be revoked, nor may he be suspended, dismissed, or punished, except in cases specified by law. The judge enjoys penal immunity, and he cannot be put under surveillance or arrested unless the immunity is lifted.

In the event of flagrante delicto, he may be arrested. The relevant Judicial Council must be notified and will decide on lifting immunity.

The provisions of the first paragraph of this Article do not prevent the judge from being transferred in order to comply with the interests of the work.

Work interest means the interest arising from the necessity of filling vacancy, naming new judicial plans, or facing a clear increase in the volume of work.

All judges are equal in meeting the requirements of the work interest. The judge cannot be called to change his workplace in response to the requirements of the work interest, except after it is proven that there are no desires to join the concerned work place. For this purpose, direct judges are convoked to the nearest judicial district with the approval of rotation, and when necessary, a lottery is made.

In this case, the period of commencement in response to the requirements of the work interest cannot exceed one year, unless the concerned judge expresses an explicit desire to remain in the position to which he was transferred or appointed.

Article 122:

A judge is required to be competent, and he must abide by impartiality and integrity, and every breach requires accountability.

Article 123:

The state guarantees the right to litigation at two levels.

Article 124:

Everyone has the right to a fair trial within a reasonable time. The litigants are equal before the courts.

The right for litigation and the right to defense are guaranteed. The law facilitates recourse to the judiciary and provides legal aid to those who are financially unable to have recourse to justice.

Court sessions are public unless the law requires for a closed hearing. The judgment shall be pronounced only in an open session”.

Chapter Six

The Constitutional Court

Article 125:

The Constitutional Court is an independent judicial body composed of nine members appointed by an order. The first one-third is among the oldest Heads of Chambers in the Court of Cassation. The second third is composed of the oldest Heads of Chambers or advisory in the Court of Cassation at the Administrative Court, and the last third is composed of the oldest members of the Court of Auditors.

The members of the Constitutional Court elect among themselves a president and vice-president, in accordance with the provisions of the law.”

If a member reaches the age of retirement, he will be automatically replaced with the next in seniority, provided that the term of membership in all cases is not less than one year.

Article 126:

It is forbidden to combine membership of the Constitutional Court with any other employments or other tasks.

Article 127:

The Constitutional Court has jurisdiction over constitutional review:

1. Laws based on a request from the President of the Republic, thirty members of the Assembly of the Representatives of the People, or half of the members of the National Council for Regions and Regions, shall be submitted within a maximum deadline of seven days from the date of ratification of the bill or from the date of ratification of a bill in an amended form after it was answered by the President of the Republic.
2. Treaties presented by the President of the Republic before the law approval.
3. Laws transferred by the courts if their unconstitutionality is argued in some cases according to the procedures established by law.
4. The bylaws of the Assembly of the Representatives of the People and the bylaws of the National Council of Regions and Districts, which are presented by the president of the assembly and the president of the Council.
5. Procedures for revision of the constitution.
6. Draft revisions of the constitution deciding no conflict with what is not permitted to be revised as stipulated in this constitution.

Article 128:

The court issues its decision within thirty days from the date of filing the appeal and by a two-thirds majority of its members.

Article 129:

The court's decision states that the judgments, object of appeal, are constitutional or unconstitutional, and its decision is justified and binding on all. It is published in the Official Gazette of the Republic of Tunisia.

Article 130:

The law, which the court has decided to be unconstitutional, is referred to the President of the Republic, and from there to the Assembly of the Representatives of the People, the National Council of Regions and Districts, or one of them, as the case may be, for further deliberation in accordance with the decision of the Constitutional Court. The President of the Republic must give it back to the Constitutional Court before it is sealed to consider again its conformity with the Constitution or its compliance with its provisions.

In the event that a draft law is approved in an amended form following its return, and the court has previously approved its constitutionality, the President of the Republic shall refer it obligatory before sealing it to the Constitutional Court.

Article 131:

In the event that the Constitutional Court undertakes following a plea that a law is unconstitutional, its consideration is limited to the appeals that were raised, and it decides on them within two months, subject to a one-month extension, and that is by a reasoned decision.

If the Constitutional Court decides that it is unconstitutional, the law is suspended within the limits of what it has ruled.

Article 132:

The law determines the organization of the Constitutional Court, the procedures followed before it, and the guarantees enjoyed by its members.

Chapter Seven

Local and Regional Communities

Article 133:

Municipal councils, regional councils, district councils, and structures granted by law the status of a local community exercise local and regional interests as determined by law.

Chapter Eight

The Higher Independent Elections Commission

Article 134:

The Higher Independent Elections Commission is in charge of managing, organizing and supervising the elections and referendums in all their stages. It guarantees the integrity, and transparency of the electoral process and declares the results.

The authority has the regulatory authority in its field of competence.

The commission is composed of nine independent, impartial members of competence and integrity, who perform their duties for a period of six years, non-renewable, and one-third of its members are renewed every two years.

Chapter Nine

The Supreme Council for Schooling and Education

Article 135:

The Supreme Council for Schooling and Education expresses its opinion on major national plans in the field of Schooling, education, scientific research, vocational training and employment prospects.

The law sets the composition of this council, its competencies and the methods of its functioning.

Chapter Ten

Revision of the Constitution

Article 136:

The President of the Republic, or at least one-third of the members of the Assembly of the Representatives of the People, has the right to demand a revision of the constitution, unless this does not affect the republican system of the state or the number of presidential terms and their extensions.

The President of the Republic may submit draft constitutional revisions to a referendum.

Every initiative to amend the constitution is presented obligatorily by the party that initiated the draft revision to the Constitutional Court to decide what should not be revised as stipulated in this constitution.

Article 137:

The Assembly of the Representatives of the People considers the revision to be introduced after a decision adopted by an absolute majority, and after determining its object to be studied by a special commission.

In the event of not resorting to a referendum, the draft constitution revision is approved by the Assembly of the Representatives of the People by a two-thirds majority of its members in two revisions, the second revision occurring at least three months after the first.

Article 138:

The President of the Republic presents the draft constitution revision to decide on the correctness of the procedures for its revision. If the court decides that the procedures are valid, the President of the Republic seals, with the title of a constitutional law, the revised law of the constitution in accordance with Article one hundred and three of it.

The President of the Republic shall issue the title of a constitutional law, after its sealing, the revised law of the constitution within a deadline not exceeding fifteen days from the date of the announcement of the referendum result.

Chapter Eleven

Transitional Provisions

Article 139:

Work in the legislative field continues with the provisions of Presidential Decree No. 117/2021 dated September 22, 2021 relating to exceptional measures until the Assembly of the Representatives of the People assumes its functions after organizing the elections of its members.

Article 140:

The provisions relating to the National Council of Regions and Districts shall enter into force upon the election of its members after all relevant texts have been drawn up.

Article 141:

This Constitution bears the official date, date of the referendum day, which is July 25, 2022, as an embodiment of the will to adhere to the republican system.

Article 142:

This Constitution shall enter into force as of the date on which the Higher Independent Elections Commission announces the final result of the referendum. After the President of the Republic shall seal it,

issue it, and authorize its publication in a special issue in the Official Gazette of the Republic of Tunisia, this constitution shall be implemented as the Constitution of the Republic of Tunisia.

Signed at Carthage Palace on Wednesday 19 Moharem Alharam 1444 / 17 August 2022.

Kaïs Saïed
The President of the Republic