

## Tunisia Legal Framework Analysis: Key Highlights

This one-pager aims to provide a brief overview of the most notable features of Tunisia's national cooperative legal framework, based on the work of national legal experts and ICA member input.

Cooperatives in Tunisia are regulated by ordinary legislation. All cooperatives fall under a general statute, and there are also specific laws applying to different categories of cooperative. In all, Tunisian legislation divides cooperatives into six categories which are elaborated in the full report. Regarding reference to the ICA's cooperative principles, the general statute refers to all of them explicitly or implicitly, while the specific laws deal with the ICA principles to varying degrees. As an example, while reference to some of principles is scattered throughout the law covering Cooperative Units for Agricultural Production, the principles of autonomy and open membership are explicitly excluded.

**Main regulations:** This table displays a selection of cooperative regulations identified by experts and ICA members. For the full analysis including all relevant regulations, see the full report in French [here](#).

Regulation	Brief Description
Law no 67-4 of 19 January 1967	'...portant statut général de la coopération' or 'Establishing the General Regulations Applicable to Cooperation'
Law no 84-28 of 12 May 1984	'...organisant les unités coopératives de production agricole exploitant des terres domaniales agricoles' or 'Providing for Cooperative Units of Agricultural Production on State Owned Agricultural Land'
Law n°2005-94 of 18 October 2005	Applicable to 'Sociétés mutuelles de services agricoles' or 'Mutual Societies for Agricultural Services'.

**Cooperative Friendliness:** The general statute for cooperatives is well structured and favourable to development of cooperatives in Tunisia. However, legislation on cooperatives in the country is complex and fragmented, with special laws for different cooperative types existing alongside the general statute. As noted above, the ICA principles are also dealt with inconsistently, with the principles for autonomy and open membership being explicitly excluded in the law covering Cooperative Units for Agricultural Production.

**Key recommendations for improvement:** There are two possible routes for legislative reform. The first is to bring all different cooperative types under the general statute following some modifications to the text. The second option would be to continue with the multiple laws for different cooperative types with changes to each text, where necessary, such as consecrating the ICA principles where these are not respected.

**Conclusions:** Tunisian cooperative legislation is currently overly complex and does not always respect the ICA principles for cooperatives. It would benefit either from consolidation of laws into one statute or reforms to the individual texts.

