

# Tunisia

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Tunisia recently implemented a series of educational reforms aimed at decreasing the dropout rate and keeping children in school until age 16. The government's education initiative promotes school attendance, particularly in rural areas, by constructing new schools, improving roads and transportation to increase access to schools, and improving overall family living conditions.<sup>2527</sup> In 2000, the World Bank approved a USD 99 million loan for the Education Quality Improvement Project, which will facilitate the government's efforts to promote basic education.<sup>2528</sup> UNICEF is implementing educational projects, including gender-based initiatives, and promoting children's rights.<sup>2529</sup>

## Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Tunisia are unavailable. While child labor is not reported in the industrial sector, children in rural areas are employed in the agricultural sector, often during school vacations, and underage girls are recruited to work as domestic laborers in Tunis and other cities.<sup>2530</sup> In addition, child "apprentices" are legal in Tunisia, although this title is reportedly used to disguise child labor in the informal sector, such as in handicraft or auto-repair work.<sup>2531</sup>

Education is compulsory and free from the ages of 6 to 16.<sup>2532</sup> Law No. 91-65 establishes penalties when a child is not enrolled in primary school or a child is withdrawn from school before the age of 16.<sup>2533</sup> In 1997, the gross primary enrollment rate was 118 percent, and in 1996, the net

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<sup>2527</sup> U.S. Embassy-Tunis, unclassified telegram no. 2148, May 1999 [hereinafter unclassified telegram 2148]. *See also* U.S. Embassy-Tunis, unclassified telegram no. 2732, September 2000 [hereinafter unclassified telegram 2732]. *See also* Nouredine Mejdoub, ambassador of Tunisia, letter to USDOL official, February 2, 1998 [hereinafter Mejdoub letter].

<sup>2528</sup> World Bank, *Education Quality Improvement Project*, World Bank Group project information document, April 28, 2000, at <http://www4.worldbank.org/projects/Project.asp?pid'P050945> on 11/8/01.

<sup>2529</sup> UNICEF's 1997-2001 program includes health, education, and children's rights components. The UNICEF Global Girls' Education Program is implemented in specific regions of Tunisia to assist teachers to reduce gender disparities in learning achievement. *See* UNICEF, "UNICEF Country Profiles—Tunisia," at <http://www.unicef.org/programme/countryprog/mena/tunisia/mainmenu.htm> on 11/8/01. *See also* UNICEF's Global Girls' Education Program at [http://www.unicefusa.org/girls\\_ed/global.html#Oman](http://www.unicefusa.org/girls_ed/global.html#Oman) on 11/8/01.

<sup>2530</sup> Unclassified telegram 2148. *See also* Abdelmajid Bejar, "Modern-Day Slavery Found in Middle-Class Homes," *Inter-Press Service*, September 26, 1994.

<sup>2531</sup> Unclassified telegram 2148.

<sup>2532</sup> Mejdoub letter. *See also* Committee on the Rights of the Child, "Committee on Rights of the Child Takes Up Report of Tunisia," UN press release, June 11, 1995. *See also* UNESCO, "Tunisia – Education System," (UNESCO: February 25, 2002) at <http://www.unesco.org/iau/cd-data/tn.rtf>.

<sup>2533</sup> La Loi no. 91-65, Article 32, July 29, 1991, as cited in Mejdoub letter.

primary enrollment rate was 97.6 percent.<sup>2534</sup> Primary school attendance rates are unavailable for Tunisia.

## Child Labor Laws and Enforcement

The Labor Code of 1966 establishes the minimum age for employment, conditions for work, and enforcement provisions. The minimum age for industrial work is 16 years and 13 years for agricultural work, as well as for non-industrial work that is not a health hazard. Under the Labor Code, children may work as apprentices or through vocational training programs at age 14.<sup>2535</sup> In addition, children under 16 years of age may work in family-run businesses as long as the work does not interfere with school or pose a threat to the child's health.<sup>2536</sup> In addition, the Labor Code sets 18 years as the minimum age for hazardous, underground, or night work, and hours of work are restricted for children under the age of 18.<sup>2537</sup> The Penal Code prohibits prostitution and institutes stricter penalties for offenders who solicit minors, and although trafficking is not specifically prohibited by the Code, kidnapping or abducting persons is illegal.<sup>2538</sup> In 1995, the Government of Tunisia passed the Child Protection Code, which protects children under 18 years from abuse and exploitation, including participation in wars or armed conflicts, prostitution, and hazardous labor conditions.<sup>2539</sup> Forced or bonded labor is prohibited in Tunisia.<sup>2540</sup>

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<sup>2534</sup> *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM].

<sup>2535</sup> The Labor Code defines industrial work to include the following: mines; enterprises in which products are manufactured or prepared for sale; demolition; craft-work; work related to electricity and motorization; and transport. The Labor Code also provides a list of agriculture-related professions that are considered to be industrial or commercial for legal purposes. *See Tunisie Code du Travail, La Loi no. 66-27, Articles 2, 3, 53, 55, April 30, 1966* [hereinafter *Tunisie Code du Travail*], as cited in NATLEX Database [hereinafter *Code du Travail*], at <http://www.natlex.ilo.org/txt/F96TUN01.htm> on 11/8/01. The minimum age for maritime work is 18 as stated in the Maritime Labor Law. *See Code du Travail Maritime, La Loi no. 67-52, December 7, 1967*, as cited in Mejdoub letter.

<sup>2536</sup> *Tunisie Code du Travail* at Article 54, as cited in *Code du Travail*.

<sup>2537</sup> Article 58 prohibits work that is a danger to the health, safety, or morality of children, and authorizes the Ministry of Social Affairs to determine the jobs that fall in this category. Article 65 prohibits children under 14 years of age from working in nonagricultural jobs between 8 p.m. and 8 a.m. Article 66 prohibits children between 14 and 18 years of age from working in nonagricultural jobs from 10 p.m. to 6 a.m. For agricultural work, Article 74 states that children under 18 years must have fixed rest periods and cannot work between 10 p.m. and 5 a.m. *See Tunisie Code du Travail* at Articles 58, 65, 74, 77, as cited in *Code du Travail*.

<sup>2538</sup> *Code Penal, La Loi no. 89-23, February 27, 1989, Articles 232, 234, 237*, at <http://www.recherche.legisnet.com/FMPro> on 11/8/01.

<sup>2539</sup> *Tunisie Loi no. 95-92, November 9, 1995, relative a la publication de la Protection de L'Enfant, Articles 2, 18, 20*, as cited in *Code du Travail*.

<sup>2540</sup> *Country Reports on Human Rights Practices for 2000—Tunisia* (Washington, D.C.: U.S. Department of State, 2001), Section 6c, at <http://www.state.gov/g/drl/rls/hrrpt/2000/nea/index.cfm?docid=821>.

Labor inspectors from the Ministry of Social Affairs, with the assistance of the Judicial Police, are responsible for enforcing child labor laws.<sup>2541</sup> Tunisia ratified ILO Convention 138 on October 19, 1995, and ILO Convention 182 on February 28, 2000.<sup>2542</sup>

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<sup>2541</sup> As one example of effective enforcement, reports indicate that government social services and enforcement officers are aware of the use of young girls as domestic laborers and have taken action against their employers in these situations. *See* Tunisie Code du Travail at Article 170, as cited in Code du Travail. *See also* unclassified telegram 2732.

<sup>2542</sup> ILO, ILOLEX database, at <http://ilolex.ilo.ch:1567/english/> on 11/14/01.

*NOTE: Hard copies of all Web citations are on file.*