

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

In 1992, the Government of Tunisia established a multi-sectoral National Plan of Action for the Survival, Protection, and Development of the Child.⁴³⁷⁸ The Ministry of Youth and Children, Ministry of Social Affairs and Solidarity, Ministry of Education and Training, and the National Institution for the Protection of Children were among the participants in the development of the plan.⁴³⁷⁹ In April 2002, a law completing the Child Protection Code was adopted by the Chamber of Deputies, creating a “Parliament of the Child” that teaches children civic responsibility.⁴³⁸⁰ In September of the same year, the Cabinet was reorganized, and two ministries were given responsibility for children’s rights, the Ministry of Women, Family, and Childhood Affairs, and the Ministry of Culture, Youth, and Leisure.⁴³⁸¹

In 2000, the World Bank approved a USD 99 million loan for an Education Quality Improvement Project designed to facilitate the Ministry of Education’s efforts to promote primary and secondary education. This project targets students at these levels who are at risk of dropping out of school or repeating classes.⁴³⁸² UNICEF is working with the government to implement educational projects, including gender-based initiatives, and promote children’s rights.⁴³⁸³ UNICEF is also coordinating with the World Bank and the European Union to promote quality education and support priority education zones.⁴³⁸⁴

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 2.1 percent of the children ages 5 to 15 years in Tunisia were working.⁴³⁸⁵ Slightly more boys than girls were working, and the incidence of children who worked in the rural areas was also higher than in urban areas.⁴³⁸⁶ Approximately 71.4 percent of working children worked more than 4 hours per day, and over half worked during school hours, which was found to increase the risk of dropout from or failure in

⁴³⁷⁸ Government of Tunisia, *Multiple Indicator Cluster Survey (MICS) Report: Tunisia*, UNICEF, 2000, 7 [cited August 11, 2003]; available from <http://www.childinfo.org/MICS2/newreports/tunisia/tunisia.pdf>.

⁴³⁷⁹ Ibid., 7–8.

⁴³⁸⁰ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Tunisia*, Washington, D.C., March 31, 2003, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18290.htm>.

⁴³⁸¹ A secretary of state in each ministry is responsible for guaranteeing children’s rights. See Ibid.

⁴³⁸² World Bank, *Project Appraisal Document on a Proposed Loan in the Amount of US \$99 Million to the Republic of Tunisia for the First Phase of the Education Quality Improvement Program (EQIP)*, [online] 2000 [cited August 11, 2003]; available from http://www.wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2000/07/07/000094946_00061705502666/Rendered/PDF/multi_page.pdf. See also World Bank, *Education Quality Improvement Project*, November 5, 2003 [cited November 5, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P050945>.

⁴³⁸³ UNICEF’s 1997–2001 Programme of Cooperation includes health, education, and children’s rights components. See UNICEF, *UNICEF in Tunisia*, [online] 2001 [cited August 29, 2002]; available from <http://www.unicef.org/programme/countryprog/mena/tunisia/mainmenu.htm>. UNICEF Global Girls’ Education Program is implemented in specific regions of Tunisia to assist teachers to reduce gender disparities in learning achievement. See UNICEF, *Global Girl’s Education Programme: Country Highlights*, [previously online] 2000 [cited August 29, 2002]; available from <http://www.unicef.org/efa/girlsed.htm#Tunisia> [hard copy on file].

⁴³⁸⁴ UNICEF, *At a glance: Tunisia*, [online] August 10, 2003 [cited August 11, 2003]; available from <http://www.unicef.org/infobycountry/Tunisia.html>.

⁴³⁸⁵ Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Tunisia, *MICS Report: Tunisia*, 83.

⁴³⁸⁶ Ibid.

school. Nearly half of working children who were paid for their services spent their salaries on family necessities.⁴³⁸⁷ Children work in rural agriculture and as vendors in urban areas, mainly during school vacations.⁴³⁸⁸ There are also reports of child labor in the handicraft industry disguised as apprenticeships, and of families placing teenage girls as household domestics in order to collect their wages.⁴³⁸⁹

Education is compulsory and free between the ages of 6 and 16.⁴³⁹⁰ In 2000, approximately 96 percent of 6 year old children were enrolled in school.⁴³⁹¹ In 2000, the gross primary enrollment rate was 117.3 percent (114.7 percent for girls and 119.8 percent for boys) and the net primary enrollment rate was 99.2 percent.⁴³⁹² In 2000, 94.4 percent of children ages 6 to 12 attended school. Attendance in urban areas is higher than in rural areas (97.2 percent and 90.5 percent respectively).⁴³⁹³ The attendance rate for adolescents between the ages of 13 and 19 years was 66.1 percent.⁴³⁹⁴ In 1999, 93.1 percent of children enrolled in primary school reached grade 5.⁴³⁹⁵

Child Labor Laws and Enforcement

The Labor Code of 1966 sets the minimum age for employment at 16 years with a number of exceptions.⁴³⁹⁶ The age of 13 years is set for light agricultural and light non-industrial work, provided that the work does not pose a health hazard or interfere with the child's development or education.⁴³⁹⁷ Under the Labor Code, children may work as apprentices or through vocational training programs at age 14.⁴³⁹⁸ 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.⁴³⁹⁹ The age of 18 years is established for hazardous work.⁴⁴⁰⁰ The hours that children below the age of 18 are permitted to work are regulated by the Ministry of Social Affairs and Solidarity.⁴⁴⁰¹ 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.⁴⁴⁰² Labor inspectors from the Ministry of Social Affairs and Solidarity are responsible for enforcing labor

⁴³⁸⁷ Ibid., 89-90.

⁴³⁸⁸ U.S. Department of State, *Country Reports- 2002: Tunisia*, Section 6d.

⁴³⁸⁹ Ibid.

⁴³⁹⁰ Ibid., Section 5. See also UN, *Country Profiles on the Situation of Youth: Tunisia*, [database online] [cited June 19, 2003]; available from <http://esa.un.org/socdev/unyin/countrya.asp?countrycode=tn>.

⁴³⁹¹ Government of Tunisia, *MICS Report: Tunisia*, 67.

⁴³⁹² World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

⁴³⁹³ Government of Tunisia, *MICS Report: Tunisia*, 69.

⁴³⁹⁴ Ibid., 70.

⁴³⁹⁵ World Bank, *World Development Indicators 2003*.

⁴³⁹⁶ *Code du Travail, 1966*, Loi no. 66-27, (April 30, 1966), Article 53 [cited August 12, 2003]; available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>.

⁴³⁹⁷ Children under 16 years may not engage in light non-industrial and light non-agricultural work for more than two hours per day, and the combined time spent in school and at work cannot exceed seven hours per day. See Ibid., Articles 55-56.

⁴³⁹⁸ Ibid., Articles 52-53.

⁴³⁹⁹ Ibid., Article 54.

⁴⁴⁰⁰ Ibid., Article 58. This article 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. See also U.S. Embassy-Tunis, *unclassified telegram no. 2138*, August 2003.

⁴⁴⁰¹ *Code du Travail*, Article 65. 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 non-agricultural 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.

⁴⁴⁰² *Loi No. 95-92, 1995, Relative a la publication du code de la protection de l'enfant*, (November 9, 1995), Articles 2, 18, 20, 25, and 26 [cited December 18, 2002]; available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>. See also U.S. Embassy-Tunis, *unclassified telegram no. 2138*.

laws, including child labor laws.⁴⁴⁰³ Forced and bonded labor by children is prohibited by law, and the prohibition is generally effectively enforced.⁴⁴⁰⁴

The Government of Tunisia ratified ILO Convention 138 on October 19, 1995 and ILO Convention 182 on February 28, 2000.⁴⁴⁰⁵

⁴⁴⁰³ *Code du Travail*, Articles 170-71.

⁴⁴⁰⁴ U.S. Department of State, *Country Reports- 2002: Tunisia*, Section 6d.

⁴⁴⁰⁵ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited July 1, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.