

Tunisia

Incidence and Nature of Child Labor

UNICEF estimated that 2.1 percent of children ages 5 to 15 years in Tunisia were working in 2000.³⁹⁹³ Children work in rural agriculture and as vendors in urban areas, mainly during school vacations.³⁹⁹⁴ There are also reports of children working in the handicraft industry under the guise of apprenticeships, and of families placing teenage girls as household domestics, although this practice has reportedly declined through enforcement of laws on minimum work age and compulsory school attendance.³⁹⁹⁵

Education is compulsory and free between the ages of 6 and 16.³⁹⁹⁶ In 2001, the gross primary enrollment rate was 111.6 percent (109.3 percent for girls and 113.8 percent for boys) and the net primary enrollment rate was 96.9 percent.³⁹⁹⁷ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Attendance in urban areas is higher than in rural areas (97.2 percent and 90.5 percent respectively).³⁹⁹⁸ As of 2001, 95.5 percent of children who started primary school were likely to reach grade 5.³⁹⁹⁹

Child Labor Laws and Enforcement

The Labor Code of 1966 sets the minimum age for employment at 16 years, which coincides with the country's compulsory education requirement. There are, however, a number of exceptions.⁴⁰⁰⁰ 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.⁴⁰⁰¹ Under the Labor Code, children

³⁹⁹³ Children who worked in some capacity include children who performed any paid or unpaid work for someone who were not a member of the household, who performed more than four hours of housekeeping chores in the household, or who performed other family work. 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 school. Nearly half of working children who were paid for their services spent their salaries on family necessities. See Government of Tunisia, *Multiple Indicator Cluster Survey (MICS) Report: Tunisia*, UNICEF, 2000, 83; available from <http://www.childinfo.org/MICS2/newreports/tunisia/tunisia.pdf>.

³⁹⁹⁴ U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Tunisia*, February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27939.htm>.

³⁹⁹⁵ *Ibid.*

³⁹⁹⁶ *Ibid.*, Section 5. See also UN, *Country Profiles on the Situation of Youth: Tunisia*, [database online] [cited May 20, 2004]; available from <http://esa.un.org/socdev/unyin/countrya.asp?countrycode=tn>.

³⁹⁹⁷ World Bank, *World Development Indicators, 2004*. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

³⁹⁹⁸ Government of Tunisia, *MICS Report: Tunisia*, 69.

³⁹⁹⁹ World Bank, *World Development Indicators, 2004*.

⁴⁰⁰⁰ *Code du Travail, 1966*, Loi no. 66-27, (April 30, 1966), Article 53 available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>. See also U.S. Department of State, *Country Reports -2003: Tunisia*, Section 6d.

⁴⁰⁰¹ See *Code du Travail*, Articles 55-56.

may work as apprentices or through vocational training programs at age 14.⁴⁰⁰² In addition, children less than 16 years of age may work in family-run businesses as long as the work does not interfere with school, pose a threat to the child's health, exceed 2 hours per day, or exceed 7 hours per day when combined with time spent in school.⁴⁰⁰³ In regard to nonagricultural jobs, the code states that children under 14 must have a rest period of at least 14 or more consecutive hours at night, including between 8 p.m. and 8 a.m., and that children 14 to 18 years of age must have a rest period of at least 12 or more consecutive hours at night, including from 10 p.m. to 6 a.m. For agricultural work, the code states that children under 18 years must have fixed rest periods and cannot work between 10 p.m. and 5 a.m.⁴⁰⁰⁴ The Labor Code establishes 18 years as the minimum age for hazardous work and authorizes the Ministry of Social Affairs to determine the jobs that fall in this category.⁴⁰⁰⁵

Labor inspectors from the Ministry of Social Affairs and Solidarity are responsible for enforcing labor laws, including child labor laws.⁴⁰⁰⁶ Forced and bonded labor by children is prohibited by law, and there are no reports of such practices.⁴⁰⁰⁷ 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.⁴⁰⁰⁸ The government's Child Protection Code is enforced by a corps of delegates in charge of child protection in the country's 24 governorates.⁴⁰⁰⁹

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

The Government of Tunisia's policies aim to protect children through enforcement of relevant laws and to create jobs for adults so that children can attend school.⁴⁰¹⁰ Tunisia has had a Child Protection Plan,⁴⁰¹¹ and two ministries, the Ministry of Women's Affairs, Family, and Childhood, and the Ministry of Culture, Youth, and Leisure are responsible for enforcing children's rights.⁴⁰¹²

⁴⁰⁰² Ibid., Article 53-2.

⁴⁰⁰³ Ibid., Article 54.

⁴⁰⁰⁴ *Code du Travail*, Articles 65, 66, 74.

⁴⁰⁰⁵ Ibid., Article 58. See also U.S. Embassy-Tunis, *unclassified telegram no. 2138*, August 11, 2003.

⁴⁰⁰⁶ Ibid., Articles 170-71.

⁴⁰⁰⁷ U.S. Department of State, *Country Reports -2003: Tunisia*, Section 6c

⁴⁰⁰⁸ *Loi No. 95-92, 1995, Relative a la publication du code de la protection de l'enfant*, (November 9, 1995); available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>.

⁴⁰⁰⁹ 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>. See also Tunisie.com, *Action Sociale: Protection de l'enfance*, May 14, 2004 [cited March 11, 2004]; available from <http://www.tunisie.com/societe/action/html>.

⁴⁰¹⁰ U.N. Information Center in Tunis, *Le Comité des Droits de l'Enfant examine le deuxième rapport périodique de la Tunisie*, May 28, 2002; available from <http://www.onu.org.tn/enfantun.htm>.

⁴⁰¹¹ Government of Tunisia, *MICS Report: Tunisia*. The plan has been operational since 1992.

⁴⁰¹² U.S. Department of State, *Country Reports -2003: Tunisia*, Section 5.

In 2004, the World Bank approved a USD 130 million loan for the second phase of an Education Quality Improvement Project designed to facilitate the Ministry of Education’s efforts to promote primary and secondary education.⁴⁰¹³ This project aims to boost school enrollment and completion rates for children ages 6 to 18 years, and to develop stronger links between secondary education, and vocational training and higher education institutions.⁴⁰¹⁴ UNICEF is coordinating with the World Bank and the European Union to promote quality education and support priority education zones.⁴⁰¹⁵ In January 2004 Tunisia hosted the Third Arab Congress on Children’s Rights, which aims to harmonize national action plans and international conventions. The Congress adopted a 2004-2015 plan to promote quality education and healthy development for boys and girls and committed to share lessons among countries.⁴⁰¹⁶

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	10/19/1995	✓
Ratified Convention 182	2/28/2000	✓
ILO-IPEC Member		✓
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan		

⁴⁰¹³ World Bank, *Tunisia: World Bank Supports Efforts to Improve Teaching, Learning in Schools*, March 10, 2004 [cited May 14, 2004]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20175801~menuPK:34463~pagePK:64003015~piPK:64003012~theSitePK:4607,00.html>.

⁴⁰¹⁴ Ibid.

⁴⁰¹⁵ UNICEF, *At a glance: Tunisia*, [online] [cited May 20, 2004]; available from <http://www.unicef.org/infobycountry/Tunisia.html>.

⁴⁰¹⁶ Management Systems International, *Technical Progress Report. Project Adros. Combatting Child Labor Through Education in Morocco*, Rabat, March 31, 2004.