

# Tunisia

The Government of Tunisia has established a legal framework to protect children from the worst forms of child labor. However, the Tunisian Government has not published a list of hazardous work for children and the use of children in domestic service remains a problem.

## Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable






## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor<sup>5033</sup>

In Tunisia, children are exploited in the worst forms of child labor, many in domestic service. Some children, mostly girls, work as domestic servants, which puts them at risk of physical, psychological, and sexual abuse.<sup>5034</sup> Anecdotal reports indicate that children may work in the agricultural sector, where they may be exposed to chemicals, injured by dangerous machinery or tools, and suffer physical harm from repetitive motions and carrying excessively heavy loads.<sup>5035</sup> Children also work in mechanics shops and as street vendors of flowers, cigarettes, and other small items.<sup>5036</sup> Street vending may expose children to dangers such as road accidents, air pollution, and extreme weather. There have been reports of girls trafficked internally for domestic servitude.<sup>5037</sup>

## Laws and Regulations on the Worst Forms of Child Labor

Tunisia's Labor Code sets the minimum age for employment at 16 with some exceptions. The Labor Code and Child Protection Code bar children under the age of 18 from hazardous work. The Labor Code gives the Ministry of Social Affairs the authority to determine which jobs fall under this category.<sup>5038</sup> The Ministry has not published a list of hazardous occupations as required under ILO Convention

182; therefore, it is unclear which types of work are excluded.

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

Law No. 89-23 prohibits forced labor.<sup>5039</sup> The Child Protection Code outlaws children's participation in wars or armed conflicts and prostitution. The Child Protection Code sets the age for voluntary military service at 18,<sup>5040</sup> and Act No. 51-1989 sets the

minimum age for compulsory recruitment at 20.<sup>5041</sup> The law does not specifically prohibit trafficking, although traffickers may be prosecuted under laws against forced labor, prostitution, participation in armed conflict, or displacement.<sup>5042</sup>

### **Institutional Mechanisms for Coordination and Enforcement**

Research found no evidence that the Government of Tunisia has established a coordinating mechanism to combat the worst forms of child labor.

The Ministry of Social Affairs, Solidarity, and Tunisians Abroad is responsible for enforcing child labor laws, including laws on hazardous labor, through its labor inspectors.<sup>5043</sup> No information was available on the number of inspectors, their funding or the number of inspections carried out.

The Tunisian General Union of Labor may also perform work inspections where the Union operates and can submit complaints to the Government. The Ministry of Women, Family, Children, and Senior Citizens' Affairs (MWFCSCA) is likewise empowered to conduct inspections.<sup>5044</sup> Additionally, the Child Protection Code establishes a Child Protection Delegation within the MWFCSCA to enforce the Code in each of the 24 governorates of the country.<sup>5045</sup> The delegates may receive and investigate complaints from or involving children. Since its creation in 2006, the Delegation has received over 10,000 complaints, though it is unclear how many of those complaints were filed in the reporting period.<sup>5046</sup> Based on the volume of complaints received, the number of delegates is not sufficient to handle all the complaints. It is not clear from the available evidence how these agencies coordinate.

Research has found no evidence that the Government has established a lead agency for enforcing anti-trafficking laws. The Government did not provide training in identifying victims of trafficking to any

officials, including those responsible for enforcing laws under which traffickers may be punished.<sup>5047</sup> As a result of this lack of training and effort, trafficking victims, including children, may remain unidentified.<sup>5048</sup>

Information on the prosecution of worst forms of child labor is limited; however some enforcement efforts have been reported. In April 2009, a Tunisian woman was convicted of engaging a girl age 7 in domestic servitude and physically abusing her; the woman was sentenced to 3 years in prison.<sup>5049</sup>

### **Government Policies on the Worst Forms of Child Labor**

Tunisia issued a 2004-2015 plan to promote quality education and healthy development for boys and girls.<sup>5050</sup> The question of whether this policy has an impact on the worst forms of child labor does not appear to have been addressed.<sup>5051</sup>

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

In 2004, the World Bank approved a \$130 million loan to the Government 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. This project aims to boost school enrollment and completion rates for children age 6 to 18 and was set to end in September 2010.<sup>5052</sup> Though this program does not target child labor, it may provide benefits to working children.

In 2008, the Government of Tunisia worked with UNICEF to draft a report on street children, which they indicated would be released in early 2009; however, the Government has not yet published the findings.<sup>5053</sup>

Research found no evidence of programs to address child labor, including as domestic servants.

**Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Tunisia:**

**IN THE AREA OF LAWS AND REGULATIONS:**

- Publish a list of hazardous occupations for children.

**IN THE AREA OF COORDINATION AND ENFORCEMENT:**

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Make data publicly available on the number of inspectors as well as the number and results of inspections of child labor violations.
- Increase the number of Child Protection Delegates.
- Designate agencies to enforce anti-trafficking legislation, and provide training on the identification of child victims of trafficking.

**IN THE AREA OF POLICIES:**

- Assess the impact that the 2004-2015 plan may have on addressing the worst forms of child labor.

**IN THE AREA OF PROGRAMS:**

- Implement programs to specifically address the worst forms of child labor, including domestic service.
- Release the 2008 report on street children in order to develop appropriately targeted social programs.

<sup>5033</sup> Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

<sup>5034</sup> U.S. Embassy- Tunis, *reporting*, February 8, 2010, section 2A-1. See also U.S. Department of State, “Tunisia,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 6, 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136081.htm>.

<sup>5035</sup> U.S. Embassy- Tunis, *reporting*, February 8, 2010.

<sup>5036</sup> Ibid. See also U.S. Embassy- Tunis, *reporting*, February 10, 2009, para 4.

<sup>5037</sup> U.S. Department of State, “Country Reports- 2009: Tunisia,” section 6. See also U.S. Department of State, “Tunisia,” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm>.

<sup>5038</sup> Government of Tunisia, *Code du travail*, 1996, Loi no. 66-27, (April 30, 1966), article 58; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44414/65029/F96TUN01.htm>.

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<sup>5039</sup> Government of Tunisia, *Loi no. 89-23 du 27 février 1989 portant suppression de la peine des travaux forcés*, accessed January 27, 2010; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=TUN&p\\_classification=03&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=TUN&p_classification=03&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY). See also U.S. Department of State, «Tunisia,» in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6c; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100607.htm>.

<sup>5040</sup> Government of Tunisia, *Loi No. 95-92, 1995*, article 3,18, 20, 25.

<sup>5041</sup> Coalition to Stop the Use of Child Soldiers, “Tunisia,” in *Child Soldiers Global Report 2008*, London, 2008; available from [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).

<sup>5042</sup> U.S. Embassy- Tunis, *reporting*, February 18, 2010, section 5-A.

<sup>5043</sup> Government of Tunisia, *Code du travail*, article 170, 171. See also U.S. Embassy- Tunis, *reporting*, February 18, 2010, section 2C-1.

<sup>5044</sup> U.S. Embassy- Tunisia, *reporting, February 8, 2010*, section 2C-1.

<sup>5045</sup> Government of Tunisia, *Loi No. 95-92, 1995*, article 28.

<sup>5046</sup> Save the Children Sweden, *Child Rights Situation Analysis for MENA Region*, August 2008, 121; available from <http://sca.savethechildren.se/Documents/Resources/Child%20Rights%20Situation%20Analysis%20for%20Middle%20East%20and%20North%20Africa.pdf>.

<sup>5047</sup> U.S. Embassy- Tunisia, *reporting, February 18, 2010*, section 5B, 7K.

<sup>5048</sup> U.S. Department of State, “Trafficking in Persons Report- 2010: Tunisia.”

<sup>5049</sup> U.S. Embassy- Tunisia, *reporting, February 18, 2010*, section 2A, 2C. See also U.S. Embassy- Tunisia official, E-mail communication to USDOL official, April 15, 2010.

<sup>5050</sup> Management Systems International, *Combating Child Labor Through Education in Morocco (Project Adros):*

*Technical Progress Report*, Rabat, March 31, 2004, 8. See also UNICEF, *Investing in the Children of the Islamic World: Achievements*, 2004; available from <http://www.unicef.org/policyanalysis/files/Achievements.pdf>.

<sup>5051</sup> Management Systems International, *Project Adros: Technical Progress Report*, 8. See also UNICEF, *Investing in the Children*.

<sup>5052</sup> Screen Juma, “Tunisia: World Bank Supports Efforts to Improve Teaching, Learning in Schools”, WorldBank.org, [online], March 10, 2004 [cited July 29, 2010]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/TUNISIAEXTN/0,,contentMDK:20175801~menuPK:64282138~pagePK:41367~piPK:279616~theSitePK:310015,00.html>. See also World Bank Projects Database, *Education Quality Improvement Program (EQIP) Phase 2*, July 29, 2010; available from <http://www.worldbank.org>.

<sup>5053</sup> U.S. Embassy- Tunisia, *reporting, February 10, 2009*.