

# Tunisia

*Although the scope of the problem is unknown, children in Tunisia may be engaged in the worst forms of child labor in domestic service and agriculture. The Government of Tunisia continued its support for a program to achieve universal primary schooling and to improve the quality of education. However, the Government lacks adequate statistics on the prevalence and nature of the worst forms of child labor.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs	Unavailable



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Tunisia are reportedly engaged in the worst forms of child labor.<sup>5801</sup> However, the lack of official data and other information does not allow for an accurate assessment of the full nature and extent of the worst forms of child labor.

There are some reports that Tunisian children, mostly girls, work as domestic servants, which puts them at risk for physical, psychological and sexual abuse.<sup>5802</sup> There have been reports of girls trafficked internally to work as domestic servants.<sup>5803</sup>

Evidence indicates that children work in the agricultural sector, in which they may be exposed to chemicals, injured by dangerous machinery or tools and suffer physical harm from performing repetitive motions and carrying excessively heavy loads.<sup>5804</sup>

Children reportedly work in factories and as street vendors selling candy, cigarettes, and other small items.<sup>5805</sup> Children working on the streets may

be exposed to multiple dangers including severe weather, vehicle accidents and criminal elements.


## 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 for work in family-run businesses and light work in the industrial and agricultural sectors, provided the work is not hazardous and does not interfere with schooling.<sup>5806</sup> The Labor Code and the Child Protection Code both bar children younger than age 18 from hazardous work.<sup>5807</sup> The Labor Code gives the Ministry of Social Affairs, Solidarity and Tunisians Abroad the authority to determine which jobs fall under this category.<sup>5808</sup>

Education is compulsory until age 16.<sup>5809</sup> In addition, the Government of Tunisia provides free schooling beyond the age of compulsory education.<sup>5810</sup>

The constitution and national laws forbid the use of forced or slave labor.<sup>5811</sup> The Child Protection Code outlaws children's participation in wars or

armed conflicts and sets the age for voluntary military service at 18.<sup>5812</sup> All male citizens are subject to compulsory recruitment into the military at age 20.<sup>5813</sup>

	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

Although there is no law that specifically criminalizes trafficking, the Tunisian Penal Code proscribes capturing, detaining or sequestering a person for forced labor.<sup>5814</sup> Child prostitution is forbidden under the Penal Code and the Child Protection Code, and the applicable provisions cover both girls and boys.<sup>5815</sup> Tunisian law also criminalizes the production and distribution of child pornography.<sup>5816</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 is responsible for enforcing child labor laws through its labor

inspectors, including laws on hazardous labor.<sup>5817</sup> No information was available on the number of inspectors, their funding or the number of inspections carried out.

The Child Protection Code established a Child Protection Representative in each of the country’s governorates to enforce the Code.<sup>5818</sup> The mandate places a special emphasis on situations that threaten a child’s health or moral or physical integrity, including the worst forms of child labor. Nevertheless, there are concerns that having only one delegate per governorate is inadequate.<sup>5819</sup>

Other institutions authorized to conduct labor inspections and file labor complaints are the Tunisian General Union of Labor and the Ministry of Women, Family, Children and Senior Citizens’ Affairs.<sup>5820</sup>

Similarly, there were no known investigations or prosecutions of trafficking offenses or convictions of trafficking offenders during the year.<sup>5821</sup>

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

Research found no evidence of any policies to address the worst forms of child labor in agriculture, domestic service or street vending.

In addition, no evidence exists that the Government has conducted any recent research to determine the extent and nature of child labor that may be occurring in the country.<sup>5822</sup>

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

Research found no evidence of programs to address child labor in agriculture, domestic service or street vending.

Tunisia, in cooperation with UNICEF, continued its participation in a multi-year plan to promote quality education and achieve universal primary education.<sup>5823</sup>

The World Bank-funded Education Quality Improvement Project, designed to facilitate the Government's efforts to promote primary and secondary education, concluded in September 2010.<sup>5824</sup> The project boosted school enrollment and completion rates for children ages 6 to 18.<sup>5825</sup>

The question of whether these programs have an impact on the worst forms of child labor does not appear to have been addressed.

### 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 COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Make data publicly available on the number of labor inspectors as well as the number and results of inspections of child labor violations.
- Increase the number of Child Protection Delegates.

#### IN THE AREA OF POLICIES:

- Conduct research on the worst forms of child labor to inform policy and programs.

#### IN THE AREA OF SOCIAL PROGRAMS:

- Implement programs to specifically address the worst forms of child labor, including in agriculture, domestic service and street vending.
- Assess the impact that the education plan and project may have on addressing the worst forms of child labor.

<sup>5801</sup> Data provided in the chart at the beginning of this country report are not available from the data sources that are used in this report. 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>5802</sup> U.S. Embassy - Tunis, *reporting, December 8, 2010*. See also U.S. Department of State, "Tunisia," in *Country Reports on Human Rights Practices - 2010*, Washington, DC, April 8, 2011, section 6, 7d; available from <http://www.state.gov/documents/organization/160078.pdf>. See also United Nations, *Concluding Observations of the Committee on the Elimination of Discrimination against Women, Forty-Seventh Session: Tunisia*, CEDAW/C/TUN/CO/6, October 22, 2010, section 48; available from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/463/92/PDF/G1046392.pdf?OpenElement>.

<sup>5803</sup> U.S. Department of State, "Tunisia," in *Country Reports on Human Rights Practices - 2009*, Washington, DC,

March 11, 2010, section 6; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136081.htm>. 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/documents/organization/142984.pdf>.

<sup>5804</sup> U.S. Embassy - Tunis, *reporting, February 8, 2010*. See also U.S. Department of State, "Country Reports - 2010: Tunisia." See also International Bureau for Children's Rights, *Making Children's Rights Work in North Africa: Country Profiles on Algeria, Egypt, Libya, Morocco, and Tunisia*, August 2007; available from [http://www.ibcr.org/eng/making\\_children\\_s\\_rights\\_work\\_in\\_africa.html](http://www.ibcr.org/eng/making_children_s_rights_work_in_africa.html).

<sup>5805</sup> U.S. Embassy - Tunis, *reporting, February 8, 2010*. See also Hechmi Khalladi, "Quand on envoie les enfants mineurs - au charbon," *Le Temps*, [online], November 10, 2009 [cited March 24, 2011]; available from [http://www.letemps.com.tn/pop\\_article.php?ID\\_art=35365+quand+on+envoie+les+enfants+le+temps&ct=clnk](http://www.letemps.com.tn/pop_article.php?ID_art=35365+quand+on+envoie+les+enfants+le+temps&ct=clnk).

<sup>5806</sup> Government of Tunisia, *Code du travail, 1996*, Loi no. 66-27, (April 30, 1966), articles 53-56; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44414/65029/F96TUN01.htm>.

<sup>5807</sup> *Ibid.*, article 58. See also Government of Tunisia, *Code de*

*la protection de l'enfant*, Loi no. 95-92, (November 9, 1995), articles 3 and 20; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>.

<sup>5808</sup> Government of Tunisia, *Code du travail*, 1996, article 58.

<sup>5809</sup> UNESCO, *Education for All Global Monitoring Report- The hidden crisis: Armed conflict and education*, [online] 2011 [cited March 30, 2011], statistical table no. 4; available from <http://unesdoc.unesco.org/images/0019/001907/190743e.pdf>.

<sup>5810</sup> U.S. Department of State, "Country Reports - 2010: Tunisia," section 1a.

<sup>5811</sup> *Ibid.*, section 7c. See also International Confederation of Free Trade Unions, *Internationally-Recognised Core Labour Standards in Tunisia - Report for the WTO General Council Review of the Trade Policies of Tunisia*, September 28 and 30, 2005; available from <http://www.icftu.org/www/pdf/clstunisia2005.pdf>.

<sup>5812</sup> Government of Tunisia, *Code de la protection de l'enfant*, articles 3, 18, 20.

<sup>5813</sup> Ministère de la Défense Nationale, *Le Service National*, [online] [cited March 24, 2011]; available from [http://www.defense.tn/fr/index.php?option=com\\_content&task=view&id=37](http://www.defense.tn/fr/index.php?option=com_content&task=view&id=37). See also 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>5814</sup> U.S. Department of State, "Trafficking in Persons Report-2010: Tunisia," 327. See also United Nations, *Concluding Observations: Tunisia*.

<sup>5815</sup> Government of Tunisia, *Code de la protection de l'enfant*, article 25.

<sup>5816</sup> Government of Tunisia, "Tunisia," in *Legislation of Interpol Member States on Sexual Offences against Children*, 2011; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaTunisia.pdf>. See also Government of Tunisia, *Code penal*, (July 9, 1913), articles 232, 233; available from <http://www.jurisitetunisie.com/tunisie/codes/cp/menu.html>.

<sup>5817</sup> Government of Tunisia, *Code du travail*, 1996, articles 170, 171.

<sup>5818</sup> Government of Tunisia, *Code de la protection de l'enfant*, articles 28, 30.

<sup>5819</sup> Save the Children, *Child Rights Situation Analysis for Middle East and North Africa*, 2008; available from <http://resourcecentre.savethechildren.se/content/library/documents/child-rights-situation-analysis-middle-east-and-north-africa-region>.

<sup>5820</sup> U.S. Embassy - Tunis, *reporting, February 8, 2010*.

<sup>5821</sup> U.S. Department of State, "Trafficking in Persons Report-2010: Tunisia," 327.

<sup>5822</sup> U.S. Embassy - Tunis, *reporting, February 8, 2010*. See also International Bureau for Children's Rights, *Making Children's Rights Work in North Africa*, 162-163. See also UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Tunisia*, prepared by Government of Tunisia, pursuant to Consideration of Reports Submitted by States' Parties under Article 44 of the Convention, May 25 - June 11, 2010; available from <http://www.unhcr.org/refworld/category,COI,,,TUN,4c32e1232,0.html>.

<sup>5823</sup> UNICEF, *Tunisia Programme of Cooperation 2007-2011*, accessed March 24, 2011, 3; available from <http://www.unicef.org.tn/medias/Brochure%20ang.pdf>.

<sup>5824</sup> Sreen Juma, *Tunisia: World Bank Supports Efforts to Improve Teaching, Learning in Schools*, Press Release, March 10, 2004; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20175801~menuPK:34463~pagePK:64003015~piPK:64003012~theSitePK:4607,00.html>. See also The World Bank, *Implementation Status & Results - Tunisia - Education Quality Improvement Program (EQIP) Phase 2*, 2010; available from [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/MNA/2010/09/23/1D496C1579E8FF4E852577A70050F525/1\\_0/Rendered/PDF/P0829990ISR0Di092320101285253056150.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/MNA/2010/09/23/1D496C1579E8FF4E852577A70050F525/1_0/Rendered/PDF/P0829990ISR0Di092320101285253056150.pdf).

<sup>5825</sup> The World Bank, *Implementation Status & Results - Tunisia*.