

*In 2012, Tunisia made a minimal advancement in efforts to eliminate the worst forms of child labor. Law enforcement dismantled a prostitution ring that recruited teenage girls, and the Penal Code was amended to provide for prison time and fines for persons convicted of recruiting children for “indecent behavior.” However, the country lacks a list of hazardous work forbidden to children, and child labor law enforcement has declined precipitously from the previous reporting period. Post-revolution Tunisia continued to face challenges in governance and political stability, which may have affected its ability to make progress on the worst forms of child labor. Children are reportedly engaged in the worst forms of child labor, but there remains a need for adequate data to determine the prevalence and nature of the problem.*

### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		91.2

#### Sources:

**Primary completion rate:** Data from 2009, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis, 2013.(2)

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

Children in Tunisia are reportedly engaged in the worst forms of child labor. 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.

Evidence indicates that children work in agriculture.(3-5) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(3) According to a recent World Bank report, rural children in Tunisia are less likely than urban children to attend school past age 10.(6) Such children may be working instead of attending school.

There are reports that Tunisian children, mostly girls, work as domestic servants.(4, 7) Children employed as domestics may work long hours and are isolated in private homes, where they are susceptible to physical and sexual abuse.(3) There have been reports of girls trafficked internally to work as domestic servants or for commercial sexual exploitation.(7-9)



There are reports of children working on the street and along roadsides, but specific information about hazards is unknown.

Post-revolution Tunisia continues to face challenges in governance and political stability, which may impact its ability to make progress on the worst forms of child labor.(10, 11) Following the January 2011 revolution, Tunisia held elections that international observers deemed free and fair to seat a 217 member National Constituent Assembly, which is tasked with drafting a new constitution. While there were improvements in governmental transparency, political uncertainty exacerbated the country's poverty and unemployment.(6, 12) NGOs have reported anecdotally that child labor has become more pervasive and visible in Tunisia since the revolution.(5, 13)

### 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 such as work in family run businesses. Children can also participate in light agricultural work from age 13 and in light industrial work from age 14, provided the work is not hazardous and does not interfere with their schooling.(14) The Labor Code and the Child Protection Code both bar children under age 18 from hazardous work. In addition, the Penal Code makes it a crime to engage children in commercial activities that harm their physical or psychological well-being or interfere with their education.(5, 15)

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## International Conventions and Selected Laws on Child Labor and Education

	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

After an inspection of the workplace, the Government can authorize some children to engage in hazardous work from age 16 as long as the child's health is monitored and the work is paired with specific education and training.(16) The Labor Code gives the Ministry of Social Affairs, Solidarity, and Tunisians Abroad the authority to determine the hazardous jobs and activities in which children cannot engage.(14) However, this list has not yet been established. Children under age 16 are not legally permitted to work as domestic servants.(12) The Labor Code does not apply to the self-employed, thus it may leave children unprotected.

Education is compulsory until age 16.(5, 17) In addition, the Government of Tunisia provides free schooling beyond the age of compulsory education.(18)

Tunisian law forbids the use of forced or slave labor.(8) The Tunisian Penal Code proscribes capturing, detaining, or sequestering a person for forced labor.(9) An anti-trafficking bill was drafted in 2011, but it has not been passed into law.(11, 19) Child prostitution is forbidden under the Penal Code and the Child Protection Code, and the applicable provisions cover both girls and boys.(16) Tunisian law also criminalizes the production and distribution of child pornography.(16, 17) It offers further protection to children against forced begging and exploitation for illicit activities.(14) During the reporting period, the Penal Code was amended to provide for prison time and fines for persons convicted of recruiting children for "indecent behavior."(5, 12)

The Child Protection Code outlaws children's participation in wars or armed conflicts, and voluntary military service is set at age 18.(16) All male citizens are subject to compulsory military service at age 20.(20, 21)

## Institutional Mechanisms for Coordination and Enforcement

Under the previous regime, the Government of Tunisia established a Child Protection Representative in each of the country's governorates to enforce the Child Protection Code.(16, 22) The Code places a special emphasis on situations that threaten a child's health or moral or physical integrity, including the worst forms of child labor. These Representatives are still in place under the auspices of the Ministry of Women.(12, 16) Nevertheless, there have been concerns that having only one delegate per governorate is inadequate.(22) Since the revolution, a new committee has been formed, called the Delegates Group for the Protection of Children, whose members are drawn from agencies within the Employment Department. This committee, headed by the Ministry of Social Affairs, is considered to be the coordinating body for Government efforts to combat child labor.(23) Reportedly, this committee did not conduct any activities during the reporting period.(12)

The Ministry of Social Affairs is also responsible for enforcing child labor laws through its inspectors, who collaborate with child protection officers and medical inspectors to identify and prevent the economic exploitation of minors. In addition, Tunisia's 380 labor inspectors collaborate with the General Union of Tunisian Labor to ensure that the Labor Code is enforced and that cases of child labor are reported and prosecuted.(11, 14, 22) Labor inspectors occasionally coordinated spot checks with Ministry of Education officials, while National Social Security Fund officials also inspected factories and industries for compliance with labor laws.(8) In 2012, the Ministry of Social Affairs reviewed 26 allegations of child labor, and while the majority of investigations revealed violations of child apprenticeship regulations, none of the cases were prosecuted, nor were any fines issued. In addition, there has been a steep decline from the previous year's enforcement figures of 485 complaints reviewed and 24 prosecutions.(5) No information was available on the level of funding provided in 2012 for child labor law enforcement.

The Ministry of Justice has established an interagency anti-trafficking in persons committee, which was made permanent in 2012. The committee submitted a draft anti-trafficking bill to the Constituent Assembly in late 2012.(5, 11) Also in 2012, the police broke up a sex trafficking ring that recruited teenage girls to prostitute in resort areas.(11)

## Government Policies on the Worst Forms of Child Labor

During the rule of the Ben Ali regime, the Government of Tunisia did not develop any policies to combat child labor.(24) The new Government has acknowledged that child labor exists; however, authorities reportedly maintain that the problem is adequately limited by existing laws and social programs. No policies appear to have been developed to address child labor.(22, 24) The new Government has not conducted research to determine the extent and nature of child labor that may be occurring in the country.(5, 24) The Government has been upgrading its child protection database to collect information on 71 indicators, which would help identify reported cases of the worst forms of child labor. However, the list of indicators has not been formally approved, and the Government did not yet have systems in place for consistent and comprehensive data collection across relevant agencies.(25, 26)

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

The Government of Tunisia, in cooperation with UNICEF, continued its participation in a multiyear plan to promote quality education and achieve universal primary education.(12) The Ministry of Education trained truancy officers to look for signs that children are being compelled to perform domestic work instead of attending school.(11) The Government

funds and administers a program to provide wage earning trade apprenticeships for youth ages 15 to 20, which offer an alternative to exploitative child labor.(17) The Government and UNICEF are also working with IOM to improve assistance for the particularly vulnerable children crossing the border into Tunisia from Libya.(12, 27)

The Ministry of Social Affairs implements a cash-transfer program for poor families and children on a case-by-case basis.(12) 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. The Project boosted school enrollment and completion rates for children ages 6 to 18.(28) Research found no information suggesting that the Government had continued this program after Bank funding had ended. The question of whether these programs had an impact on the worst forms of child labor does not appear to have been addressed.

The Government has undertaken activities to combat trafficking in persons through the Support and Handover of Assistance and Referral Mechanisms as well as the Exchange of Practices in Anti-Trafficking (SHARE) project funded by the USDOS to facilitate victim service provision, and has begun an awareness raising campaign to keep youth in school and discourage illegal migration that could lead to trafficking.(11) The Government also operated shelters that served street children.(11)

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

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Consider passing the drafted anti-trafficking bill into law.	2011, 2012
	Ensure that a list defining hazardous work is established and made publicly available.	2011, 2012
	Ensure protections for self-employed children to prevent their engagement in the worst forms of child labor.	2012
Coordination and Enforcement	Increase the number of Child Protection Representatives.	2009, 2010, 2011
	Ensure the Delegates Group for the Protection of Children is coordinating government efforts to address child labor.	2012
	Ensure that violators of child labor laws are prosecuted and punished.	2012
	Continue to make data publicly available on enforcement, and, in addition, publish information on the resolution of cases and the funding budgeted for enforcement activities.	2009, 2010, 2011, 2012

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Area	Suggested Actions	Year(s) Action Recommended
Policies	Establish mechanisms for collecting data on indicators of child labor.	2012
	Conduct research on the worst forms of child labor to inform policy and programs.	2010, 2011, 2012
Social Programs	Assess the impact that the education plan and project had on addressing the worst forms of child labor and consider continuing the project under Government auspices.	2010, 2011, 2012
	Assess the impact that other existing programs may have on addressing child labor.	2011, 2012

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