

In 2018, Tunisia made a significant advancement in efforts to eliminate the worst forms of child labor. The government developed an expanded hazardous work list that includes additional categories deemed hazardous for children, including street work. The Minister of Social Affairs has already approved this revision, which will take effect once published in the official register. As part of its Child Labor National Action Plan, the government also published full results of the 2017 National Child Labor Survey. Regarding enforcement, the government, in tandem with international organizations, conducted trainings for civil and criminal law enforcement officials on human trafficking legal statutes. It also promulgated a new National Strategy on Trafficking in Persons. Lastly, the government inaugurated the Amali Center outside of Tunis as the first facility for child victims of trafficking in persons. However, children in Tunisia engage in the worst forms of child labor, including scavenging for garbage and in forced labor in domestic work and begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. In addition, the law's minimum age protections do not apply to children who are engaged in work in the informal sector on inhabited premises, such as private homes, without permission of the property owner or a court order.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia engage in the worst forms of child labor, including scavenging for garbage and in forced labor in domestic work and begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (1-5) Table 1 provides key indicators on children's work and education in Tunisia. Data on some of these indicators are not available from the sources used in this report. Raw data used in the government's 2017 National Child Labor Survey report were not available for analysis in time for inclusion in this report.

Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|---------|--------------|
| Working (% and population) | 5 to 14 | 3.0 (50,364) |
| Attending School (%) | 5 to 14 | 94.2 |
| Combining Work and School (%) | 7 to 14 | 2.8 |
| Primary Completion Rate (%) | | 103.2 |

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011–2012. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

| Sector/Industry | Activity |
|-----------------|--|
| Agriculture | Farming (2,8-13) |
| | Fishing (2) |
| | Animal husbandry (2) |
| | Forestry (2) |
| Industry | Construction (2,3,13) |
| Services | Domestic work (2-4,9,11,14) |
| | Street work, including shining shoes, begging, vending, auto washing and repairing, and scavenging garbage† (2,8,12,15,16) |

Tunisia

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

| Sector/Industry | Activity |
|---|---|
| Categorical Worst Forms of Child Labor† | Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,10,16-19) |
| | Use in illicit activities, including stealing, smuggling, and drug trafficking (3-5,8-17) |
| | Forced labor in domestic work and begging, each sometimes as a result of human trafficking (2,3,5,10,12,16,20,21) |

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Child migrants from sub-Saharan countries and migrants fleeing unrest in neighboring countries, and young girls from Tunisia’s northwest and other interior regions, are particularly vulnerable to human trafficking.(4,5,16,17,21) In 2018, the government released a full report on the 2017 National Child Labor Survey. More generally, the survey also indicated that 7.9 percent of all children are engaged in child labor, with 63.2 percent of those then involved in hazardous work. The northwest region—consisting of the governorates of Béja, Jendouba, Kef, and Siliana—noted the highest incidence of child labor at 27.7 percent. (2) Figures from the report indicated that children work below the country’s minimum age of employment with 48.8 percent in agriculture and fishing, 20.2 percent in commerce, 10.9 percent in manufacturing, 6.4 percent in domestic labor, and 4.7 percent in construction. (2,3) The government has not yet made the full dataset from this survey publicly available, or allowed other government agencies to access it, leaving the nature and causes of children’s involvement in specific forms of child labor unknown.

Students face barriers to education, especially in rural areas, due to inadequate transportation, household poverty, and religious customs. (3,8,10,12,14,22) It is estimated that approximately 100,000 students, including a disproportionate number of girls, drop out each year, some as a result of physical violence in schools. (11,12,23,24)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tunisia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

| Convention | Ratification |
|--|--------------|
|  ILO C. 138, Minimum Age | ✓ |
| ILO C. 182, Worst Forms of Child Labor | ✓ |
|  UN CRC | ✓ |
| UN CRC Optional Protocol on Armed Conflict | ✓ |
| UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
|  Palermo Protocol on Trafficking in Persons | ✓ |

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Tunisia’s legal framework to adequately protect children from the worst forms of child labor, including the lack of comprehensive hazardous work prohibitions for children.

Table 4. Laws and Regulations on Child Labor

| Standard | Meets International Standards | Age | Legislation |
|--------------------------------|-------------------------------|-----|---|
| Minimum Age for Work | Yes | 16 | Article 53 of the Labor Code; Article 2 of the Law on the Situation of Domestic Workers (25,26) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 58 of the Labor Code (25) |

Table 4. Laws and Regulations on Child Labor (Cont.)

| Standard | Meets International Standards | Age | Legislation |
|---|-------------------------------|-----|---|
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes | | Article 1 of the Ministry of Social Affairs Order of January 19, 2000 (27) |
| Prohibition of Forced Labor | Yes | | Articles 105, 171, 224, and 250 of the Penal Code; Articles 2.1, 2.5, 2.6, and 8 of the Law on the Prevention and the Fight Against the Trafficking of Persons (28,29) |
| Prohibition of Child Trafficking | Yes | | Articles 2–3, 5, 8, and 23 of the Law on the Prevention and the Fight Against the Trafficking of Persons (29) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Articles 226 <i>ter</i> and 232–234 of the Penal Code; Article 25 of the Child Protection Code; Article 2.7 of the Law on the Prevention and the Fight Against the Trafficking of Persons (28-30) |
| Prohibition of Using Children in Illicit Activities | Yes | | Articles 5 and 11 of Law No. 92.52 on Narcotics (31) |
| Minimum Age for Voluntary State Military Recruitment | Yes | 18 | Article 2 of the National Service Law (32) |
| Prohibition of Compulsory Recruitment of Children by (State) Military | Yes | | Article 2 of the National Service Law (32) |
| Prohibition of Military Recruitment by Non-state Armed Groups | Yes | | Article 2(5) of the Law on the Prevention and the Fight Against the Trafficking of Persons; Articles 3 and 18 of the Child Protection Code (29,30) |
| Compulsory Education Age | Yes | 16 | Section 1 of the Law on Education (33) |
| Free Public Education | Yes | | Articles 39 and 47 of the Constitution (34) |

In April 2018, the Ministry of Social Affairs (MSA) and the National Action Plan Steering Committee revised and greatly expanded the list of hazardous work first adopted in 2000. The Minister of Social Affairs has approved this revision, which will finally include street work, and it will take effect once published in the official register. (3,35,36) However, at present, the types of hazardous work prohibited for children do not cover street work, an activity in which there is evidence of children working in an unhealthy environment. Further, the government acknowledges, as evident from the high rates of recidivism, that the fines and penalties for child labor law violations are not dissuasive. (37)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the MSA that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|---|--|
| Ministry of Social Affairs (MSA) | Conducts labor inspections and assesses fines and penalties for infractions. (10,25,38) Employs social workers and medical inspectors to assist in addressing issues of child labor. (3) Collaborates with the Ministry of Education (MOE) and the Ministry of Health (MOH) to identify and provide support to children vulnerable to child labor. (10,12,18,39) |
| Ministry of Women, Family, and Childhood (MWFC) | Gathers evidence and conducts investigations on child welfare cases. Conducts needs assessments and intervention plans. Acts as judicial police in cases of imminent danger to children through its Delegates for the Protection of Children. (12,30,39) |
| Ministry of the Interior (MOI) | Investigates reports of child labor as a criminal violation, including complaints that are outside of the labor inspectorate's mandate and complaints in the informal sector. (15) Through its Child Protection Service in the National Police, addresses the commercial sexual exploitation of children and coordinates with the MSA and the MWFC regarding violations. (10,12,40) Through its Judicial Police, coordinates with the MSA to refer cases of at-risk youth. (10,37,39,41) |
| Ministry of Justice (MOJ) | Coordinates anti-trafficking efforts and the criminal enforcement of child labor laws. (18) |
| Ministry of Education (MOE) | Alerts parents and authorities to truancy in an effort to ensure children attend required schooling. (3) |

Tunisia

SIGNIFICANT ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Tunisia took actions to combat child labor (Table 6). However, gaps exist within the authority of the MSA that may hinder adequate labor law enforcement, including the lack of ability to conduct inspections and enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order to access the property.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2017 | 2018 |
|--|------------------|-----------------|
| Labor Inspectorate Funding | \$7,450,000 (13) | \$4,400,000 (3) |
| Number of Labor Inspectors | 348 (13) | 347 (3) |
| Inspectorate Authorized to Assess Penalties | Yes (13) | Yes (3) |
| Initial Training for New Labor Inspectors | Yes (13,42) | Yes (3) |
| Training on New Laws Related to Child Labor | N/A (13) | N/A (3) |
| Refresher Courses Provided | Yes (13,42) | Yes (3) |
| Number of Labor Inspections Conducted | 13,708 (13) | 9,420‡ (3) |
| Number Conducted at Worksite | 13,708 (13) | 9,420‡ (3) |
| Number of Child Labor Violations Found | Unknown | 92 (36) |
| Number of Child Labor Violations for Which Penalties Were Imposed | 1 (13) | Unknown (3) |
| Number of Child Labor Penalties Imposed that Were Collected | 1 (13) | Unknown (3) |
| Routine Inspections Conducted | Yes (13) | Yes (3) |
| Routine Inspections Targeted | Yes (13) | Yes (3) |
| Unannounced Inspections Permitted | Yes (13) | Yes (3) |
| Unannounced Inspections Conducted | Yes (13) | Yes (3) |
| Complaint Mechanism Exists | Yes (13,42) | Yes (3) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (13) | Yes (3) |

‡ Data are from January to June 2018.

The government noted that the budget for staffing and logistics, such as fuel and transportation, was inadequate to carry out inspections, especially in remote areas of the country. (3,13,43) Labor law enforcement mechanisms do not exist to enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order. (3,10,12,25) The government noted 92 child labor violations in 2018; 5 cases were referred to courts for prosecution. (36)

Over the course of 2018, 2 inspectors received trainer training under USDOL's PROTECTE program, 60 inspectors received refresher courses, and 25 inspectors received training on trafficking in persons legislation. (3)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Tunisia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of publication of information the number of violations found, convictions, and imposed penalties for violations of criminal law enforcement efforts related to the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement | 2017 | 2018 |
|--|----------|----------|
| Initial Training for New Criminal Investigators | Yes (13) | Yes (36) |
| Training on New Laws Related to the Worst Forms of Child Labor | Yes (13) | Yes (36) |
| Refresher Courses Provided | Yes (13) | Yes (36) |
| Number of Investigations | 173 (36) | 191 (36) |
| Number of Violations Found | Unknown | Unknown |
| Number of Prosecutions Initiated | 4 (44) | 11 (36) |
| Number of Convictions | 1 (44) | Unknown |

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)

| Overview of Criminal Law Enforcement | 2017 | 2018 |
|---|----------|----------|
| Imposed Penalties for Violations Related to the Worst Forms of Child Labor | Unknown | Unknown |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (13) | Yes (36) |

During 2018, UNODC trained 80 judicial police officers, 16 police instructors, and 8 border police officers from 19 governorates in a 2-day training focused on trafficking in persons—specifically on the identification of victims, investigation methods, and victim protection. (45) Also during the year, UNODC, in partnership with Tunisia’s Magistrate Training Institute and the National Committee Against Trafficking in Persons, trained 160 judges on the updated manual with respect to Tunisia’s 2016 Law on the Prevention and the Fight Against the Trafficking of Persons. (46)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|---|---|
| National Steering Committee for the Implementation of the Child Labor National Action Plan (PAN-TN) | Coordinates efforts to combat child labor. Led by MSA, includes membership of five other ministries and two unions, with support from the ILO. (15,47-49) In 2018, the PAN-TN approved a draft by-law to create a Fight Against Child Labor Unit and accompanying Operational Strategic Plan within the MSA to coordinate actors on these issues, participate in studies, analyze information, publish and collect data, and prepare and implement work plans and national reports. (3) |
| National Authority on Trafficking in Persons (Instance Nationale de Lutte Contre la Traite des Personnes) | Coordinates anti-human trafficking efforts and raise awareness of human trafficking issues. Includes membership of 12 ministries, 2 members of civil society, a media representative, and a member of the National Commission of Human Rights.(18,39,50-52) In 2018, the National Authority launched a telephone hotline for the public to report cases of human trafficking and child labor; during the year the hotline received approximately 500 calls. (3) |

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|---|---|
| Child Labor National Action Plan (PAN-TN) (2015–2020) | Aims to raise awareness, builds the capacity of stakeholders, encourages action from NGOs and the public, improves policies, and promotes the implementation of existing laws and policies. (15,40,47) In 2018, 185 points of contact outside of the MSA were trained on issues of child labor to support government-wide efforts to combat child labor. (3,16) |
| National Strategy for the Combat of Trafficking in Persons (2018–2023)† | Aims to establish a global approach to address trafficking in persons by coordinating national and international actors and using data and statistics. (5,16) |
| UNICEF Country Program Document (2015–2019) | Aims to improve quality of education, decrease drop out rates, increase access to early education, teach life skills to adolescents, and improve access to information that protects children against violence and economic exploitation. (53) In 2018, efforts involved coordination with the MOE on curricula revision to ensure basic life skills are taught to students finishing formal education.(36) |

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Tunisia

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|---|--|
| USDOL-Funded Projects | USDOL projects in Tunisia aim to conduct research on child labor and strengthen Tunisia's ability to implement its Child Labor National Action Plan, a multi-stakeholder effort involving government, business, and civil society. These projects include PROTECTE (2016–2020), \$3 million project implemented by the ILO; and Global Research on Child Labor Measurement and Policy Development (MAP), \$7 million project implemented in at least 10 countries by the ILO. (10,15,54-56) During the reporting period, the MAP project supported the launch of Tunisia's first nationally representative survey examining child labor. (2,3) Additional information is available on the USDOL website. |
| Support Efforts to Combat Human Trafficking (2014–2022) | USDOS-funded project implemented by the IOM to carry out anti-human trafficking activities in collaboration with the MOJ, MOI, MSA, and MWFC. Includes three objectives: (a) build the capacity of relevant institutions and agencies to identify and assist victims of human trafficking based on their individual needs; (b) strengthen cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism; and (c) conduct an awareness-raising campaign to keep children in school and discourage illegal migration that could lead to human trafficking. (40) In 2018, training activities continued for immigration and law enforcement officers on the investigation and prosecution of human trafficking crimes. USDOS has approved extension of funding through January 2022. (52) |
| American Bar Association Rule of Law Initiative* | USDOS-funded project to improve the Government of Tunisia's National Authority to Combat Trafficking in Persons and enhance capacity of legal actors to prosecute, investigate, and adjudicate human trafficking cases in a victim-centered manner. The project was established in 2018 and expects to end in mid-2019. (52) |
| Shelters and Services for Victims of Human Trafficking† | The Government of Tunisia operates shelters to serve victims of human trafficking, particularly children. Shelters provide services that include lodging, food, clothing, psychological services, legal aid through a network of pro bono lawyers, and free medical care in collaboration with the MOH. Unaccompanied children and adults are placed in dedicated centers to receive schooling. (4,41,57-60) In 2018, activities related to this project continued, and in April, the government inaugurated the Amali Center outside of Tunis as the first facility for child victims of human trafficking. In February 2019, the Amali Center provided shelter for 42 children removed from the Regueb Koranic School following allegations of economic and sexual exploitation. (5,52) |
| Centers to Provide Aid to Victims of Child Labor‡ | The government maintains 23 youth centers and 67 child protection institutions that can serve up to 6,000 children engaged in child labor or vulnerable to child labor. (40,61) In 2018, research indicated that these centers continued to operate; however, specific activity details are unavailable. (52) |
| Programs to Reduce School Dropout Rates‡ | MOE-funded School Dropout Prevention Program maintains about 2,300 social protection units in schools and mobile units in rural areas to monitor students and prevent school dropout. (42,61) In 2018, activities related to this project continued. (52) |

* Program established during the reporting period.

† Program is funded by the Government of Tunisia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (39,58)

Although Tunisia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in agriculture and fishing, commerce, manufacturing, domestic labor, and construction. (15)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Tunisia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

| Area | Suggested Action | Year(s) Suggested |
|-----------------|---|-------------------|
| Legal Framework | Ensure that the hazardous occupations and activities prohibited for children are comprehensive. | 2016 – 2018 |
| Enforcement | Provide adequate resources for the Labor Inspectorate to conduct additional inspections, particularly in remote areas. | 2015 – 2018 |
| | Ensure that mechanisms exist to enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order. | 2014 – 2018 |
| | Collect and publish information on the number of child labor penalties imposed and collected related to labor law enforcement of child labor laws, and information concerning violations found, convictions, and imposed penalties related to the criminal enforcement of child labor laws. | 2013 – 2018 |
| | Increase penalties for those who employ children in violation of child labor law protections. | 2016 – 2018 |

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

| Area | Suggested Action | Year(s) Suggested |
|-----------------|---|-------------------|
| Social Programs | Address barriers to education, especially for girls in rural areas, such as unreliable transportation, insufficient teaching staff, household poverty, physical violence, and religious custom. | 2015 – 2018 |
| | Provide sufficient resources to expand existing programs to address the scope of the child labor problem. | 2015 – 2018 |
| | Make the microdata of the 2017 National Child Labor Survey publicly available so that they can be used to inform programming and policies. | 2017 – 2018 |

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Tunisia

SIGNIFICANT ADVANCEMENT

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