

In 2022, Tunisia made moderate advancement in efforts to eliminate the worst forms of child labor. In March 2022, the government adopted a guide for labor inspectors when they encounter child labor. It also launched a digital platform to improve coordination among agencies who respond to child abuse, including child labor, and opened two new schools to help students who had dropped out of school reintegrate back into education or job skills training. However, children in Tunisia are subjected to the worst forms of child labor, including in forced labor in domestic work and begging. Children also perform dangerous tasks in street work. The budget for staffing and logistics, such as for fuel and transportation, is inadequate to carry out inspections, especially in remote areas of the country. In addition, the government was unable to provide complete data on its law enforcement efforts due to delays in the digitization of court records.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children's work and education in Tunisia.

**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 (%)   |         | 104.7        |

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2011–2012. (2)

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, activities unknown (3,4)  |
|   | Fishing, activities unknown (3)  |
|   | Animal husbandry, activities unknown (3)   |
|   | Forestry, activities unknown (3)   |
| Industry                                | Construction, activities unknown (3,4)   |
|   | Manufacturing and industrial work (3,5)  |
| Services                                | Domestic work† (3,5,6)   |
|   | Street work† (7)   |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation, sometimes as a result of human trafficking (5,8) |
|   | Use in illicit activities, including stealing and drug trafficking (7-10)        |
|   | Forced labor in domestic work and begging (4,7,11)                               |

† 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 protection delegations have received more than 500 reports of children involved in begging or other economic exploitation. (12) The majority of human trafficking cases investigated by Tunisian authorities over the last year were related to child begging and there were 152 such cases reported by the Ministry of the Interior (MOI). (13) Young girls from Tunisia's northwest and other interior regions are particularly vulnerable to human

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trafficking. (7,14) Refugees and migrants who lack legal documentation, including child migrants from sub-Saharan African countries and those fleeing unrest in neighboring countries, are vulnerable to labor exploitation because refugees and migrants do not have the status to legally work in Tunisia. (10,15) Native Tunisians are also leaving the country due to economic unrest and are vulnerable to exploitation while immigrating. (15-17) In November 2022, Tunisia's first national survey on international migration was released; the survey may be helpful in determining the needs of child migrants and improving anti-trafficking efforts. (18)

Approximately 30,000 more students dropped out of school in 2022 as compared to 2021, and representatives in all six of Tunisia's regions have noted an increase in students dropping out of secondary school. (16,19) More than half a million young Tunisians are neither employed nor pursuing education or training. (20) In addition, many of those who drop out of school choose to migrate out of the country to find other opportunities, sometimes unaccompanied, increasing their risk of exploitation and trafficking. (16,21) Furthermore, there is inadequate transportation to schools in rural areas, an insufficient number of teachers, and many schools did not open on time at the beginning of the 2022 school year due to low COVID-19 vaccination rates. (4,22)

## 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's laws and regulations are in line with relevant international standards (Table 4).

**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 (23)  |
| Minimum Age for Hazardous Work  | Yes                           | 18  | Article 58 of the Labor Code (23)  |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes                           |     | Ministry of Social Affairs Order of April 1, 2020 (24)   |
| Prohibition of Forced Labor   | Yes                           |     | Articles 105, 171, 224, and 250 of the Penal Code; Articles 2.1, 2.5, 2.6, and 8.0 of the Law on the Prevention and the Fight Against the Trafficking of Persons (25,26)                             |
| 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 (26)   |
| Prohibition of Commercial Sexual Exploitation of Children                     | Yes                           |     | Articles 226 <i>ter</i> , 232, and 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 (25-27) |
| Prohibition of Using Children in Illicit Activities                           | Yes                           |     | Articles 5 and 11 of Law No. 92.52 on Narcotics (28)   |
| Minimum Age for Voluntary State Military Recruitment                          | Yes                           | 18  | Article 2 of the National Service Law (29)   |

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

| Standard  | Meets International Standards | Age | Legislation  |
|---|-------------------------------|-----|--|
| Prohibition of Compulsory Recruitment of Children by (State) Military | Yes                           |     | Article 2 of the National Service Law (29)   |
| 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 (26,27) |
| Compulsory Education Age  | Yes                           | 16  | Section 1 of the Law on Education (30)   |
| Free Public Education   | Yes                           |     | Articles 38 and 46 of the Constitution; Law on Education (30,31)   |

### 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 operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

| Organization/Agency   | Role & Activities  |
|---|--|
| Ministry of Social Affairs (MSA)                            | Conducts labor inspections and assesses fines and penalties for infractions. (5,23) Employs social workers and medical inspectors to assist in addressing issues of child labor. (5,9) Collaborates with the Ministry of Education and the Ministry of Health (MOH) to identify and provide support to children vulnerable to child labor. (5) Monitors the implementation of labor legislation and initiates prosecutions through the General Directorate of Labor Inspection. (5,32) Implements social and orientation programs for minors related to child labor through the General Administration for Social Development. (5,32)                          |
| Ministry of Family, Women, Children and the Elderly (MFWCE) | Gathers evidence and conducts investigations on child welfare cases; conducts needs assessments and implements intervention plans. (5,33) Provides services to child survivors of commercial sexual exploitation. (33,34) Trains child protection delegates to address child labor in the field through coordination with local governments and civil society. (34) Acts as judicial police in cases of imminent danger to children through its Delegates for the Protection of Children. (5,27) In December 2022, launched a digital platform to improve coordination among service responders who address abuse against children, including child labor. (5) |
| Ministry of the Interior (MOI)                              | Investigates reports of the worst forms of child labor, including complaints that fall outside of the labor inspectorate's mandate and those pertaining to the informal sector. (5) Through its Child Protection Service in the National Police, addresses the commercial sexual exploitation of children and coordinates with MSA and MFWCE regarding violations. (5,34) Through its Judicial Police, coordinates with MSA to refer cases of at-risk youth to social services. (5)  |

#### **Labor Law Enforcement**

In 2022, labor law enforcement agencies in Tunisia took actions to address child labor (Table 6). However, gaps exist within the authority of the enforcement agencies that may hinder adequate labor law enforcement, including financial penalties too low to serve as an adequate deterrent.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

| Overview of Labor Law Enforcement                                 | 2021             | 2022            |
|---|------------------|-----------------|
| Labor Inspectorate Funding  | \$6,139,671 (35) | \$4,700,000 (5) |
| Number of Labor Inspectors  | 328 (35)         | 346 (5)         |
| Mechanism to Assess Civil Penalties                               | Yes (4)          | Yes (23)        |
| Training for Labor Inspectors Provided                            | N/A (35)         | Yes (5)         |
| Number of Labor Inspections Conducted at Worksite                 | 143 (35)         | 117 (5)         |
| Number of Child Labor Violations Found                            | 63 (35)          | 28 (5)          |
| Number of Child Labor Violations for Which Penalties Were Imposed | 4 (35)           | 1 (5)           |
| Number of Child Labor Penalties Imposed that Were Collected       | Unknown (4)      | Unknown (5)     |

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

| Overview of Labor Law Enforcement  | 2021     | 2022       |
|--|----------|------------|
| Routine Inspections Conducted  | Yes (4)  | Yes (5)    |
| Routine Inspections Targeted   | Yes (4)  | Yes (5)    |
| Unannounced Inspections Permitted  | Yes (4)  | Yes (23)   |
| Unannounced Inspections Conducted  | Yes (35) | Yes (5)    |
| Complaint Mechanism Exists   | Yes (4)  | Yes (36)   |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (4)  | Yes (4,36) |

A lack of government cars and fuel have impacted the labor inspectorate's ability to effectively carry out inspections. (5) Government officials have also noted that the budget for the inspectorate is insufficient because it does not adequately provide for facilities, fuel, and transportation. (5) Although there are labor inspectors who monitor the informal sector in Ariana, Jendouba, Medenine, Sfax, Sousse, Tunis, and Tozeur, officials note that the labor inspectorate lacks resources to adequately monitor the informal economy in other parts the country. (34) Civil fines range from approximately \$7 to \$21 per infraction (20 to 60 Tunisian dinars) and are doubled for repeat offenders, though the total amount levied cannot exceed \$1,667 (5,000 Tunisian dinars). As a result, civil fines remain insufficient to deter potential violators. (34)

### **Criminal Law Enforcement**

In 2022, criminal law enforcement agencies in Tunisia took actions to address 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 criminal law enforcement data.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

| Overview of Criminal Law Enforcement  | 2021        | 2022        |
|---|-------------|-------------|
| Training for Criminal Investigators Provided  | Unknown (4) | Yes (5)     |
| Number of Investigations  | 147 (35)    | Unknown (5) |
| Number of Prosecutions Initiated  | 3 (35)      | Unknown (5) |
| Number of Convictions   | Unknown (4) | Unknown (5) |
| Imposed Penalties for Violations Related to the Worst Forms of Child Labor            | Unknown (4) | Unknown (5) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (4)     | Yes (5)     |

The Ministry of Justice does not maintain comprehensive data on its efforts to address child labor, as most records are not digitized. (33,34) However, it does maintain statistics on human trafficking cases, which indicate that 59 percent of the suspected human traffickers who were prosecuted during the reporting period were charged with crimes related to the exploitation of children. (13) Research found that judges are sometimes reluctant to impose strong penalties for human trafficking charges due in part to a low level of awareness on the part of police and judicial authorities of the proper application of the anti-human trafficking law and how to handle human trafficking cases. Authorities also sometimes conflate human trafficking with migrant smuggling. (10,34) Although MOI reports that children under the age of 18 are not routinely detained for involvement in illicit activities, there have been isolated incidents of law enforcement punishing children for their involvement in the worst forms of child labor. (34) During the reporting period, the government prosecuted 10 children—5 boys and 5 girls—on charges of human trafficking, which raises concerns that children, who may be survivors of exploitation themselves, are being prosecuted for their involvement in trafficking activities. (13)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

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

**Table 8. Key Mechanism to Coordinate Government Efforts on Child Labor**

| Coordinating Body                          | Role & Activities  |
|--|--|
| Leadership Committee to Combat Child Labor | Coordinates efforts to address child labor as part of the Child Labor National Action Plan (PAN-TN). Led by MSA and includes membership of 11 other ministries and 3 unions, with support from ILO. (4,36) In March 2022, adopted a guide for labor inspectors with information about Tunisian labor laws and assistance for children found to be engaged in child labor. (20,22) The committee also held a workshop with personnel from four governorates (Arian, Ben Arous, Manouba, and Tunis) to increase their collaboration on issues related to child labor. (20) |

## 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 & Activities   |
|--|--|
| Child Labor National Action Plan (PAN-TN)                              | Raises awareness, builds the capacity of stakeholders, encourages action from NGOs and the public, and promotes the implementation of existing laws and policies. (37,38) In 2022, focused on building a strategic plan for Child Labor Units within MSA. (20)   |
| National Strategy for the Combat of Trafficking in Persons (2018–2023) | Aims to establish a global evidence-based approach to address trafficking in persons by coordinating national and international actors. (7,39) In 2022, the Ministry of Employment and Vocational Training participated in this plan and assisted juvenile delinquents, who have been reprimanded or are in prison, to return to school. (5) |

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, 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 inadequate programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

| Program   | Description & Activities  |
|---|---|
| Support Efforts to Combat Human Trafficking (2014–2022) | USDOS-funded project implemented by IOM to carry out anti-human trafficking activities in collaboration with the Ministry of Justice, MOI, MSA, and MFWCE. Included three objectives: (1) building the capacity of relevant institutions and agencies to identify and assist survivors of human trafficking based on their individual needs; (2) strengthening cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism; and (3) conducting an awareness-raising campaign to keep children in school and discourage irregular migration that could lead to human trafficking. (5,34)   |
| Centers to Provide Aid to Victims of Child Labor†       | Serve up to 6,000 children engaged in child labor or vulnerable to child labor through the maintenance of 79 youth centers. (5,40) Many of these centers are located in Tunis and provide education and health care to children who would otherwise be on the street. The centers were active during the reporting period. (12)   |
| Shelters and Services for Victims of Human Trafficking† | Serve survivors of human trafficking, predominantly children, through shelters operated by the Government of Tunisia. Provide lodging, food, clothing, legal aid through a network of pro bono lawyers, and free medical care in collaboration with MOH. (5) In 2022, provided shelter services to 139 child survivors of human trafficking. (13) During the reporting period, the MOH coordinated with the Council of Europe to provide psychological care to commercially sexually exploited children. (18) More than half of the survivors of human trafficking receiving services from MOH in 2022 were children. (13) While authorities report that shelters are accessible to those with disabilities, there is a lack of staff who can communicate in sign language. (13,33) |

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

† Program is funded by the Government of Tunisia.

The Second Chance program is funded by the Tunisian government and works in cooperation with UNICEF to reintegrate school dropouts into education or job training. The program launched two new schools in 2022. (5,20) 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, fishing, commerce, manufacturing, domestic work,

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and construction. In addition, while the National Authority to Combat Trafficking in Persons works to ensure the safety of child survivors of labor exploitation and trafficking in persons, options for survivors' long-term support and possible relocation remain extremely limited. (10,14) Nonprofits have noted that there is a need for more coordination between themselves, law enforcement, and healthcare providers to better provide care to trafficking survivors and bring their traffickers to justice. (13)

## 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 |
|-----------------|---|-------------------|
| Enforcement     | Provide adequate staff and other resources, including fuel and transportation, to enable the labor inspectorate to conduct a greater number of inspections, particularly in remote areas and in the informal economy.   | 2015 – 2022       |
|                 | Collect and publish information related to the penalties collected as it relates to the civil enforcement of child labor violations.  | 2013 – 2022       |
|                 | Collect and publish information on criminal law enforcement of child labor laws, including on the number of criminal child labor investigations that were conducted, prosecutions initiated, convictions secured, and penalties imposed for child labor crimes. | 2019 – 2022       |
|                 | Increase penalties for those who employ children in violation of child labor law protections to deter potential violations and reduce recidivism.   | 2016 – 2022       |
|                 | Ensure that law enforcement and the judiciary are fully informed as to the existence and application of anti-human trafficking penalties and impose these penalties when appropriate.   | 2020 – 2022       |
|                 | Ensure that exploited children are not prosecuted for their involvement in trafficking activities.  | 2022              |
| Social Programs | Research and publish detailed information on the involvement of children in child labor, as well as those at risk of being involved, and publish this information to inform policies and programs.  | 2022              |
|                 | Address barriers to education, especially for children in rural areas, such as unreliable transportation to schools.  | 2015 – 2022       |
|                 | Expand existing programs to fully address the scope of the child labor problem, including in agriculture, fishing, commerce, manufacturing, domestic work, and construction.  | 2015 – 2022       |
|                 | Ensure that services for survivors of human trafficking are accessible to those with disabilities and that interpretation services for all relevant languages, including sign language, are available to assist survivors in receiving services.                | 2022              |
|                 | Establish long-term support and relocation options for survivors of child labor, including child trafficking.   | 2020 – 2022       |

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