

# Tunisia

## SIGNIFICANT ADVANCEMENT

*In 2013, Tunisia made a significant advancement in efforts to eliminate the worst forms of child labor. Tunisia approved a new Constitution, which includes new legal protections for children, and began implementation of a National Plan of Action to Combat Child Labor. The Government increased the number of labor inspectors from 380 to 490, trained them on child labor-related issues, and identified 53 violations of child labor law. The Government also established Child Protection Delegates in each governorate; continued to provide households vulnerable to child labor with cash transfers, access to health care, and school supplies; and initiated a national school feeding program to reduce drop-outs and improve access to public primary schools. However, children in Tunisia continue to engage in child labor in street work and are engaged in the worst forms of child labor in forced domestic service. Tunisia does not have a law to prohibit human trafficking. Furthermore, lack of current national level data on child labor makes it difficult to determine the prevalence and nature of child labor in Tunisia.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia are engaged in child labor in street work and in the worst forms of labor in forced domestic service.(1-4) Work in these sectors makes both girls and boys vulnerable to commercial sexual exploitation.(1, 5, 6) NGOs report that child labor has become more pervasive and visible in Tunisia since the revolution in 2010.(7, 8) The highest poverty and unemployment rates in Tunisia are in the rural southeast region of the country and in the governorate of Kasserine.(9-11) Rural children in Tunisia are less likely than urban children to attend school past age 10.(11) Such children may be working instead of attending school.(9) These children often migrate to urban areas with their families in search of economic opportunity where they become vulnerable to being trafficked.(12) The lack of comprehensive national level data on child labor makes it difficult to assess the nature and extent of child labor in Tunisia.(9)

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.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		101.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2013.(13)

Source for all other data: Understanding Children's Work Project's analysis, 2013.(14)

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	Herding livestock* (7)
	Agriculture, activities unknown* (3)
Industry	Construction, activities unknown* (6)

**Table 2. Overview of Children's Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic Service (1-3)
	Selling fruits, vegetables, honey and livestock* (7)
	Street work including shining shoes, peddling, begging, working in cafés, and picking up garbage* (1, 3, 4, 6, 15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (5, 12, 15)
	Domestic service sometimes as a result of human trafficking (5, 12, 15)
	Use of children in drug trafficking* (15)
	Forced domestic service (4, 5, 16)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.







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

Tunisian children, mostly girls, work in domestic service.(1-3) There are also reports that girls are engaged in commercial sexual exploitation and domestic services as a result of trafficking.(1, 5, 12, 17) Recent reports indicate that young girls from the Northwest region of the country are particularly vulnerable to being trafficking for domestic service.(12) Tunisia is a source and destination country for children engaged in forced labor and commercial sexual exploitation as a result of trafficking. Child migrants fleeing conflict in neighboring countries are particularly vulnerable to human trafficking in Tunisia.(4, 12) Tunisians are vulnerable to transnational trafficking, often lured by traffickers with false promises of well-paid jobs abroad.(12)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF 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 relevant laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 53 of the Labor Code (18)
Minimum Age for Hazardous Work	Yes	18	Child Protection Code (19)
List of Hazardous Occupations Prohibited for Children	Yes		<i>Legislation title unknown</i> (20)
Prohibition of Forced Labor	Yes		Article 5 of the Penal Code (21)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 232 of the Penal Code; Child Protection Code (19, 21)
Prohibition of Using Children in Illicit Activities	Yes		Articles 171 and 224 of the Penal Code (21)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Compulsory Military Recruitment	Yes	20	Legislation title unknown (25)
Minimum Age for Voluntary Military Service	Yes	18	Child Protection Code (19)
Compulsory Education Age	Yes	16	Constitution of Tunisia 2014 (22)
Free Public Education	Yes		Constitution of Tunisia 2014 (22)

Tunisian law is not completely consistent with international standards regarding child labor. After an inspection of the workplace, the Labor Code allows the Government to 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.(18) The Labor Code gives the Ministry of Youth, Sports, Women, and Family the authority to determine in which hazardous jobs and activities children are not permitted to engage.(23) Children working in the informal sector do not have the same protections under child labor laws and regulations as children working in the formal sector.(18)

Tunisia does not have adequate law to prohibit human trafficking or trafficking of children. The Ministry of Justice has drafted an anti-trafficking bill in collaboration with international organizations. The bill has not yet been passed into law.(15, 24, 25)

The new Constitution, passed in January 2014, codifies the rights of children and sets the stage for new and updated policies and legislation that could provide greater protections for children engaged in child labor.(26, 27)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

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

Organization/Agency	Role
Ministry of Social Affairs (MSA)	Enforce child labor laws through its inspectors and through collaboration with child protection officers and medical inspectors to identify and prevent the economic exploitation of minors. 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.(18, 28, 29)
Ministry of Women and Family Affairs' Regional Centers for Family and Child Protection Delegates (MWFA)	Carry out activities for the protection of vulnerable children; established in 2013. Each governorate represented by its own delegate.(3, 30-32)
Ministry of Education	Collaborate with MWFA to identify children vulnerable to child labor.(17, 33)
Ministry of Justice (MOJ)	Employ a special policy unit tasked with enforcing laws against child commercial sexual exploitation.(7, 23, 28)
National Police	Maintain a special unit to address child commercial sexual exploitation.(23)
Ministry of Interior's Crisis Unit	Enforce law among extremist networks that recruit young Tunisians.(12)

Labor law enforcement agencies in Tunisia took actions to combat child labor, including its worst forms. However, research found no evidence that criminal law enforcement agencies took such actions.

#### *Labor Law Enforcement*

The Government of Tunisia identified 53 infractions to child labor law and increased the number of labor inspectors from 380 to 490 during the reporting period, but it did not publish information on the resolution of cases.(34, 35) Tunisia has a law to protect children in domestic service, but a limited number of sources state that it is virtually unenforced.(12) Inspectors received training on enforcing laws regarding child labor.(4)

**Criminal Law Enforcement**

Enforcement agencies do not distinguish effectively between human smuggling and human trafficking, which has hampered the Government's ability to identify trafficking victims, to investigate and prosecute trafficking offenses, and to convict offenders.(4)

**IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government of has established mechanisms to coordinate its efforts to address child labor including in its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MOJ, Interagency Anti-Trafficking in Persons Committee	Coordinate efforts to combat trafficking. Submitted a draft anti-trafficking bill to the Constituent Assembly in late 2012. (7, 28, 35)
Tripartite Steering Committee for the Implementation of the National Action Plan to combat child labor	Coordinate efforts to combat child labor with the Ministries of Interior, Social Affairs, Justice, Women and Family Affairs, Education, Vocational Training and Employment, the General Union of Tunisian Workers (UGTT), and the employer's organization, UTICA. Supported by the ILO.(25, 36)

**V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Tunisia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action to Combat Child Labor†	Establishes policies and directs efforts to combat child labor through awareness raising, building the capacity of stakeholders, and guiding the coordination of government, NGOs, and civic participation. Supported by the ILO.(25, 36)

† Policy was launched during the reporting period.

**VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR**

In 2013, the Government of Tunisia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Universal Primary Education*	UNICEF-funded program supported by the Government that promotes quality education with a goal of achieving universal primary enrollment.(37)
School Drop-Out Prevention Program*	Ministry of Education program that maintains over 2,300 social protection units in schools and mobile units in rural areas to monitor students and prevent school drop-out.(23)
Assistance to Needy Families Program, Programme National d'Aide Aux Familles Nécessiteuses (PNAFN)	MSA program that provides support to poor families and children through cash-transfer, access to healthcare and assistance to ensure school attendance.(37-39)
National School Feeding Program†	The World Food Program that provides technical support to the Ministry of Education to create and implement a national school feeding program. Provides improved access to education and reduce drop-out rates in all public primary schools across the country. MOU was signed in January 2014.(40)
Trade apprenticeships ‡	Government program that provides wage earning and trade apprenticeships to youth ages 15 to 20, as an alternative to exploitative child labor.(41)
Shelters for Street Children*	Government operated shelters that serve at-risk youth.(4, 28)
Child Protection and Youth Center Network	Government program that maintains 21 youth centers and 67 child protection institutions able to serve up to 6,000 children engaged in or at-risk of engaging in child labor.(23, 31)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Against Child Domestic Labor in Africa and the Mediterranean	Government of France-funded, ILO research program that provides data on child domestic labor for the development of a National Action Plan Against Child Labor in Tunisia. Part of program includes other North African countries. (42)
The Support and Handover of Assistance and Referral Mechanisms as well as Exchange of Practices in Anti-Trafficking (SHARE)	IOM-funded program that carries out anti-human trafficking activities in collaboration with the Ministries of Justice, the Interior, Social Affairs and Women and Family Affairs,. Includes the objectives: (1) conduct a study on trafficking in persons and on the planning of operational measures to address it; (2) build the capacity of relevant institutions and agencies to identify and assist victims of trafficking based on their individual needs; and (3) strengthen cross-sector cooperation and the sharing of information through the establishment of a national referral mechanism to identify and assist victims of human trafficking.(12) In 2013, steering committee supervised the research and writing of the baseline assessment report on human trafficking in Tunisia.(12) Conducted an awareness raising campaign to keep youth in school and discourage illegal migration that could lead to human trafficking.(16, 28, 35)
MICS4-Tunisie, Multi-factor Study on Women and Children	Sponsored by Ministry of Development and International Cooperation and the International Institute of Statistics. Implemented by UNICEF by collecting data on vulnerable women and children in Tunisia in 2013, including some indicators on child labor.(11)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Tunisia.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tunisia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Ensure that relevant child labor laws and regulations apply equally to children working in the formal and informal sectors.	2013
	Pass the draft anti-trafficking bill into law and ensure that it prohibits and adequately punishes all forms of human trafficking.	2011 – 2013
Enforcement	Publish information on the resolution of identified child labor law violations.	2013
Government Policies	Ensure the right to education, as highlighted in the 2014 Constitution, is realized for rural children.	2013
Social Programs	Assess the impact existing programs may have on addressing child labor.	2011 – 2013
	Conduct comprehensive research to determine the extent and nature of child labor in the country.	2013

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