

In 2014, Tunisia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved a new Constitution, which includes children's rights; began implementing the National Action Plan to Combat Human Trafficking; and launched a new program to improve access to education. However, children in Tunisia are engaged in child labor, including work on the street and in the worst forms of child labor, including in domestic work as a result of human trafficking. A 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, including in street work.⁽¹⁻⁴⁾ Children are also engaged in the worst forms of child labor, including in domestic work as a result of human trafficking.^(4, 5) 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)	5-14 yrs.	3.0 (50,364)
Attending School (%)	5-14 yrs.	94.2
Combining Work and School (%)	7-14 yrs.	2.8
Primary Completion Rate (%)		101.7

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.⁽⁶⁾

Source for all other data: Understanding Children's Work Project'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, activities unknown (1-3, 8, 9)
	Herding livestock* (9)
Industry	Construction,* activities unknown (3)
	Domestic work (1-4)
Services	Work in markets* and cafes* (2, 3, 9, 10)
	Street work, including shining shoes,* begging,* vending,* and scavenging garbage*† (1-4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking* (4, 5)
	Used in illicit activities, including drug trafficking* (4, 5)
	Domestic work* and begging,* each as a result of human trafficking (4, 5)

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

† 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.




The Government lacks current nationwide data on child labor, including its worst forms. NGOs report that child labor has become more pervasive and visible in Tunisia since the January 2011 revolution.^(2, 9)

Child migrants from sub-Saharan countries and those fleeing conflict in Libya and Syria, as well as young girls from Tunisia's northwest region, are particularly vulnerable to human trafficking.^(4, 5)

II. LEGAL FRAMEWORK FOR 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 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 (13)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Labor Code (13)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 1 of Decree No. 2000-98 (14)
Prohibition of Forced Labor	Yes		Article 250 of the Penal Code (15, 16)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 226 bis and 232 of the Penal Code; Article 25 of the Child Protection Code (15, 17)
Prohibition of Using Children in Illicit Activities	Yes		Articles 171 and 224 of the Penal Code (15)
Minimum Age for Compulsory Military Recruitment	Yes	20	Article 2 of the National Service Law (18)
Minimum Age for Voluntary Military Service	Yes	18	Article 2 of the National Service Law (18)
Compulsory Education Age	Yes	16	Section 1 of the Law on Education (19)
Free Public Education	Yes		Article 38 of the Constitution (20)

In January 2014, the Government approved a new Constitution, which includes children's rights including the right to free public education.(20)

Tunisia lacks a law that prohibits human trafficking. In 2013, the Ministry of Justice drafted an anti-trafficking bill in collaboration with international organizations. In 2014, the technical committee modified the draft law based on comments received in September.(21) The Ministries of National Defense, Transportation, Economy and Finance, Social Affairs, and Education, among others, also provided comments.(22)

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)	Monitor compliance with the minimum-age law by examining the records of employees and collaborate with the General Union of Tunisian Labor to ensure that the Labor Code is enforced.(16) Carry out labor inspections.(13)
Ministry of Education	Collaborate with MSA to identify children vulnerable to child labor.(16)
Ministry of Justice's Anti-Trafficking Office	Help enact law to prohibit trafficking in persons.(4)
National Police's Child Protection Service	Address the commercial sexual exploitation of children through prevention and investigation.(22)
Ministry of Interior's Crisis Unit	Aim to prevent terrorist groups from recruiting children.(5)

Law enforcement agencies in Tunisia took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, the Government of Tunisia employed 364 inspectors to enforce labor laws, including those related to child labor. They did not receive sufficient training on child labor.(23) A source indicates that labor inspectors did not have sufficient funding, vehicles, and fuel to support their work. In 2014, 12,000 inspections were conducted across the formal sector covered in the Labor Code.(23) These inspections identified 1,941 children and youth engaged in child labor.(23) Under Article 174 of the Labor Code, inspectors have the right to make unannounced inspections in all regulated sectors.(13) Labor inspectors carry out worksite inspections based on a weekly schedule that includes routine inspections but gives precedence to complaints.(23) Inspectors are allowed to impose penalties for violations of the law. In 2014, 53 formal warnings were issued to employers regarding cases of child labor.(23) In all cases of these formal warning, the employer rectified the situation.(23)

Although social workers are allowed to access private homes and intervene in cases of child domestic workers, limited evidence suggests that, in practice, inspections are not conducted in private homes.(5, 22) There is currently no coordination mechanism to refer children to social services during labor inspections.(23)

Criminal Law Enforcement

In 2014, the Ministry of Social Affairs (MSA) employed 2,117 social workers who worked in the field, which the MSA described as adequate for criminal enforcement of the formal economy but not the informal economy. Seventy social workers received child labor training.(23) Military judges and customs officials received training on how to identify and protect victims of human trafficking.(24) The Ministry of Justice organized and hosted a regional conference on human trafficking, in partnership with the Council of Europe and the IOM to exchange experience and best practices and become familiar with international norms.(21) However, adequate training was not available to all agents due to the lack of sufficient resources.(23)

In 2014, the MSA issued directives to its personnel in 24 social service centers on how to assist trafficking victims. The MSA also maintains a database of human trafficking victims and works with the Ministry of Justice to ensure that victims of human trafficking are not prosecuted for trafficking crimes.(24) Enforcement agencies do not effectively distinguish between human smuggling and human trafficking, which has hampered the Government's ability to investigate human trafficking offenses, convict offenders, and identify victims.(4) Research did not find information on the number of investigations and the implementation of penalties related to criminal worst forms of child labor.

While the adoption of the draft anti-human trafficking law was pending, courts used existing legal provisions of the Penal Code to prosecute 50 cases of commercial sexual exploitation in the first 7 months of 2014. The penalties in these cases ranged from 3 months to 6 years of imprisonment.(21) It is unknown how many of these cases involved children.

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

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

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee for the Implementation of the National Action Plan to Combat Child Labor	Coordinate efforts to combat child labor. Members include the Ministries of Interior; Social Affairs; Justice; Women, Family, and Childhood; Education; and Vocational Training and Employment; as well as the General Union of Tunisian Labor, the Tunisian Employers Union of Industry Trade and Handicrafts, and the Tunisian Union of Farmers and Fishermen. Supported by the ILO.(23, 25, 26)
Interagency Anti-Trafficking in Persons Committee	Coordinate efforts to combat human trafficking and raise awareness and follow up on the enactment of the draft law to prohibit trafficking in persons. Led by the Ministry of Justice.(4, 9) In 2014, the Committee steered the draft bill between Ministries and to the Council of Ministers.(22)
Inter-Ministerial Working Group To Combat Human Trafficking*	Coordinate anti-trafficking policy and to share information and best practices. Chaired by the Ministry of Foreign Affairs, while members include representatives from the Ministries of Foreign Affairs, Interior, Justice, Social Affairs, Vocational Training and Employment, Defense, Health, and Religious Affairs.(27) The group meets monthly. In 2014, the participating ministries drafted anti-trafficking action plans that the working group utilized to develop a draft national plan.(27)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

There has been a strengthening of data exchange between the members of the National Steering Committee since its inception in September 2013.(23)

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 (2013 – 2014)	Aims to combat child labor by raising awareness, building the capacity of stakeholders, and encouraging action from NGOs and the public. Supported by the ILO.(25, 26)
Action Plan of the Country Program (2015 – 2019)	Joins plan with support of UNICEF to decrease drop-out rates and improve education quality and access to early education, teach life skills to adolescents, and improve access to information in order to improve child protection against violence and economic exploitation.(28, 29)
National Action Plan to Combat Trafficking in Persons (2015 – 2017)	Mandates a variety of activities, including passing the draft anti-trafficking bill; building capacity of civil society to address human trafficking; boosting public awareness of human trafficking; and training police, customs, and penitentiary officials in identifying victims of human trafficking. (24, 30) The Government began implementing the Plan in 2014.(22)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Tunisia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on 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.(31)
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.(32)
Assistance to Needy Families*‡	MSA program that provides support to poor families and children through cash-transfer and access to healthcare to ensure school attendance.(31, 33)
National School Feeding Program*†	UN-funded 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 aims to reduce drop-out rates in all public primary schools. The Memorandum of Understanding between the Ministry of Education and WFP was signed in January 2014.(34)
Trade Apprenticeships‡	Government program that provides wage earning and trade apprenticeships to youth ages 15 to 20, as an alternative to exploitative child labor.(35)
Shelters for Street Children‡	Government-operated shelters to serve children at risk of human trafficking.(4)

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

Program	Description
Child Protection and Youth Center Network‡	Government program that maintains 21 youth centers and 67 child protection institutions that are able to serve up to 6,000 children engaged in or at-risk of child labor.(22, 32)
Support Efforts to Combat Human Trafficking (2014 – 2017)†	USDOS-funded 3-year project implemented by IOM to carry out anti-human trafficking activities in collaboration with the Ministries of Justice, Interior, Social Affairs, and Women, Family, and Childhood. Includes the objectives: (1) build the capacity of relevant institutions and agencies to identify and assist victims of trafficking based on their individual needs; (2) strengthen cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism to identify and assist victims of human trafficking; and (3) conduct an awareness-raising campaign to keep youth in school and discourage illegal migration that could lead to human trafficking.(22)
Shelters for Victims of Human Trafficking†‡	MSA-operated shelters for victims of human trafficking.(24) Services include lodging, food, clothing, psychological services, and legal aid through a network of pro bono lawyers, as well as full and free medical care in collaboration with the Ministry of Health. Unaccompanied child victims are placed in dedicated centers for minors, where they receive schooling in addition to the same services offered to adults.(27)
Taking Action Against Child Domestic Labor in Africa and the Countries of the Union for the Mediterranean (2011 – 2015)	\$1.3 million Government of France–funded, 4-year project, implemented by ILO-IPEC to combat child domestic labor.(36)

*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.

In 2014, the MSA began updating a database on needy families and establishing a new social identifier code to provide adequate assistance to these families and to children at risk of the worst forms of child labor.(23)

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
Legal Framework	Ensure that laws protect children from human trafficking.	2011 – 2014
Enforcement	Enforce legal provisions for the protection of children in domestic work in private homes.	2014
	Establish a referral mechanism between law enforcement and social services.	2014
	Provide sufficient training to agents in charge of criminal enforcement of child labor laws.	2014
	Collect and publish information on the number of criminal investigations and implementation of penalties related to the worst forms of child labor.	2013 – 2014
Social Programs	Conduct comprehensive research to determine the extent and nature of child labor in the country.	2013 – 2014
	Assess the impact that existing programs may have on addressing child labor.	2011 – 2014

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