

In 2015, Tunisia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted and began implementation of the Child Labor National Action Plan (2015-2020), participated in the Global Research Project on Child Labor Measurement and Policy Development, and engaged in discussions about conducting a national child labor survey. However, children in Tunisia are engaged in child labor, including in street work, and in the worst forms of child labor, including in domestic work as a result of human trafficking. The number of children dropping out of school, which may make them vulnerable to child labor, remains high. The law's minimum age protections do not apply to children who are engaged in work in the informal sector, and the Government has not enacted a law prohibiting child trafficking.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia are engaged in child labor, including in street work.(1-5) Children are also engaged in the worst forms of child labor, including in domestic work as a result of human trafficking.(4-6) 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 (%) | | 96.9 |

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011–2012.(8)

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, 5, 9, 10) Herding livestock* (11) |
| Industry | Construction,* activities unknown (3) |
| Services | Domestic work (1-4, 10, 12) Working in markets* and cafes* (2, 3, 11, 13) Street work, including shining shoes,* begging,* vending, auto washing and repair,* and scavenging garbage*† (1-5, 9, 10, 14, 15) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation as a result of human trafficking* (4, 6) Use in illicit activities, including smuggling and drug trafficking (4, 6, 14) Forced labor in seasonal agriculture,* activities unknown (5) Domestic work and begging,* each as a result of human trafficking (4-6) Recruitment for use in armed conflict by non-state armed groups (16-18) |

* 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.

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The Government declared *Ansar al-Sharia* a terrorist organization in 2013.(16, 19, 20) In 2015, *Ansar al-Sharia* recruited school-age children, sometimes by setting up preaching tents on school campuses, leading some students to withdraw from school to join the group.(16-18) These children may be vulnerable to becoming child soldiers.

Child labor, including begging, has become more pervasive and visible in Tunisia since the January 2011 revolution.(2, 9, 11) Children are engaged in child labor in the informal sector, predominantly in seasonal agriculture, smuggling, drug trafficking, domestic work, handicraft work, street vending, and garbage scavenging.(5, 14) The Child Labor National Action Plan estimates that 80 percent of children do not receive remuneration for their work.(14) 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, 6)




Based on one study, fifty percent of child domestic workers from Bizerte and 93 percent from Jendouba dropped out of school.(12) Approximately 62 percent of families in Bizerte and 30 percent of families in Jendouba, respectively, use unlicensed intermediaries to place children as domestic workers; however, in nearly 10 percent of the cases, children are placed in homes in which older sisters are already working.(12) None of the children interviewed had employment contracts, and reports show that these children work long hours.(12) Fifty percent of the children are victims of violence or harassment, either from employers or family members, and 70 percent claimed to have occupational health issues.(12)

Approximately 100,000 children, particularly those from rural and remote areas, have dropped out of school every year since 2011.(9, 21-23) Dropouts are largely found working in agriculture, which disproportionately affects children from families with a large number of children. Child dropouts were also found working in illicit activities and in street work.(9) Direct causes of the increasing dropout rates are household poverty, religious customs, and recruitment for violent extremism.(3, 9, 12, 16, 17, 21) Girls in Tunisia face additional barriers to education, including limited transportation options, security concerns while commuting, and parents prioritizing boys' education.(12, 18, 21, 24, 25) Moreover, schools lack resources to accommodate children with disabilities.(26)

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; Article 2 of the Law on the Situation of Domestic Workers (27, 28) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 58 of the Labor Code (27) |
| Prohibition of Hazardous Occupations or Activities for Children | Yes | | Article 1 of Decree No. 2000-98 (29) |
| Prohibition of Forced Labor | Yes | | Articles 105 and 250 of the Penal Code (5, 30, 31) |

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

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|---|
| Prohibition of Child Trafficking | No | | |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Articles 226 <i>bis</i> , 232, 233, and 234 of the Penal Code; Article 25 of the Child Protection Code (30, 32) |
| Prohibition of Using Children in Illicit Activities | Yes | | Articles 5 and 11 of Law No. 92-52 on Narcotics (33) |
| Minimum Age for Compulsory Military Recruitment | Yes | 20 | Article 2 of the National Service Law (34) |
| Minimum Age for Voluntary Military Service | Yes | 18 | Article 2 of the National Service Law (34) |
| Compulsory Education Age | Yes | 16 | Section 1 of the Law on Education (35) |
| Free Public Education | Yes | | Article 38 of the Constitution (36) |

Tunisia lacks a law that prohibits human trafficking. During the reporting period, an inter-ministerial working group introduced draft legislation on trafficking in persons to the Parliament.(14, 31)

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) | Carry out labor inspections.(27) Monitor compliance with the minimum age laws by examining the records of employees.(5) Maintain a database of human trafficking victims and work with the Ministry of Justice to ensure that victims of human trafficking are not prosecuted for trafficking crimes.(37) Coordinate with the Ministry of Health to provide full and free medical care to human trafficking victims.(31) |
| Ministry of Education | Collaborate with the MSA to identify children vulnerable to child labor.(5) |
| National Police's Child Protection Service | Address the commercial sexual exploitation of children through prevention and investigation.(38) |
| Ministry of the Interior | In the cases of child labor complaints that are not covered by the labor inspectorate's mandate, including complaints in the informal sector, the Ministry is responsible for investigating the complaint as a criminal violation.(14) Its Crisis Unit aims to prevent terrorist groups from recruiting children.(6) |

Labor Law Enforcement

In 2015, labor law enforcement agencies in Tunisia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2014 | 2015 |
|---|-------------|------------------|
| Labor Inspectorate Funding | Unknown | \$4,966,000 (14) |
| Number of Labor Inspectors | 364 (39) | 347 (14) |
| Inspectorate Authorized to Assess Penalties | Yes (39) | Yes (14) |
| Training for Labor Inspectors | | |
| ■ Initial Training for New Employees | Yes (14) | Yes (14) |
| ■ Training on New Laws Related to Child Labor | Unknown | N/A |
| ■ Refresher Courses Provided | Yes (39) | Unknown |
| Number of Labor Inspections | 12,000 (39) | 16,133 (14) |
| ■ Number Conducted at Worksite | Unknown | 367 (14) |
| ■ Number Conducted by Desk Reviews | Unknown | Unknown |
| Number of Child Labor Violations Found | 53 (39) | 61 (14) |
| Number of Child Labor Violations for Which Penalties Were Imposed | 0 (39) | 4 (14) |
| ■ Number of Penalties Imposed That Were Collected | N/A | 4 (14) |
| Routine Inspections Conducted | Yes (39) | Yes (14) |
| ■ Routine Inspections Targeted | Unknown | Unknown |

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

| Overview of Labor Law Enforcement | 2014 | 2015 |
|--|--------------|--------------|
| Unannounced Inspections Permitted | Yes (27, 39) | Yes (14, 27) |
| Unannounced Inspections Conducted | Unknown | Unknown |
| Complaint Mechanism Exists | No (39) | Yes (14) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | No (39) | No (14) |

In 2015, the labor inspectorate of the Ministry of Social Affairs (MSA) employed 347 inspectors, including 176 women. The Government reports that the number of labor inspectors was not adequate to meet its target goal of 30,000 inspections of the formal economy.⁽¹⁴⁾ The labor inspectorate also needs more vehicles and fuel, particularly to conduct inspections in remote areas of the country.⁽¹⁴⁾

Since 2014, the labor inspectorate has provided comprehensive training, including training on child labor, to 25 new inspectors. Labor inspectors conducted 2,367 inspections through visits, with 367 of those taking place at worksites.⁽¹⁴⁾ Inspections conducted during the reporting period identified 1,601 children engaged in child labor and 61 child labor violations. The labor inspectorate did not remove any of these children; however, inspectors issued citations in these cases, which usually require only administrative corrections.⁽¹⁴⁾

Government ministries that receive child labor complaints direct them to the point of contact at the MSA, who is responsible for alerting the labor inspectorate. The labor inspectorate conducts expedited inspections on complaints of child labor.⁽¹⁴⁾ Although a formal referral mechanism between criminal authorities and social services does not exist, the Ministry of the Interior, the MSA, and the Ministry of Women, Family, and Childhood's Delegate for the Protection of Children coordinate informally to refer children to social services.^(14, 31)

The Labor Code authorizes labor inspectors to make unannounced inspections in industry, commerce, and agriculture sectors.⁽²⁷⁾ However, inspectors cannot inspect sites in the informal sector, including in private homes, without permission from the owner of the property or a court order.⁽¹⁴⁾ Although social workers are allowed to access private homes in which the head of the household has declared a domestic worker, in practice, many child domestic workers are not declared.^(6, 28, 31, 38)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Tunisia took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

| Overview of Criminal Law Enforcement | 2014 | 2015 |
|---|------------------|--------------|
| Training for Investigators | | |
| ■ Initial Training for New Employees | Unknown | Unknown |
| ■ Training on New Laws Related to the Worst Forms of Child Labor | Unknown | N/A |
| ■ Refresher Courses Provided | Yes (37, 39, 40) | Yes (31) |
| Number of Investigations | Unknown (39) | 41 (41) |
| Number of Violations Found | Unknown (39) | Unknown |
| Number of Prosecutions Initiated | Unknown (39) | Unknown (31) |
| Number of Convictions | Unknown (39) | Unknown (31) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | No (39) | No (14) |

In 2015, some law enforcement personnel received training on trafficking in persons, including UNODC training for the Interagency Anti-Trafficking in Persons Committee; UNODC and the Higher Institute of the Judiciary training to National Guard officers in Tunis on both trafficking in persons and migrant smuggling; and Superior Magistrate Institute, UN Office of the High Commissioner for Human Rights, and IOM training for 160 magistrates and judges. Additionally, some of the Government's law enforcement, immigration, and social services personnel received training on best practices for identifying victims of trafficking among high-risk populations.⁽³¹⁾ However, the Government reports that adequate training was not available to all agents due to the lack of sufficient resources.⁽¹⁴⁾ Enforcement agencies do not effectively distinguish between human smuggling and human

trafficking, which has hindered the Government's ability to investigate human trafficking offenses, convict offenders, and identify victims.(42)

The Ministry of the Interior investigated 41 cases of children engaged in forced begging.(41) Although victims of human trafficking are referred to social services, it is unknown if referrals included victims of other criminal violations of child labor laws.(31)

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 8).

Table 8. 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 | Coordinate efforts to combat child labor. Led by the MSA, 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.(14, 39, 43, 44) In 2015, this body convened all national stakeholders to draft and adopt the Child Labor National Action Plan. The steering committee is responsible for fully implementing this plan and continuing coordination with relevant stakeholders on existing efforts to combat child labor.(14) |
| Interagency Anti-Trafficking in Persons Committee | Coordinate efforts to combat human trafficking, raise awareness, and follow up on the enactment of the draft law to prohibit trafficking in persons. Comprised of representatives of trafficking in persons points of contact from relevant ministries, including the Ministries of National Defense; Transportation; Economy and Finance; Social Affairs; and Education, as well as civil society experts. Met four times during the reporting period to revise the National Action Plan on Trafficking in Persons.(11, 31, 42) |
| Inter-Ministerial Working Group To Combat Human Trafficking | Coordinate anti-human trafficking policy; share information and best practices. Chaired by the Ministry of Foreign Affairs, representatives from the Ministries of Interior; Justice; Women, Families, and Childhood; Culture; Education; Social Affairs; Vocational Training and Employment; Defense; Health; and Religious Affairs are also members.(31, 45) In 2015, met four times to draft the National Action Plan on Trafficking in Persons. Invited representatives of international organizations and local civil society groups to participate in these meetings.(31) |
| UNICEF | Support the Government's prevention and assistance programs for children, including some victims of child labor.(14) |

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 9).

Table 9. Policies Related to Child Labor

| Policy | Description |
|---|--|
| Child Labor National Action Plan (2015–2020)† | Aims to achieve this goal by raising awareness, building the capacity of stakeholders, and encouraging action from the NGOs and the public. In 2015, the National Steering Committee for the Implementation of the Child Labor National Action Plan drafted and adopted this plan, which outlines a strategic framework with the goal of eliminating child labor in Tunisia by 2020.(14, 38, 43) |
| Action Plan of the Country Program (2015–2019) | Decreases dropout 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.(46, 47) |
| National Action Plan to Combat Trafficking in Persons (2015–2017) | Mandates passing the draft anti-human 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.(37, 48) Revised by the Interagency Anti-Trafficking in Persons Committee in 2015, the Government began implementing the plan in 2014.(31, 38) |

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Tunisia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

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Table 10. Social Programs to Address Child Labor

| Program | Description |
|---|--|
| Global Research on Child Labor Measurement and Policy Development (MAP)* | USDOL-funded research project implemented by the ILO in 10 countries, including Tunisia, to increase the knowledge base of child labor by collecting new data, analyzing existing data, and building capacity of the Government to conduct research in this area. The MAP project is engaging in discussions with the MSA and the National Statistical Office of Tunisia about conducting a national child labor survey.(14, 49) |
| MSA Services for Victims of Human Trafficking† | Provide victims of human trafficking with lodging, food, clothing, and psychological services. Unaccompanied child victims were eligible to receive aforementioned services, in addition to schooling, in dedicated centers for minors.(31) |
| 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 the ILO-IPEC to combat child domestic labor.(50) |
| 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 three 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, and 3) conduct an awareness-raising campaign to keep children in school and discourage illegal migration that could lead to human trafficking.(38) |
| Centers for Social Defense and Integration | Nineteen centers provide assistance to children who are homeless, have had trouble with the law, dropped out of school, or experienced domestic trauma.(14) |
| Centers for Social Protection | Provide material and moral support to vulnerable children.(14) |
| Universal Primary Education | UNICEF-funded program supported by the Government that promotes quality education with a goal of achieving universal primary enrollment.(51) |
| 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 dropout.(52) |
| Social and Educative Centers | Develop educational programs and activities for at-risk children.(14) |
| Assistance to Needy Families† | MSA program that provides support to poor families and children through cash transfer and access to health care to ensure school attendance.(51, 53) |
| 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 dropout rates in all public primary schools. The Memorandum of Understanding between the Ministry of Education and WFP was signed in January 2014.(54) |
| Trade Apprenticeship† | Government program that provides wage earning and trade apprenticeships to youth between the ages of 15 to 20, as an alternative to exploitative child labor.(55) |
| Shelters for Street Children† | Government-operated shelters to serve children at risk of human trafficking.(42) |
| 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.(38, 52) |
| Shelters for Victims of Human Trafficking† | MSA-operated shelters for victims of human trafficking.(37) Services include lodging, food, clothing, psychological services, legal aid through a network of <i>pro bono</i> lawyers, 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.(45) |

* Program was launched during the reporting period.

† Program is funded by the Government of Tunisia.

Although Tunisia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.(14)

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 11).

Table 11. 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 – 2015 |
| Enforcement | Make information publicly available on labor law enforcement, including the number of labor inspections conducted by desk reviews and whether inspections are unannounced. | 2015 |
| | Establish a formal and reciprocal referral mechanism between law enforcement and criminal law enforcement agencies and social services. | 2014 – 2015 |
| | Provide adequate resources for the labor inspectorate to conduct additional inspections, particularly in remote areas of the country. | 2015 |
| | Build enforcement capacity to address child labor protections for children working in domestic work in private homes. | 2014 – 2015 |
| | Collect and publish information on the number of criminal violations, prosecutions, and penalties related to the worst forms of child labor, as well as on training for criminal law enforcement officials. | 2013 – 2015 |
| | Provide sufficient training to agents in charge of criminal law enforcement of child labor laws. | 2014 – 2015 |
| Social Programs | Intensify efforts to reduce dropout rates of children from school and ensure universal access to education, including for children with disabilities. | 2015 |
| | Provide sufficient resources to expand existing programs to address the scope of the child labor problem. | 2015 |

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