

Tunisia

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Tunisia are unavailable.⁴⁶⁸⁷ Children work in agriculture in rural areas and as vendors in urban areas, mainly during school vacations.⁴⁶⁸⁸ There are also reports of children working in the handicraft industry in apprenticeships and of families placing teenage girls as household domestics, although this practice has reportedly declined through enforcement of laws on minimum work age and compulsory school attendance.⁴⁶⁸⁹ Child labor is one of many problems associated with poverty. In 2000, less than 2 percent of the population of Tunisia were living on less than USD 1 a day.⁴⁶⁹⁰

Education is compulsory and free between the ages of 6 and 16.⁴⁶⁹¹ In 2002, the gross primary enrollment rate was 111 percent and the net primary enrollment rate was 97 percent.⁴⁶⁹² Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Attendance in urban areas is higher than in rural areas (97.2 percent and 90.5 percent respectively).⁴⁶⁹³ Primary school attendance statistics are not available for Tunisia.⁴⁶⁹⁴ As of 2001, 96 percent of children who started primary school were likely to reach grade 5.⁴⁶⁹⁵

Child Labor Laws and Enforcement

The Labor Code of 1966 sets the minimum age for employment at 16 years, which coincides with the country's compulsory education requirement. There are some exceptions to this age, however.⁴⁶⁹⁶

⁴⁶⁸⁷ This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section of this report for information about sources used. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section.

⁴⁶⁸⁸ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Tunisia*, February 28, 2005; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41733.htm>.

⁴⁶⁸⁹ Ibid. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Tunisia*, February 25, 2004; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27939.htm>.

⁴⁶⁹⁰ World Bank, *World Development Indicators 2005* [CD-ROM], Washington, D.C., 2005.

⁴⁶⁹¹ U.S. Department of State, *Country Reports on Human Rights Practices -2004: Tunisia*, Section 5. See also UN, *Country Profiles on the Situation of Youth: Tunisia*, [database online] [cited May 20, 2004]; available from <http://esa.un.org/socdev/unyin/country.asp?countrycode=tn>.

⁴⁶⁹² UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrollment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

⁴⁶⁹³ Government of Tunisia, *Multiple Indicator Cluster Survey (MICS) Report: Tunisia*, UNICEF, 2000; available from <http://www.childinfo.org/MICS2/newreports/tunisia/tunisia.pdf>.

⁴⁶⁹⁴ This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used.

⁴⁶⁹⁵ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

⁴⁶⁹⁶ U.S. Department of State, *Country Reports on Human Rights Practices -2004: Tunisia*, Section 6d. See also Government of Tunisia, *Code du Travail, 1966*, Loi no. 66-27, (April 30, 1966); available from hard copy on file.

Children may work as apprentices or through vocational training programs at age 14.⁴⁶⁹⁷ Furthermore, children under 16 years of age may work in family-run businesses as long as the work does not interfere with school, pose a threat to the child's health, exceed 2 hours per day, or exceed 7 hours per day when combined with time spent in school.⁴⁶⁹⁸ In regard to nonagricultural jobs, the code also prohibits children under 14 from working at night, between 8 p.m. and 8 a.m., and prohibits children 14 to 18 years of age from working between 10 p.m. and 6 a.m. For agricultural work, the code states that children under 18 years must have fixed rest periods and cannot work between 10 p.m. and 5 a.m.⁴⁶⁹⁹ The Labor Code establishes 18 years as the minimum age for hazardous work and authorizes the Ministry of Social Affairs to determine the jobs that fall in this category.⁴⁷⁰⁰ Young workers in the non-agricultural sector under the age of 18 cannot be paid a salary below 85 percent of the salary paid to adults.⁴⁷⁰¹ Labor inspectors from the Ministry of Social Affairs and Solidarity are responsible for enforcing labor laws, including child labor laws.⁴⁷⁰²

Since 1999, the Government of Tunisia has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.⁴⁷⁰³

The worst forms of child labor may be prosecuted under different statutes in Tunisia. Forced and bonded labor by children is prohibited by law, and there are no reports of such practices.⁴⁷⁰⁴ In 1995, the Government of Tunisia passed the Child Protection Code, which protects children under 18 years from abuse and exploitation, including participation in wars or armed conflicts, prostitution, and hazardous labor conditions.⁴⁷⁰⁵ The government's Child Protection Code is enforced by a corps of delegates in charge of child protection in the country's 24 governorates.⁴⁷⁰⁶ In addition, two ministries, the Ministry of Women's, Family, Child and Elderly Affairs, and the Ministry of Youth, Sports and Physical Education are responsible for enforcing children's rights.⁴⁷⁰⁷ According to the U.S. Department of State, the Government of Tunisia upheld the standards of ILO Convention 182 and enacted regulations on "the worst forms of child labor" and "hazardous" work. Inspectors from the Ministry of Social Affairs and Solidarity verified employers' compliance with the minimum age law.⁴⁷⁰⁸ There have been no reports of international or domestic trafficking of Tunisian children.⁴⁷⁰⁹

⁴⁶⁹⁷ *Code du Travail*, Article 53-2.

⁴⁶⁹⁸ *Ibid.*, Article 54.

⁴⁶⁹⁹ *Ibid.*, Articles 65, 66, 74.

⁴⁷⁰⁰ *Ibid.*, Article 58. See also U.S. Embassy-Tunis, *reporting*, August 11, 2003.

⁴⁷⁰¹ ILO NATLEX National Labor Law Database, http://www.ilo.org/dyn/natlex/natlex_browse.home (Décret no 2003-1691 du 18 aout 2003 fixant le salaire minimum interprofessionnel garanti dans les secteurs non agricoles régis par le Code du travail, accessed June 3, 2005).

⁴⁷⁰² *Code du Travail*, Articles 170-171.

⁴⁷⁰³ ILO-IPEC official, email communication to USDOL official, November 14, 2005.

⁴⁷⁰⁴ U.S. Department of State, *Country Reports on Human Rights Practices -2004: Tunisia*, Section 6c.

⁴⁷⁰⁵ Government of Tunisia, *Loi No. 95-92, 1995, Relative a la publication du code de la protection de l'enfant*, (November 9, 1995); available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>.

⁴⁷⁰⁶ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Tunisia*, March 31, 2003; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18290.htm>. See also Tunisie.com, *Action Sociale: Protection de l'enfance*, May 14, 2004 [cited March 11, 2004]; available from <http://www.tunisie.com/societe/action/html>.

⁴⁷⁰⁷ U.S. Department of State, *Country Reports on Human Rights Practices -2004: Tunisia*, Section 5.

⁴⁷⁰⁸ *Ibid.*, Section 6d.

⁴⁷⁰⁹ *Ibid.*, Section 5. See also U.S. Embassy-Tunis, *reporting*, March 9, 2004.

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Tunisia's policies aim to protect children through enforcement of relevant laws and to create jobs for adults so that children can attend school.⁴⁷¹⁰

In 2004, the World Bank approved a USD 130 million loan for the second phase of an Education Quality Improvement Project designed to facilitate the Ministry of Education's efforts to promote primary and secondary education.⁴⁷¹¹ This project aims to boost school enrollment and completion rates for children ages 6 to 18 years, and to develop stronger links between secondary education and vocational training and higher education institutions.⁴⁷¹² Along with other countries participating in the Third Arab Congress on Children's Rights, Tunisia is implementing a 2004 - 2015 plan to promote quality education and healthy development for boys and girls and committed to share lessons among countries.⁴⁷¹³

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	10/19/1995	✓
Ratified Convention 182	2/28/2000	✓
ILO-IPEC Member		
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan		

⁴⁷¹⁰ U.N. Information Center in Tunis, *Le Comité des Droits de l'Enfant examine le deuxième rapport périodique de la Tunisie*, May 28, 2002; available from <http://www.onu.org.tn/enfantun.htm>.

⁴⁷¹¹ World Bank, *Tunisia: World Bank Supports Efforts to Improve Teaching, Learning in Schools*, March 10, 2004 [cited May 14, 2004]; available from

<http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,contentMDK:20175801~menuPK:34463~pagePK:64003015~piPK:64003012~theSitePK:4607,00.html>.

⁴⁷¹² Ibid.

⁴⁷¹³ Management Systems International, *Technical Progress Report. Project Adros. Combatting Child Labor Through Education in Morocco*, Rabat, March 31, 2004.