

Tunisia

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working:	Unavailable
Minimum age for admission to work:	16 ⁴²⁰⁷
Age to which education is compulsory:	16 ⁴²⁰⁸
Free public education:	Yes ⁴²⁰⁹
Gross primary enrollment rate in 2004:	110% ⁴²¹⁰
Net primary enrollment rate in 2004:	97% ⁴²¹¹
Percent of children 5-14 attending school:	Unavailable
As of 2003, percent of primary school entrants likely to reach grade five:	97% ⁴²¹²
Ratified Convention 138:	10/19/1995 ⁴²¹³
Ratified Convention 182:	2/28/2000 ⁴²¹⁴
ILO-IPEC participating country:	No ⁴²¹⁵

Incidence and Nature of Child Labor

In Tunisia, children can be found working in the informal sector, particularly as agricultural workers and vendors, primarily during their summer vacation from school. Also, in the informal sector, children are involved in the handicraft industry, where child labor is sometimes disguised as apprenticeship.⁴²¹⁶ There is no widespread form of forced or compulsory labor in Tunisia, although there is some evidence of exploitation of children in domestic service.⁴²¹⁷

Child Labor Laws and Enforcement

The minimum age for employment is 16 years, with some exceptions.⁴²¹⁸ Children at least 13 years may perform light work in the non-industrial and agricultural sectors.⁴²¹⁹ They may also

⁴²⁰⁷ Government of Tunisia, *Code du travail, 1966*, Loi no. 66-27, (April 30, 1966), Article 53; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44414/65029/F96TUN01.htm>.

⁴²⁰⁸ U.S. Department of State, "Tunisia," *Country Reports on Human Rights Practices- 2006* (March 6, 2007), Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78864.htm>.

⁴²⁰⁹ Ibid.

⁴²¹⁰ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

⁴²¹¹ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

⁴²¹² UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007.

⁴²¹³ ILO, *Ratifications by Country*, accessed October 12, 2006; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.

⁴²¹⁴ Ibid.

⁴²¹⁵ ILO, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, October 2006, 30; available from http://www.ilo.org/iloroot/docstore/ipcc/prod/eng/20061018_implementationreport_eng.pdf.

⁴²¹⁶ U.S. Department of State, "Country Reports- 2006: Tunisia," Section 6d. See also ECPAT International CSEC Database, *Tunisia*, accessed September 13, 2006; available from <http://www.ecpat.net>.

⁴²¹⁷ ICFTU, *Internationally-Recognised Core Labour Standards in Tunisia: Report for the WTO General Council Review of the Trade Policies of Tunisia, Executive Summary*, Geneva, September 28-30, 2005, 1; available from <http://www.icftu.org/www/pdf/clstunisia2005.pdf>.

⁴²¹⁸ Government of Tunisia, *Code du travail*, Article 53-2.

⁴²¹⁹ Ibid., Articles 55 and 56.

begin working as apprentices or through vocational training programs at 14.⁴²²⁰ Children younger than 16 may work in family businesses, as long as their work does not negatively affect their mental or physical health or interfere with school.⁴²²¹ This provision does not apply to hazardous work as defined by the Labor Code.⁴²²² The minimum age for hazardous work is 18 years, and the Ministry of Social Affairs has the authority to determine what jobs fall in this category.⁴²²³ The law restricts non-agricultural night work; children under 14 are prohibited from working between 8:00 p.m. and 8:00 a.m.; and children between 14 and 18 are prohibited from working between 10:00 p.m. and 6:00 a.m.⁴²²⁴ Children working in the agriculture industry must have fixed rest periods and cannot work between 10:00 p.m. and 5:00 a.m.⁴²²⁵ Workers in the non-agricultural sector under 18 years may not be paid less than 85 percent of the salary paid to adults.⁴²²⁶

Labor inspectors from the Ministry of Social Affairs are responsible for enforcing labor laws, including child labor laws.⁴²²⁷ According to reports received by the U.S. Department of State, overlapping responsibilities among various ministries, lack of resources, and cultural sensitivities sometimes limit the application of these laws.⁴²²⁸ The Ministry of Women's Affairs, Family, Children, and Senior Citizens, and the Ministry of Youth, Sports, and Physical Training are responsible for protecting children's rights, with a body of Child Protection Delegates answerable to the former and based in each governorate of the country.⁴²²⁹ Since the delegates were first established, the Ministry has increased resources, so that office equipment, staff and transportation are available to support the delegates' protective responsibilities.⁴²³⁰

Forced labor is prohibited under the law.⁴²³² as well as trafficking in persons.⁴²³³ Convicted traffickers may be sentenced to prison for 3 to 20 years and fines.⁴²³⁴ The law protects children

⁴²²⁰ Ibid., Article 53.

⁴²²¹ Ibid., Article 54.

⁴²²² ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Tunisia (ratification: 1995)*, [online] 2004 [cited October 19, 2006]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=15800&chapter=9&query=%28C138%2C+C182%2C+C95%29+%40ref+%2B+%28Tunisia%29+%40ref+%2B+%23YEAR%3E2000&highlight=&querytype=bool&context=0>.

⁴²²³ Government of Tunisia, *Code du travail*, Article 58.

⁴²²⁴ Ibid., Articles 65 and 66.

⁴²²⁵ Ibid., Article 74.

⁴²²⁶ ILO NATLEX National Labor Law Database, *Décret no 2003-1691 du 18 août 2003 fixant le salaire minimum interprofessionnel garanti dans les secteurs non agricoles régis par le Code du travail*, accessed September 8, 2006; available from http://www.ilo.org/dyn/natlex/natlex_browse.home.

⁴²²⁷ Government of Tunisia, *Code du travail*, Articles 170 and 171.

⁴²²⁸ U.S. Embassy-Tunisia, *reporting*, March 31, 2006.

⁴²²⁹ U.S. Department of State, "Country Reports- 2006: Tunisia," Section 5. See also Government of Tunisia, *Ministère des Affaires de la Femme, de la Famille, de l'Enfance et des Personnes Agées (MAFFEPA)*, [online] [cited March 23, 2007]; available from <http://www.ministeres.tn/html/ministeres/tutelle/femme.html>. See also U.S. Embassy-Tunisia, *reporting*, March 31, 2006.

⁴²³⁰ U.S. Embassy - Tunisia, *reporting*, April 4, 2006.

⁴²³² ILO NATLEX National Labor Law Database, *Loi no. 89-23 dy 27 février 1989 portant suppression de la peine des travaux forcés*, accessed June 4, 2007; available from http://www.ilo.org/dyn/natlex/natlex_browse.home.

⁴²³³ U.S. Department of State, "Country Reports- 2006: Tunisia," Section 6c.

⁴²³⁴ Ibid, Section 5.

less than 18 years from abuse and exploitation, including participation in wars or armed conflicts, prostitution, and hazardous labor conditions.⁴²³⁶ Tunisian law defines “threatened children” to include those who are at risk of sexual exploitation. The law clarifies that sexual exploitation includes prostitution or any other form of sexual deviation, including commercial sexual exploitation, that exploits the child.⁴²³⁷

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

Research has not identified any specific policies or programs by the Government of Tunisia to address exploitive child labor.

⁴²³⁶ Government of Tunisia, *Loi No. 95-92, 1995, Relative à la publication du Code de la protection de l'enfant*, (November 9, 1995), Articles 2, 3, 20, 25, 26; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>.

⁴²³⁷ U.S. Embassy - Tunisia, *reporting*, April 4, 2006.