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Consideration of reports of States parties

Replies of Tunisia to the list of issues in relation to its combined fourth to sixth periodic reports*

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Part I

Additional clarifications concerning some of the data contained in the report

Reply

Issue No. 1

(a) Steps taken to develop a comprehensive law on children's rights

1. Steps are currently being taken to amend the Child Protection Code so that it constitutes an integrated and comprehensive Code of children's rights that incorporates the concept of child victims, includes all dimensions of the fundamental rights of children, takes into account the Sustainable Development Goals and complies with constitutional and international norms.

In the same context, the Ministry of Justice is drafting a bill on child victims and witnesses (annex 1).

(b) Measures taken to review laws to ensure their compatibility with the Convention

2. In addition to the laws referred to in paragraphs 17 to 22 of the national report (CRC/C/TUN/4-6), in particular Organic Act No. 61 of 3 August 2016 on preventing and combating trafficking in persons and Organic Act No. 58 of 11 August 2017 on combating violence against women, which includes a number of provisions relating to children, the following laws have been enacted during the period since the submission of the aforementioned national report:

- Organic Act No. 18 of 6 June 2018 concerning the access by Tunisia to the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure;¹
- Organic Act No. 2 of 15 January 2018 concerning the accession by Tunisia to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention).²

3. Governmental Decree No. 1196 of 24 December 2019 established a committee in the Ministry responsible for human rights tasked with aligning human rights legislation with the provisions of the Constitution and international norms.³

4. A bill regulating nurseries and kindergartens has also been submitted.⁴ It aims to codify child custody by establishing a legal framework for home childcare services.

5. With a view to protecting children in cyberspace, a bill has been drafted on the issuance of an electronic communications code containing provisions aimed at protecting children from diverse attacks on the Internet or public telecommunications networks.⁵

¹ On acceding through the Organic Act, which was officially deposited on 14 December 2018, Tunisia became the first State in the Middle East and North Africa to accede to or ratify the Protocol among the 46 States that have ratified it to date.

² On acceding through the Organic Act, which was officially deposited on 15 October 2019 at the headquarters of the Council of Europe in Strasbourg, Tunisia became the first State apart from the 45 member States of the Council of Europe to accede to or ratify the Lanzarote Convention.

³ <https://legislation-securite.tn/ar/node/104703>.

⁴ Bill No. 59/2016 concerning the regulation of nurseries and kindergartens (on the website of the Assembly of the Representatives of the People): http://www.arp.tn/site/projet/AR/fiche_proj.jsp?cp=94554.

⁵ Bill No. 80/2019 concerning the issuance of the Digital Code (on the website of the Assembly of the Representatives of the People): http://www.arp.tn/site/projet/AR/fiche_proj.jsp?cp=10851.

(c) **Progress made in revising discriminatory provisions in the Personal Status Code of 1956 to ensure that girls have the same inheritance rights as male members of their family**

6. As the Constitution guarantees the equality of female and male citizens in terms of rights and duties, the Office of the President of the Republic submitted a legislative initiative based on a proposal by the Individual Freedoms and Equality Committee aimed at amending some provisions concerning inheritance in order to ensure that sisters and brothers are entitled to an equal share. It was submitted to the Assembly of the Representatives of the People for deliberation on 28 November 2018.

(d) **Measures taken to develop a comprehensive policy and strategy on children's rights to implement the Convention**

7. The Ministry for Women, the Family, Children and Older Persons developed an integrated public policy for the protection of children, as outlined in paragraphs 23 to 27 of the national report (CRC/C/TUN/4-6).

It also produced the national multi-sectoral development strategy for early childhood (2017-2025), which was drafted on the basis of a participatory and holistic approach and is designed to guarantee integrated and equitable care and development services for all children in Tunisia by the year 2025 by creating a unified, coordinated and functional framework for the purpose.

Issue No. 2

(a) **The mandate and activities of the Ministry for Women, the Family, Children and Older Persons relating to coordination in the area of children's rights**

8. In addition to the information contained in paragraphs 48 and 49 of the national report (CRC/C/TUN/4-6), Decree No. 2020 of 22 September 2003 and its supplementary provisions regulated the functions of the Ministry for Women, the Family and Children, which consisted primarily in the implementation of government policy in the aforementioned areas, giving special attention to women, families and children with special needs, undertaking research and studies, and developing partnerships with associations operating in its fields of competence.

Decree No. 4064 of 19 September 2013 concerning the organization of the Ministry was promulgated, in addition to amendments and supplementary texts, in particular Decree No. 4063 of 16 September 2013 and Governmental Decree No. 166 of 13 February 2018 concerning the establishment of regional commissions for women, family and children's affairs, and the regulation of their functions, administrative and financial organization and operating methods.

9. The Ministry is currently drafting a governmental decree aimed at reactivating the High Council for Children and equipping it with the mechanisms it requires to perform its duties, in particular the task of ensuring coordination among ministries, since it serves as a basic source of guidance for decision makers, responds to social challenges and developments, assesses State policies and national strategies pertaining to children, and ensures coordination between governmental and non-governmental stakeholders.

Three standing committees will be established with national and regional branches: a legislative committee, a committee for the care and protection of children and adolescents, and a committee for early childhood development.

(b) **Efforts to establish a comprehensive monitoring and accountability system on issues related to children**

10. Chapter VI of the Constitution provides for the establishment of five independent constitutional bodies, including bodies responsible for issues relating to children.

- **The Human Rights Commission:** It was created pursuant to Organic Act No. 51 of 29 October 2018 and is in the process of being established. It is tasked with monitoring, respecting, promoting and developing human rights, in accordance with

ratified international covenants, declarations and treaties. It will monitor their implementation and undertake investigations into all information it receives concerning human rights violations, whatever their nature and source may be.

The Council of the Commission is composed of nine members, including five members representing associations involved in the defence of human rights. One of the members must be a specialist in children's rights. The standing committees of the Commission also include a Committee on the Rights of the Child.

- The Commission for Sustainable Development and the Rights of Future Generations: It was established pursuant to Organic Act No. 60 of 9 July 2019 and is tasked with supporting participatory democracy in all matters related to its fields of competence. The Commission's Forum is composed of members of its Council, including a member representing the Observatory for Information, Training, Documentation and Studies for the Protection of the Rights of the Child, and a member representing associations that play an active role in the area of children's rights.

11. The following national bodies have also been established:

- **The National Authority for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment:** It was established pursuant to Organic Act No. 43 of 21 October 2013 and its mandate includes:
 - Receipt of notifications of possible cases of torture or cruel, inhuman or degrading treatment or punishment in places of detention, investigation thereof and referral of the cases, as appropriate, to the competent administrative or judicial authorities;
 - Undertaking regular and unannounced visits to places of detention, where persons are deprived or may be deprived of their liberty, including juvenile rehabilitation centres.

The Authority is composed of 16 members, one of whom must be a specialist in protection of children. The Authority has also created a number of sectoral committees within its membership, including the Committee for Women, Children, Persons with Disabilities and Vulnerable Groups.

- **The National Authority to Combat Trafficking in Persons** was established pursuant to Organic Act No. 61 of 3 August 2016 and is tasked with preventing and combating human trafficking under the supervision of the Ministry of Justice. Its definitions of human trafficking and slavery-like practices include the following: "use of a child in criminal activities or in an armed conflict"; "adoption of a child for the purpose of exploitation of any kind"; and "employment of children for economic or sexual exploitation". Its principal functions include:
 - Receipt of notifications concerning trafficking in persons and referral thereof to the competent judicial authorities;
 - Issuance of guidelines for the identification of victims of trafficking in persons, providing them with the necessary assistance and enabling all stakeholders to monitor and report cases of trafficking in persons;
 - Development of a national strategy aimed at preventing and combating trafficking in persons and proposal of procedures for its implementation.

12. With a view to promoting improvements in juvenile justice in Tunisia in cooperation with the European Union and the United Nations Children's Fund (UNICEF), an Office to Support the Juvenile Justice System, attached to the Ministry of Justice, was established by Governmental Decree No. 334 of 6 April 2018. The following are its principal functions:

- Bolstering coordination between the judicial bodies responsible for juveniles and the various parties involved in the juvenile justice system;
- Participation in the preparation of programmes and strategies aimed at improving the juvenile justice system;

- Supervision of the preparation, analysis and dissemination of periodic reports concerning juvenile justice;
- Participation in the drafting of legislation on children's rights;
- Assessment of the efficacy of the legislation concerning children;
- Monitoring of children in rehabilitation centres and juvenile inmates of penitentiary institutions;
- Assessment of the supervisory structures of the Ministry of Justice that are tasked with monitoring and addressing situations involving children;
- Participation in development of the media in the area of juvenile justice;
- Promotion of the development of a child rights culture.

(c) The State's budgeting process and budgets allocated to child-related issues

13. The Organic Act on the budget was amended on 13 February 2019 in line with the general budget reform programme, which was launched in 2004 and which focuses on a new budget management system based on the goals of utilizing human and material capacities in a more transparent and efficient manner, in accordance with medium-term programmes and objectives. The results are evaluated on the basis of objective indicators in order to assess performance with a view to identifying responsibility and accountability with respect to the use of resources and achievement of the established goals.

14. The budget of the education sector is distributed among the following three programmes that reflect public policies:

- The first programme: Primary education;
- The second programme: Intermediate and secondary education;
- The third programme: Leadership and support.

Each programme comprises a set of sub-programmes that reflect the strategic priorities for each major programme. Objective indicators were identified to assess the degree of achievement of the established goals.

The budget of the Ministry of Education for 2019 totalled 5,549,744 million dinars (D), compared with D 4,925,533 million for 2018, which represents an increase of D 624,211 million. It accounted for 4.3 per cent of the State budget for 2019.

15. The Ministry of Social Affairs intervenes, through institutions working in the area of social welfare, to support vulnerable and needy social groups, including children of diverse legal status.

The strategy of the social welfare programme comprises a number of pivotal goals, including the goal of social and economic integration of vulnerable groups, which focuses on the "social and economic integration of children" from the perspective of defence and social integration centres that work on behalf of the following categories:

- Children who drop out of school;
- Children who are at risk;
- Child offenders and those who have been released from educational reform centres;
- Adolescents and young people with relational difficulties and difficulties in social conformity.

Issue No. 3

(a) Measures taken to prevent child marriages

16. Organic Act No. 58 of 2017 on the elimination of violence against women abolished the possibility of marrying girls in the 13 to 18 age group on obtaining their consent and

thereby escaping any prosecution and punishment. Juvenile marriages are subject to the judge's discretion based on specific legal conditions.

(b) Measures taken to raise public awareness of the harmful consequences of child marriage

17. Many programmes are being implemented to raise public awareness of the importance of laws aimed at preventing child marriage and early pregnancy, as stated in paragraph 198 of the national report (CRC/C/TUN/4-6).

Issue No. 4

(a) Progress made in addressing the inequality, discrimination and disparities in children's access to public services

18. The Constitution of 2014 enshrines basic principles of equality and non-discrimination. Article 39 stipulates that: "Education shall be compulsory up to the age of 16 years. The State shall guarantee the right to free public education at all levels and shall allocate the resources required to achieve high-quality education, teaching and training."

Article 47 stipulates that: "Children shall be guaranteed by their parents and the State the right to dignity, health, care and education. The State shall provide all types of protection to all children without discrimination and in accordance with their best interests."

Article 48 stipulates that: "The State shall protect persons with disabilities from all forms of discrimination. All citizens with disabilities shall have the right to benefit, according to the nature of their disability, from all measures that guarantee their full integration into society [...]."

19. With a view to addressing differences in children's access to public services, especially care-related services, Organic Act No. 10 on the establishment of the Social Security Programme was promulgated on 30 January 2019. The Act aims to support poor and low-income groups by guaranteeing their right to a minimum income and to health benefits, by improving their living conditions and by ensuring that they have access to basic services such as health, education, vocational training, employment, housing and transport.

20. Children's vehicles, which exist in most of the Republic's governorates, including in rural areas, cater for a large number of children, and their primary task is to support children from low-income families. A total of 81 children's complexes have been established in the various governorates of the Republic, which host children on a daily basis. They specialize in providing services for children living with social difficulties. The centres also organize recreational and sports activities, hosting sponsored children during their free time and school holidays together with other club members from the neighbouring area.

During 2018 a total of 4,430 children benefited from the children's vehicle welfare services (clothes, lunches, tools for teachers, school monitoring and social pedagogy stimulation services).

21. **With a view to stimulating social pedagogy** and implementing the national multi-sectoral development strategy for early childhood (2017–2025), an early childhood development programme was launched in four governorates and was extended to all governorates of the Republic in 2019. The programme seeks to help needy families to meet the costs of registering their children in kindergartens and to cover monthly costs during the school year.

The number of children's mobile clubs was increased from 23 in 2017 to 27 in 2019 with a view to providing pedagogy stimulation services for children in remote and disadvantaged areas where it is difficult to build local children's clubs. Moreover, they are easy to dispatch and provide security for the diverse activities in the local children's clubs. The acquisition and equipment of two coaches for new mobile children's clubs was planned at a cost of D 1,540,000 for the year 2020, bringing the total number of mobile children's clubs to 29 in 2020. Preparations for 56 children's clubs have been planned at an estimated cost of D 5,400,000.

22. According to the statistics for recent years, there has been a remarkable increase in the number of students enrolled in (public and private) primary, intermediate and secondary educational establishments. The number of students totalled 2,288,667 during the last academic year (2018/19), compared with 2,232,352 in 2017/18. A total of 2,117,636 students were enrolled in public-sector establishments in 2018/19 and 171,031 in private-sector establishments (see annex 2).

(b) The impact of austerity on children's enjoyment of their rights

23. Tunisia has been experiencing economic difficulties that require major reforms to address their social impact. However, this has not prevented the authorities from giving priority to children by providing for a number of strategic decisions relating to the National Social Protection Platform bill, including the comprehensive children's allowance mentioned elsewhere in paragraph 22 of these replies, which constitutes a major step towards recognizing children's peremptory right to welfare and social security.

Budgetary allocations for child-related sectors have also increased (see paragraph 14 of this report, the answer to issue No. 15 and annexes 5, 6, 7 and 8).

Issue No. 5

(a) Integration of the best interests of the child into all matters concerning them

24. As noted in paragraphs 103 and 104 of the national report (CRC/C/TUN/4-6), the principle of "the best interests of the child" has been incorporated into many provisions of domestic legislation. The principle has also been incorporated into the State's public plans and policies, particularly those concerning children, and into the monitoring of budgets and resources. The jurisprudence of the Tunisian courts demonstrates that the best interests of the child customarily constitute the sole criterion to be taken into account in considering cases related to children. Such cases including the following:

- **Civil ruling No. 5233 of the Court of Cassation, dated 6 December 2017, concerning the criteria for granting guardianship:** The Court of Cassation concluded that: "A ruling in the interest of the ward requires that all dimensions of the guardianship, the ward's psychological and mental upbringing, and the environment in which he or she is raised should be taken into account. [...] This constitutes a fundamental criterion for the granting of guardianship." This reflects the established jurisprudence, inasmuch as the Court had previously ruled that "The ward's interests are the guiding principle and the sole criterion for determining visiting times and procedures. A cornerstone of the ward's interests consists in ensuring psychological and emotional balance and avoiding any combination of the mother's role involving tenderness and affection and the father's role as a vigilant and guiding authority in just one of the parents, since this may generate psychological disturbances in the child's upbringing and produce an unavoidable adverse impact in the future." (Civil ruling No. 25421 of the Court of Cassation, dated 23 April 2009).
- **Appeal Court decision No. 60442 of 2 July 2014 concerning adoption:** The Appeal Court ruled that the decision to revoke an adoption granted by the court of first instance in Tunis on 23 July 1985 was null and void, and that its entire outcome should be nullified, basing its arguments in particular on the following legal foundations: "Repudiation of the rights and interests of the adoptee" and undermining of the required "[...] stability of the personal and civil status of the adoptee render the revocation of adoption impermissible save in the event of a real and serious threat to the adoptee's personal and financial interests and rights." It should also be noted that this decision was based on the provisions of article 47 of the 2014 Constitution and was the first time that the new Constitution was invoked with respect to issues related to children's rights.
- **The judgment of first instance handed down by the district court in Tunis on 12 July 2018:** A district court in Tunis ruled on the validity of the adoption by a single girl of a 4-year-old girl of unknown parentage despite the requirement under the

Adoption Act of 1958 that adoptive parents should be married. The ruling was based on the best interests of the child, since the adoptee was in a poor state of health. One of her legs had been amputated and no family had offered to adopt her. Moreover, the adoptive student was willing to attend to the child's affairs, to look after her and to ensure that she had access to the health care required to treat her disability.

- **The judgment of first instance handed down by the district court in Ghardimaou on 27 February 2018:** The judgment, based on article 47 of the Constitution, rejected an application for adoption because it had not been proven that the child's best interests would be guaranteed.

25. In a related context, a Committee was established in 2013 to specify the procedures for determining best interests and for decision-making on the most appropriate long-term solutions for unaccompanied child migrants, refugees or asylum seekers. The Committee is composed of the Delegate General for Child Protection, representatives of UNICEF, the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR) and representatives of civil society.

The best interests determination procedure has been implemented in practice since 2013, but it is not a formal procedure. The Ministry for Women, the Family, Children and Older Persons therefore organized a workshop with the above-mentioned partners in January 2019 on formalization of the procedure for determining the best interests of the child. An additional goal was to enhance participants' technical capacity to identify the specific vulnerabilities and needs of unaccompanied child migrants, refugees or asylum seekers and to elaborate durable solutions. Governmental actors and representatives of international organizations and non-governmental organizations (NGOs) participated in the process.

(b) Child participation

26. With regard to the participation of children in judicial proceedings and having their voices heard, the Ministry of Justice, acting in accordance with the provisions of article 12 of the Child Protection Code, organized a meeting in May 2019, in partnership with the Council of Europe and as part of a project on appropriate justice for child victims of sexual assaults, that brought together stakeholders in the area of children's rights (judges, security personnel, child protection delegates, psychologists and social workers). It issued a number of recommendations concerning training courses on mechanisms and techniques for listening to child victims and witnesses, particularly on the National Institute of Child Health and Human Development Protocol (NICHHD) concerning communication with child victims of sexual assaults.

27. In response to the recommendations of the Committee on the Rights of the Child in 2010 concerning greater opportunities for children to express their views and participate in local affairs, and with a view to remedying the lack of provisions concerning municipal councils for children in Organic Act No. 29 of 9 May 2018 on the Local Government Code, the Observatory for children's rights took steps to develop and implement a national plan of action to create such councils. A Joint Committee was established to implement the plan of action. It was composed of representatives of the Ministry for Women, the Family, Children and Older Persons, the Ministry of Education, the Ministry of Local Affairs and the Environment, the National Federation of Tunisian Cities, and a number of civil society organizations.

28. As Tunisia is committed to implementing the goals of the 2030 Agenda for Sustainable Development, including Goal 11, which requires that cities and human settlements should be made inclusive, safe and sustainable, the Observatory for Information, Training, Documentation and Studies for the Protection of the Rights of the Child organized a national symposium in November 2018 on "Children's participation in local affairs" which was attended by various stakeholders in the area of children's rights.

The Observatory also organized a national symposium on "Children's rights and the Sustainable Development Goals" following the publication of the voluntary national report for 2019 on implementation of the 2030 Agenda for Sustainable Development.

29. The Ministry of Development, Investment and International Cooperation organized three regional workshops for children in Gafsa, El Kef and Monastir on the Sustainable Development Goals and children's expectations. The Ministry will create an online platform on the Sustainable Development Goals that will serve as a channel for engaging with stakeholders, including children, during the various stages of implementation, follow-up and monitoring.

Issue No. 6

(a) Specific measures taken to implement the provisions of Organic Act No. 58 of 2017 on combating violence against women

30. With regard to services and institutions, the Act established a National Observatory to Combat Violence against Women. A governmental decree regulating its administrative and financial organization and operating procedures is currently being drafted. The Ministry for Women, the Family, Children and Older Persons has published its annual report on violence against women and girls.

The Ministry of the Interior has established special units known as the "Central Squad for Addressing Crimes of Violence against Women and Children". The first unit forms part of the Judicial Police Division of the General Department of National Security, and the second forms part of the Judicial Affairs Division of the General Department of the National Guard. Regional teams have also been created in each National Security and National Guard region. The units are tasked with investigating all kinds of violent crimes perpetrated against women, children and families.

A model audiovisual procedure has been introduced for listening to child victims (preparation of a media system for dealing with complaints of violence against women and children, retrofitting, technical and logistical support, standard operating procedures, a code of conduct for personnel, etc.). It is used by central and regional teams tasked with addressing crimes of violence perpetrated against women and children, in cooperation with the United Nations Development Programme (UNDP).

A model security unit has also been created in Kasserine (a team tasked with investigating crimes of violence perpetrated against women and children) in cooperation with UNICEF, with a view to providing the authorities with an appropriate structure that complies with international standards and specifications concerning child reception and listening to children, while ensuring the provision of quality services.

In a related context, deputy prosecutors have been tasked with investigating cases involving violence against women at the level of every court of first instance, including military courts, and with investigating crimes of violence against women and children. In addition, rooms have been reserved in courts of first instance to receive and ensure proper care for women and child victims of violence by competent members of the judiciary (family judges, investigating judges and public prosecutors). Action is being taken to align such procedures with international standards and to ensure that the rights of women and child victims of violence are respected.

31. With a view to providing comprehensive protective services, the Ministry for Women, the Family, Children and Older Persons created a model governmental centre in 2016 to protect women victims of violence and the children accompanying them. It provides listening, counselling, accommodation, psychological, social, legal and training services. These services have been supported by the establishment of three listening and guidance centres and four shelters for women victims of violence in various regions of the country in partnership with civil society associations.

In February 2020, the availability of the 1899 hotline was extended so that it now operates on a 24/7 basis in order to receive reports of violence against children and women and refer them to the relevant institutions.

Partnership agreements were signed between the Ministry and associations so that the hotline could be accessed outside administrative working hours and during weekends

and holidays. The agreements also provide for the creation of an interactive platform for the documentation of data and sources concerning violence against women and children.

The Ministry of Education established a listening office in the Ministry and launched the toll-free hotline 80104500 to receive reports of cases involving all forms of violence (physical violence, sexual harassment, rape, etc.) and cases of violent extremism and hate speech with a view to protecting children and students from all forms of exploitation and persecution.

This service will enable the families of victims of student violence or the victims themselves (the students) to file complaints. Moreover, the duty to inform includes all persons who witnessed or inspected any violation perpetrated against a student victim. Psychological and social care is provided for all victims and legal protection is also provided.

32. A pilot project has been implemented with a view to creating joint mechanisms to support women and child victims of violence in Greater Tunis by means of cooperative action by the Ministry for Women, the Family, Children and Older Persons, the National Office for the Family and Population, and the United Nations Entity for Gender Equality and the Empowerment of Women. Sectoral protocols were signed in this context in late 2016 on behalf of leading ministries (responsible for women, social affairs, internal affairs, health and justice) with a view to establishing basic principles and procedures for supporting women and child victims of violence in every sector. Miniature guidebooks were produced to further clarify their content.

With a view to boosting coordination, a joint agreement was signed by the aforementioned ministries in January 2018.

33. With regard to the training of stakeholders, in addition to what was stated in paragraphs 147, 149 and 150 of the national report (CRC/C/TUN/4-6), numerous training courses have been conducted, including the following:

- A training course at the Higher Institute of the Judiciary on 19 and 20 February 2019, which was attended by more than 20 judges specializing in the area of violence against women;
- An in-service training session at the Higher Institute of the Judiciary on 20 February 2019, which was attended by more than a hundred judges specializing in various fields;
- A training course comprising three sessions (the first session lasted for four days, the second for three days and the third for five days), which were attended by 15 male and female judges. The aim was to assist them in training other participants in the judicial system, according to their fields of competence.

As part of the same project, a manual was prepared in French and Arabic on behalf of judges dealing with cases involving women victims of violence. It is currently being published and circulated to all judges.

In the same context, the Centre for Legal and Judicial Studies at the Ministry of Justice, in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Tunisia, organized two workshops on judicial applications and protection under criminal law for victims of violence. The workshops were attended by over 25 judges with competence in that area.

As a result all these training courses, the courts became more effective in dealing with cases involving violence against women, and a number of protective rulings concerning children were handed down. For example, a court affirmed that: "A collaborative reading of Act No. 58 of 2017 highlights the legislature's determination to give higher priority to the protection of victims. Thus, it affirms that the word 'victim' comprises women and children living in their homes who have suffered physical or moral damage. It also addresses the issue of children when dealing with cases of vulnerability, that is to say cases of fragility related to youthfulness, or when it explicitly mentions the term 'child'. It also expands the term 'violence' to include physical, moral, sexual and

economic violence.” This is a ruling handed down by the Family Judge of the Court of First Instance of Grombalia in case No. 905 of 26 June 2018.

The Ministry of the Interior organized training courses at the National Training School for National Security Personnel and the National Police and the National Guard Training School in 2018. A total of 380 officers and assistants benefited from the two Schools’ specialized police and National Guard teams, with the support of the UNICEF office in Tunisia, in the southern and coastal governorates.

The capacities of the specialized teams in terms of reception and listening techniques for victims and investigation techniques for this category of crime were developed by organizing awareness-raising and study days.

In addition, 27 regional components of the Ministry of Social Affairs benefited from field training courses. A training programme was organized, in cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women, on behalf of 80 social actors and 60 social workers.

34. With regard to awareness-raising, the Ministry for Women, the Family, Children and Older Persons organized workshops for children to familiarize them with the Lanzarote Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. It also prepared a simplified version of the Convention in the local Tunisian dialect on behalf of children. A participatory approach was adopted through four separate workshops based on the children’s age. In addition, brochures containing the hotline number and the phone numbers of child protection delegates were distributed so that they could be contacted in the event that children were subjected to abuse.

Awareness-raising campaigns and sessions were organized in defence and social integration centres, primarily for children receiving care, on the risks and consequences of violent acts.

35. With regard to indicators, the national strategy for compiling data concerning gender-based violence was prepared, in cooperation with the Centre for Research, Studies, Documentation and Information on Women (CREDIF), in order to provide indicators for leading sectors, including the social advancement sector. With that end in view, model statistical tables were developed to monitor the activity of social advancement structures in the area of care and support for victims of violence, especially women and children. Periodic reports are produced containing statistical data on the types of violence to which children and targeted age groups are subjected, the sources of such violence, and tables listing the support services provided for victims of violence.

(b) Measures taken to encourage child victims to report instances of violence, abuse and neglect

36. Children who are victims of violence can submit communications to child protection delegates in all governorates of the Republic. Communications can be submitted directly or by mail or email without revealing the identity of the author.

The units responsible for investigating violent crimes against women and children also accept communications, investigate them, and refer them to the competent judicial authorities.

Family judges accept notifications received directly from children and citizens or from State institutions concerning any situation in which children or women have been subjected to violence.

Issue No. 7

(a) How child victims of all forms of violence, abuse and neglect are provided with remedies and support, including rehabilitation and social reintegration

37. Child protection delegates provide support for child victims of violence, abuse and neglect:

- By accepting communications concerning situations in which children are at risk;

- By conducting investigations and inquiries.

They then determine the appropriate procedure by taking the following preventive and protective measures, depending on the child's situation:

- Submission of a request for medical and psychological tests;
- Submission of a request for social research;
- Referral of the situations of child victims of violence, abuse and neglect to a family judge;
- Maintenance of the child with his or her family, while requiring the parents to take the necessary measures to remove the risks faced by the child within specific periods of time and subject to periodic supervision by the family judge;
- Organization of appropriate social intervention procedures, in cooperation with the institutions tasked with providing the necessary services and social assistance for the child and his or her family;
- Temporary placement of the child with a family, or with any other appropriate public or private social or educational body or institution, and, if necessary, referral to a hospital;
- Submission of a request for protection to the family judge in cases of domestic violence;
- Adoption of urgent measures in cases of neglect and homelessness so that the child may be accommodated in a childcare institution;
- Urgent action to remove the child from a place in which he or she is at serious risk.

Child protection delegates periodically monitor the status of children who have been referred to them for support and decide, when necessary, to review their situation. Under such circumstances, the delegate refers the child for psychological, social and educational monitoring, in coordination with the competent authorities.

The integration centres for juveniles and children admit and look after child victims of neglect, violence and abuse referred to them by the family judge. There are currently 22 integration centres for juveniles and children in 17 governorates. The centres provide educational, psychological, social and health-care support and monitoring services. They also provide socio-educational training services in a manner that takes into account their best interests and guarantees their rights.

38. The emergency social care programme is a new mechanism developed as part of a plan to provide assistance for social cases involving children who live in public spaces and lack family and material support, just like children who are exposed to various forms of economic and social exploitation. A mobile team has been created that operates outside normal working hours (from 7 p.m. until 5 a.m.) and during holidays (full time) in order to provide relief services and social, medical and psychological assistance.

39. During the first six months of 2019, a total of 395 children were provided with support in various defence and social integration centres.

(b) The status of the draft law on child victims of crime (see annex 1)

Issue No. 8

(a) Family support services and programmes to reduce poverty

40. The Ministry for Women, the Family, Children and Older Persons has been implementing since 2013 an economic empowerment programme for poor and low-income families in priority administrative districts in order to provide them with funds to set up small-scale projects and to support them in a manner that enables them to escape from the poverty cycle through integrated and participatory interventions.

Since 2017, the programme has provided support for both female and male heads of household. A total of 973 families (808 women and 165 men) have benefited from funds estimated at D 3,615 million.

A social safety programme was launched, which aims to amend the State's social interventions in a manner that benefits needy and low-income families and to update their records.

In the context of action to combat terrorism and extremism and to counteract the causes of poverty, projects were approved on behalf of 430 families in 16 governorates.

41. As part of its policy aimed at providing assistance to male and female military officers and generating social and psychological awareness in their families, the Ministry of National Defence has taken steps to render health services more accessible to military personnel and other beneficiaries by extending the coverage of military health institutions to the entire Republic, especially inland and border areas. Numerous measures have been implemented on behalf of women military officers in the field of military health services. For instance, free treatment is available for female officers and their husbands and children on the same conditions as for male military personnel. In addition, regular or conditional benefits are disbursed to male and/or female military personnel, especially junior officers and those with limited income, within the framework of the military establishment's social programmes.

42. The special and regional development programmes constitute means of intervention that support and complement sectoral projects aimed at bolstering the components of national development in priority regions and districts. The programmes are as follows:

- The regional development programme, pursuant to which about 2,150 kilometres of roads and highways were built between 2016 and 2019, public lighting was provided for 1,560 residential communities in non-urban areas, almost 32,000 families were supplied with safe drinking water in urban and rural areas, about 3,000 families were provided with household lighting, and 7,000 homes of needy and low-income families were refurbished.
- The special programme for the development of border areas, which provides for the implementation of local development projects that guarantee improved living conditions in eight governorates (El-Kef, Jendouba, Kasserine, Gafsa, Tozeur, Kebili, Medenine and Tataouine) comprising 20 border districts. Key achievements during the period from 2016 to 2018 included the refurbishment of 216 homes, the creation and promotion of employment in minor occupations on behalf of 255 beneficiaries, and the creation and promotion of employment in the agricultural sector on behalf of 1,889 beneficiaries.
- Key achievements of the integrated development programme up to 2019 were: the building of 493.9 kilometres of rural highways; completion of a 53-kilometer waste water drainage network; installation of 3,052 public lighting points; provision of electric light for 148 families; ensuring access to safe drinking water for 4,143 rural families; construction of 30 basic health-care centres; and launching of 3,664 individual projects leading to the creation of 8,311 jobs.

(b) Progress made in strengthening family-based alternative care

43. In addition to what was stated in paragraphs 34 and 53 of the national report (CRC/C/TUN/4-6), the Ministry for Women, the Family, Children and Older Persons increased the family placement allowance for children in alternative care with their extended family or foster families from D 150 per month per child to D 200 per month, pursuant to a decision adopted by the Minister on 19 November 2019 to amend the decision of 11 March 2015 specifying the amount of the allowance for children benefiting from the family placement programme.

Reference should also be made to the decision by the Minister of Social Affairs on 30 January 2020 to amend the decision of 19 March 2003 concerning the allowances granted to foster families under the family placement programme.

(c) Efforts to facilitate the full inclusion of children into society

44. The integration centres that are located in most governorates of the Republic are required to look after children who are neglected and lack family support and must help them to integrate into society. They also serve as shelters for children facing threats, providing them with care and education until the threat has been eliminated under the residential or semi-residential system and the family placement programme.

45. The Ministry of Education launched a programme in 2004 to integrate children with disabilities and learning difficulties and gifted children into educational institutions under a national plan for the integration of children into schools and the education system. The work focused on preparing and equipping educational institutions in order to render them inclusive, providing training courses for all participants in the programme (inspectors, integrated school managers, teachers, pedagogical assistants, etc.) and establishing training units for the purpose. Steps were also taken to obtain external pedagogical and educational support and to involve parents in implementing the educational project.

46. All foreign children are also enrolled in Tunisian educational establishments and exercise their right to education. The number of foreign children of diverse nationalities enrolled in public educational establishments during the 2018/19 academic year increased to 1,918 students at the primary, intermediate and secondary levels. A further increase is likely to result from the continued influx of foreigners from countries experiencing turmoil and from the legal and procedural facilities approved by the Tunisian authorities on behalf of foreigners, such as access to educational institutions, provision of assistance, and simplification of administrative procedures.

47. The number of Tunisian children studying abroad during the 2018/19 academic year at the primary, intermediate and secondary levels totalled 23,316.

Issue No. 9**(a) Measures taken to address child poverty, including in rural areas**

48. According to statistical data, the poverty rate among children in 2016 (21.1 per cent) was about twice the poverty rate among older persons (12.8 per cent) because a large proportion of children belong to the poorest families. The Ministry of Social Affairs is taking steps, in cooperation with UNICEF and the World Bank, to establish a national platform for social protection based on four fundamental protective safeguards, including the guarantee of a comprehensive monthly allowance for all children, especially those from poor and low-income families (see paragraphs 40 and 41 of the replies).

(b) Measures taken to make quality health services available and accessible to all children throughout the State party

49. We wish to draw attention in this connection to paragraphs 184, 186, 194 and 195 of the national report (CRC/C/TUN/4-6).

(c) Implementation of the national strategy to reduce maternal mortality

50. The Tunisian governorates have included the goal of “improving maternal and child health” among their priorities through the national programme for maternal and infant health that aims to reduce maternal and infant mortality and disease.

The action taken in this regard focuses on supporting the reproductive health policy with a view to ensuring balanced demographic growth in line with the future national population policy plan by continuing to respond to requests in the area of family planning.

We draw your attention in this connection to paragraphs 188 to 193 of the national report (CRC/C/TUN/4-6).

51. The Ministry of Health has taken the following action:

- Support for the authorities in detecting cases of diabetes and urinary sepsis among about 180,000 pregnant women;

- Support for the authorities in providing preventive medicines for persons who are most vulnerable to anaemia, including pregnant and lactating women;
- Creation of eight teams tasked with performing difficult deliveries based on the high-fidelity simulation procedure;
- Provision of specialist medical treatment for entities that complain of a shortage of competent human resources;
- Continuous targeting of areas with low coverage rates for maternal and infant health services, and assessment of the quality of services in obstetric departments in order to identify the main shortcomings;

Continuous monitoring and assessment of maternal mortality by means of a monitoring system in order to study the causes and take measures to prevent further mortality.

According to the pregnancy monitoring index, monitoring occurred at least once during pregnancy in 95.3 per cent of cases, of which 80 per cent were in public health-care institutions. According to the index, the rate for pregnancy monitoring on four occasions reached 84.1 per cent. The rate for medically assisted childbirth was 99.5 per cent and the postnatal visit rate was 42 per cent. Women used contraceptives in 51 per cent of cases. The maternal mortality rate was 30 per 100,000 live births.

With a view to reducing maternal and infant mortality rates and improving the quality of childbirth services, a number of training manuals and guidelines have been updated, training courses have been organized for doctors and midwives, and examinations have been arranged for early detection of risk factors in pregnant women.

Issue No. 10

(a) Steps taken to make available quality and accessible education in rural areas

52. The coverage ratio for the preschool year was 52.1 per cent and the enrolment rate was 88 per cent during the 2018/19 academic year. The rate is increasing in response to action taken by the Ministry of Education to generalize the preschool year, to develop the requisite services, and to implement awareness-raising programmes for parents on the importance of this stage in enhancing pupils' performance and improving the cost-effectiveness of teaching and learning.

The enrolment rate at the primary level for children in the 6 to 11 age group stood at 99.2 per cent in 2018/19, without any distinction between boys and girls. The average class density at the primary level declined to 23.9 pupils and the average number of pupils per teacher was 18.2. It should be noted that most primary schools in the inland regions record class density rates that are below the national average (see annex 4).

Efforts have focused on developing the school map and upgrading it to ensure that educational services are provided to all students, regardless of their location. The number of public educational establishments at diverse levels throughout the territory of the Republic totalled 6,099 during the 2018/19 academic year.

In addition, steps have been taken to mobilize all available material and human resources and capacities in order to guarantee equal access to high-quality educational services, given the growing number of beneficiaries of education and the improvement in all indicators of pedagogical well-being (average class density, average number of pupils per teacher, average number of teachers per inspector, and review of the official curricula).

(b) Progress made in preventing school dropout and repetition

53. In addition to the information provided in paragraphs 206 to 212 of the national report (CRC/C/TUN/4-6), it should be noted that the Strategic Plan for the Education Sector (2016–2020) includes the following objective: “Addressing school failure”.

The Ministry of Education took steps to establish the second opportunity system in coordination with the Ministry of Vocational Training and Employment and the Ministry of

Social Affairs, with the support of its financial and technical partners, and in partnership with civil society organizations.

54. The Ministry of Education, the Ministry of Social Affairs and the Ministry of Health, acting in conjunction with the International Cooperation Programme in Tunisia and in cooperation with UNICEF, launched a four-dimensional pilot programme to address school dropout and repetition (M4D) in 2019. It aims to ensure that educational procedures and institutions focus on reducing the phenomena of school dropout and repetition. The programme is composed of the following dimensions:

- A school attendance and support mechanism whereby students are offered educational assistance individually or as members of a small group of students;
- Establishment of 20 offices tasked with listening and offering support within educational institutions and providing early and individual counselling to students who have difficulties in adjusting to the school setting;
- Establishment of nine offices as model centres offering support to students;
- Remedial education: a mechanism that provides individual pedagogical support in educational institutions for children who return to school after a relatively long break in order to assist them in catching up with their classmates.

55. The Ministry of Education has also improved and developed the educational system (curricula, content, services provided, etc.) by the following means:

- Reviewing and updating approved curricula;
- Taking action to improve students' performance;
- Improving study and working conditions, upgrading technical equipment, taking greater care of schools and enriching school life.

(c) Measures taken to implement the plan to promote high-quality preschool education

56. Action has focused on universalizing the preschool year, especially in rural areas and low-income neighbourhoods with high population density, where it is difficult or impossible for the sector to operate. The number of schools with preschool departments totalled 2,386 during the 2018/19 academic year, compared to 2,370 in 2017/18.

There are 1,473 schools with preschool classes in rural areas. The number of enrolled children totalled 58,597, of whom 48.7 per cent were girls.

57. The following are some of the measures taken to develop preschool education:

- Continuous efforts to universalize the preschool year in line with the Strategic Plan for the Education Sector (2016-2020);
- Continuous action to create new facilities for the preschool year; provision was made under the 2019 budget for the construction and equipment of 120 facilities;
- Production of engineering and accommodation guidelines for preschool department facilities;
- Establishment of three pilot preschool education centres containing high-standard facilities in terms of equipment, teaching aids, accommodation and divisions;
- Creation of six training units for the benefit of student inspectors with a view to improving the quality of their training. The units focus on the organization of facilities, linguistic activities, sports, arousal and psychomotor activities, manual activities, and project approach procedures;
- Planning of training courses for teaching assistants in primary schools on the organization of preschool department facilitators by introducing training units that are specially designed for the purpose;
- Planning of theoretical and on-site training courses for preschool department facilitators in the public sector on the "preschool year curriculum", during which the

trainees receive instruction in methods of teaching and interacting with pupils in the 5 to 6 age group and appropriate educational approaches;

- Production of reference documents for teaching in preschool departments: the frame of reference for professional skills of preschool year teachers; the preschool year curriculum, and an in-service training manual for preschool department teachers;
- Preparation of special programmes aimed at developing children's ability to communicate orally, developing their sensory, psychological and motor abilities, encouraging sound body awareness, and preparing them for social and school life.

58. The Ministry for Women, the Family, Children and Older Persons has taken steps to provide remedies for children who lack support for their right to enrol in high-quality preschool education and to assist their families in taking proper care of them. Funds for the programme were allocated to regional commissions with a view to providing kindergartens for about 2,000 children from needy families in eight governorates (El Kef, Sidi Bouzid, Jendouba, Siliana, Kairouan, Zaghouan, Kasserine and Beja).

The Ministry expanded the programme in the 2018/19 academic year to cover all governorates, in accordance with the principle of equality of opportunity. The funds allocated to programmes were increased and expanded to include the public sector.

The objectives of the programme are:

- To increase the coverage rate for governorates in a weak position;
- To support and provide remedies for children who lack support for their right to enrol in high-quality preschool education and to assist their families in taking proper care of them;
- To provide financial support for private preschool educational establishments located in rural and priority inland areas, where there is inadequate child enrolment, in order to guarantee their continuity by providing them with a stable income;
- To promote the creation of preschool education establishments and continuous employment opportunities for the beneficiaries of the programme.

59. The Ministry succeeded in creating and equipping 13 municipal kindergartens, raising the total number to 42, in the context of material support for preschool educational establishments located in rural and inland areas, in which the number of enrolled children is low. Work was also completed on 50 early childhood facilities, which were established by public-sector childhood institutions run by the Ministry, in order to guarantee the right of all children to benefit from preschool education services in the inland regions.

60. In addition, two reference centres for early childhood development were established in Tunis and Kairouan. The project has three components: a model kindergarten, a training and retraining facility; and a training facility for parents.

The Ministry plans to invest, by means of a pioneering programme for university graduates, in creating preschool education establishments, promoting the creation of regional job opportunities, and supporting beneficiaries, either through employment sites or support for equipment.

Issue No. 11

(a) Measures taken to protect refugee and migrant children and their families

61. In addition to what was stated in paragraphs 229 and 231 of the national report (CRC/C/TUN/4-6), the relevant governmental institutions are endeavouring, in coordination with international organizations and civil society associations, to provide the necessary support for foreign children in Tunisia (refugees, asylum seekers, migrants, stateless persons, etc.) and to prevent their subjection to any kind of threat that could damage their moral or physical integrity, through a number of mechanisms aimed at providing the appropriate conditions and proper upbringing for children, irrespective of their origin.

62. Children of refugees and migrants in Tunisia enjoy, in accordance with international treaties that have been ratified, all the services provided to Tunisian children through the various public structures operating in child-related areas (the Ministry of Justice, the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Social Affairs, the Ministry for Women, the Family, Children and Older Persons, the Ministry of Health, the Ministry of Education, the Ministry of Youth and Sports, etc.), in coordination with relevant international organizations, such as UNHCR and IOM.

63. With regard to preventive health care, mandatory vaccinations for children of vaccination age are undertaken in accordance with the national vaccination calendar and international health regulations. The same approach is adopted for the care and treatment of Tunisian citizens suffering from other illnesses.

64. With regard to the measures taken to protect refugee and migrant children and their families and to provide them with the necessary services, including those arriving across the Tunisian-Libyan border, the Tunisian State has developed, in cooperation with United Nations bodies, the “Joint Tunisian and United Nations emergency plan in the event of a mass influx into Tunisia from Libyan territory”. One of its main objectives is to protect and assist migrant children by regulating the procedures for their reception, security surveillance, registration and temporary accommodation under the best possible conditions.

With a view to implementing the plan, the competent Tunisian and international structures were specified, and tasks and levels of intervention were assigned. A Social Protection Committee run by the Ministry of Social Affairs was tasked with implementing a sectoral plan for providing migrants with psychological assistance and social services. The Ministry for Women, the Family, Children and Older Persons, acting in coordination with the relevant structures, also provides psychological, educational and recreational support services for migrant children in partnership with civil society. The various sectoral committees took steps to regulate their needs and specified action lines for their involvement.

(b) Measures taken to implement the Act on preventing and combating trafficking in persons of 2016

65. Organic Act No. 61 of 2016 provided for the creation of the National Authority to Combat Trafficking in Persons under the supervision of the Ministry of Justice. It was activated by Governmental Decree No. 219 of 2017 and was provided with headquarters in January 2018. The Authority drafted a governmental decree concerning its organization and operating procedures.

66. It also developed a national strategy to prevent and combat trafficking in persons and procedures for its implementation during the period from 2018 to 2023. It comprises four core lines of action:

- Prevention, which comprises an overview of procedures for achieving the strategic goals, particularly the formulation of comprehensive policies to prevent human trafficking through effective enforcement of legal provisions, alignment of legislation, assessment of the facts, action to address the causes of the phenomenon and to generate social awareness of its obvious gravity, support for research and studies, and promotion of training and capacity-building;
- Protective action, which focuses on procedures for identifying victims and providing them with health care and social and legal support based on relevant guidelines;
- Prosecution, which focuses on ensuring effective deterrence of the crime of human trafficking by promoting specialized law enforcement agencies and protecting the rights of victims and witnesses during judicial proceedings;
- Partnership and cooperation at the national and international levels, focusing on periodic assessment and monitoring procedures.

67. The National Authority to Combat Trafficking in Persons established a Committee composed of representatives of diverse ministries to review the appropriateness of legal texts concerning the exploitation of children, since the Authority found through its activities

and the information it compiles that approximately 75 per cent of cases of human trafficking involve the exploitation of children, especially economic exploitation through begging and domestic work. Furthermore, the regulatory legal framework for combating child exploitation is inconsistent, creating difficulties at the level of intervention to provide protection and support and in terms of the legal definition of the offence.

68. The Authority drafted a governmental decree regulating the methods and conditions for supporting victims of human trafficking, particularly the issue of treatment free of charge. It also participated in the amendment of Governmental Decree No. 1061 of 26 September 2017 concerning consular tariffs applicable to foreigners whose authorized period of residence in Tunisian territory has expired.

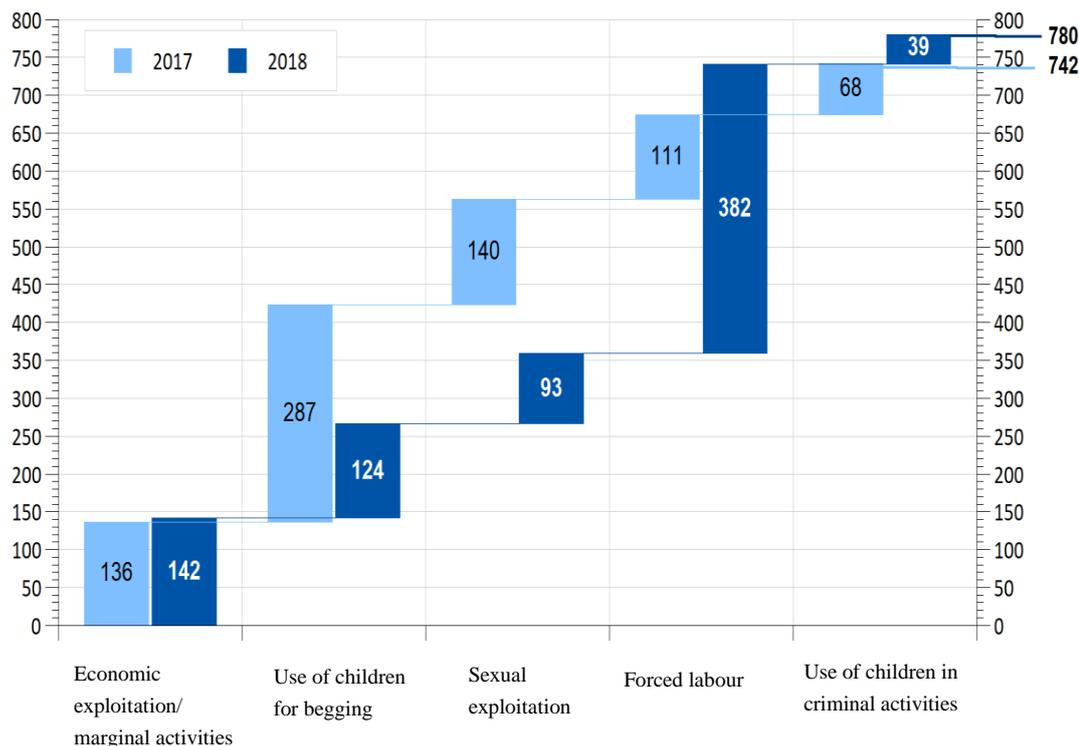
69. With a view to building the capacities of various stakeholders with the support of international organizations, or in cooperation and coordination with some of the competent ministries, the Authority organized numerous educational and training activities for judges, prosecutors, the internal security forces, staff of the Ministry of Social Affairs, the Ministry for Women, the Family, Children and Older Persons, the Ministry of Religious Affairs and the Ministry of Health, and university professors.

70. With a view to raising public awareness, Tunisia joined the Blue Heart Campaign against Human Trafficking and held an international symposium on the subject on 30 July 2019. It also signed two agreements with the media in order to generate awareness of the phenomenon of trafficking.

71. In addition, the Authority consolidated its partnership with a number of international organizations, such as IOM and the United Nations Office on Drugs and Crime (UNODC), and with regional organizations such as the Council of Europe. Cooperation agreements were also concluded with civil society organizations, such as Terre d’Asile Tunisie, the American Bar Association, the American Judges Association, Lawyers without Borders, the National Bar Association, the Tunisian Rehabilitation Institute (NEBRAS) and the Amal Association for the Family and Child.

72. With regard to statistics on trafficking in persons, the number of children who were used in criminal activities and subjected to economic exploitation declined in 2018 compared to 2017 as shown in the following table:

Recorded cases of trafficking in persons broken down by category: figures for 2017 and 2018



The decline was attributable to joint action by the National Authority and all other stakeholders to combat the phenomenon of child exploitation, especially for begging. The recorded rates for victims of economic exploitation in marginal activities and forced labour do not necessarily reflect an increase in their number. They are also due to the increase in reported cases and cases of victim self-identification, and to the development of a data-processing system following the establishment of the Authority.

(c) Plans to establish specialized reception facilities for child victims of trafficking in human beings

73. With regard to the care provided for victims, especially children, social welfare centres run by the Ministry of Social Affairs deal with cases of children who are referred to them, providing temporary residence, care and counselling services for victims, and catering for their basic needs under the social aid system.

Victims of trafficking in persons are accommodated in social care centres for children if they are less than 18 years of age. The Ministry of Social Affairs has established 20 social care centres for children in Tunis and Sidi Bouzid, which provide support for all children at risk.

74. A Hope Centre has been created to receive and provide counselling for child victims of trafficking and children living in the streets. The Centre offers temporary support and seeks to reintegrate the children into their families or extended families or, if this is not possible, to accommodate them in an institution that specializes in providing support and promoting reintegration.

A partnership agreement on running the Centre was signed with the Wallah We Can association and, in the same context, a legal framework is currently being developed to regulate reception and counselling centres for children in situations of this kind.

Issue No. 12

(a) Efforts to eliminate child labour, especially in domestic and agricultural work, and the worst forms of child labour, including begging

75. In line with what was stated in paragraphs 240 and 241 of the national report (CRC/C/TUN/4-6), Tunisian legislation regulates child labour in order to afford protection for the children concerned. The legislation is based on the principles enshrined in international labour standards aimed at protecting children in the workplace.

Article 20 of Organic Act No. 58 of 2017 on combating violence against women prohibits the employment of children, either directly or indirectly, in domestic work and mediation activities in that regard, and provides for the prosecution of perpetrators.

In addition, article 1 of Organic Act No. 61 of 2017 on preventing and combating trafficking in persons prohibits all forms of exploitation to which persons, especially women and children, may be exposed, and provides for action to prevent trafficking, the prosecution of perpetrators, and the provision of protection and assistance to victims.

76. In the context of action to implement the National Plan to Combat Child Labour (2015–2020) and in light of the national survey on the phenomenon of child labour conducted by the National Institute of Statistics in cooperation with the International Labour Organization (ILO), a report on action to develop and support cooperation between various stakeholders was prepared in 2018 within the framework of the PROTECT project.

With that end in view, two training workshops were organized in September 2019 in the governorates of Sfax and Jendouba for the benefit of staff of the Ministry of Social Affairs, the Ministry for Women, the Family, Children and Older Persons and representatives of the Tunisian General Labour Union and the Tunisian Union of Industry, Trade and Handicrafts. The workshops focused on how to address the worst forms of child labour, procedures to enhance participants' qualifications and achievements, the key roles and responsibilities entrusted to each party, and promotion of awareness-raising campaigns in the area of combating child labour.

A guidebook was prepared on legislation concerning child labour. It is based on four main themes: promotion of research on the phenomenon of child labour; activation of prevention and protection procedures; the strategies to be adopted to combat child labour; and creation of an integrated and participatory framework comprising the various structures involved in addressing the issue. The guidebook is intended primarily for focal points in relevant institutions, such as labour inspectors, physicians responsible for labour inspection, social workers, child protection delegates, judicial police officers and representatives of social actors.

77. With regard to monitoring mechanisms, several bodies are tasked with monitoring compliance with provisions governing child labour, for instance professional labour inspectors, physicians responsible for labour inspections, and child protection delegates who intervene in situations that pose a threat to children's health or to their physical or moral integrity. Police officers and the National Guard are also authorized to investigate violations of the Labour Code and to issue reports thereon, including on child labour.

(b) Measures taken to develop a juvenile justice system in line with the Convention

78. In line with what was stated in paragraphs 40 to 43 of the national report (CRC/C/TUN/4-6), the Office to Support the Juvenile Justice System was established in the Ministry of Justice to promote coordination between juvenile justice bodies and the various parties involved in the juvenile justice system, to monitor the conditions of juveniles in correctional centres and to support their integration.

(c) Measures taken to revise the Counter-Terrorism Act of 2015 to ensure that children cannot be charged thereunder

79. In view of the specific nature of the crime of terrorism and its impact on national security, the possibility of taking legal action against a child in that context was not ruled out. However, with a view to providing more safeguards for the children concerned, and following the amendment of Act No. 26 of 2015 by Organic Act No. 9 of 23 January 2019, it was decided that children should be adjudicated by a juvenile judge pursuant to article 40 of the Counter-Terrorism Act so that the provisions governing child offenders under the Child Protection Code would be applied in light of their specific status. It should be noted that only five children (four boys and one girl) have been involved in such cases and that they have all been placed in correctional centres. Furthermore, no special measures are applicable to child offenders involved in terrorist cases. They are treated in the same way as other children in the correctional centres, in accordance with the Child Protection Code and the internal regulations of the centres.

Issue No. 13

(a) Measures taken to implement the Committee's previous recommendations on the Optional Protocol on the involvement of children in armed conflict

80. A report on the Optional Protocol to the Convention on the involvement of children in armed conflict was attached to the national report (CRC/C/TUN/4-6).

(b) Measures taken to repatriate Tunisian children who are involved in armed conflicts ("foreign fighters") and to rehabilitate and reintegrate the returnees

81. Tunisia has been endeavouring since 2017 to repatriate children trapped in hotbeds of tension, especially in Libya. In February 2019, a multidisciplinary team sought to retrieve six children who lacked support in order to determine their identities and contact their extended families to secure a hospitable environment with a view to their rehabilitation, reintegration and access to support.

The children were retrieved and accommodated in a Hope Centre together with a child educator following the adoption of urgent measures by the child protection delegate in Tunis that were endorsed by the family judge at the Court of First Instance in Tunis.

They were provided with medical care, and family judges took the necessary steps, according to their territorial jurisdiction, to issue judicial decisions concerning the

placement of each child in foster care after requesting the necessary social research to determine the most appropriate circumstances in each case.

Child protection delegates in the governorates to which the families of the six children belong are tasked with conducting tests aimed at determining their level of education in coordination with regional educational delegates. In addition, psychological and social support is provided to the children and their families on a regular basis, and their needs are determined according to the situation of each family.

Part II

(a) New laws

82. The following laws have been enacted since the submission of the national report:

- Organic Act No. 60 of 9 July 2019 concerning the Commission for Sustainable Development and the Rights of Future Generations;⁶
- Organic Act No. 15 of 2019 concerning the budget;⁷
- Organic Act No. 9 of 2019⁸ amending Organic Act No. 26 of 2015 on combating terrorism and preventing money-laundering;⁹
- Organic Act No. 51 of 2018 concerning the Human Rights Commission;¹⁰
- Organic Act No. 50 of 2018 on the elimination of all forms of racial discrimination;¹¹
- Organic Act No. 47 of 2018 on common provisions for independent constitutional bodies;¹²
- Organic Act No. 29 of 2018 on the Local Government Code.¹³
- Bills

83. We wish to draw attention to the content of paragraph 22 of the national report (CRC/C/TUN/4-6) and to the following:

- Bill concerning child victims and witnesses (see paragraph 1 of these replies).

(b) New institutions

84. Steps are currently being taken to update the constitutional bodies mentioned in paragraph 11 of these replies so that they meet the requirements of the relevant organic acts.

⁶ Organic Act No. 60 of 9 July 2019:

http://www.legislation.tn/detailtexte/Loi-num-2019-60-du-09-07-2019-jort-2019-059__2019059000601.

⁷ Organic Act No. 15 of 13 February 2019 concerning the budget:

http://www.legislation.tn/detailtexte/Loi-num-2019-15-du-13-02-2019-jort-2019-015__2019015000151.

⁸ Organic Act No. 9 of 23 January 2019 amending and expanding Organic Act No. 26 of 7 August 2015 on combating terrorism and preventing money-laundering

http://www.legislation.tn/009-2019-jort---du-9-2019-num-Loi/detailtexte_2019009000091.

⁹ Organic Act No. 26 of 7 August 2015 on combating terrorism and preventing money-laundering
http://www.legislation.tn/detailtexte/Loi-num-2015-26-du-07-08-2015-jort-2015-063__2015063000261.

¹⁰ Organic Act No. 51 of 29 October 2018 concerning the Human Rights Commission

http://www.legislation.tn/detailtexte/Loi-num-2018-51-du-29-10-2018-jort-2018-089__2018089000511.

¹¹ Organic Act No. 50 of 23 October 2018 on the elimination of all forms of racial discrimination

http://www.legislation.tn/detailtexte/Loi-num-2018-51-du-23-10-2018-jort-2018-086__2018086000501.

¹² Organic Act No. 47 of 7 August 2018 on common provisions for independent constitutional bodies

http://www.legislation.tn/detailtexte/Loi-num-2018-47-du-07-08-2018-jort-2018-066__2018066000471.

¹³ Organic Act No. 29 of 9 May 2018 on the Local Government Code

www.legislation.tn/sites/default/files/news/ta2018291.pdf.

(c) **Policies, programmes and action plans and their scope and financing**

85. See the national report (CRC/C/TUN/4-6).

(d) **Ratifications of human rights instruments**

86. The following action was taken during the period following the submission of the national report:

- Approval of the accession of the Republic of Tunisia to the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure by Organic Act No. 34 of 6 June 2018;¹⁴
- Approval of the accession of the Republic of Tunisia to the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa by Organic Act No. 33 of 6 June 2018;¹⁵
- Making of the declaration in article 34 (6) of the Protocol to the African Charter recognizing the competence of the African Court of Human and Peoples' Rights to receive complaints from individuals and NGOs in July 2018;
- Ratification of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse by Organic Act No. 2 of 15 January 2018 (paragraph 2 of these replies).

Part III

Issue No. 15: Data, statistics and other information, if available

87. Data concerning budget lines for children and social sectors during the past three years in terms of the total national budget and the gross national product are provided in annexes 5, 6, 7 and 8.

Issue No. 16

- (a) **Violence, neglect and abuse (see annex 14);**
- (b) **Child victims of harmful practices (see annex 15);**
- (f) **The number of children involved in drug-related cases (see annex 16).**

Issue No. 18

See annexes 11, 12 and 13.

Issue No. 19

Children in detention (see annexes 17 and 18).

Issue No. 20: Achievement of the Sustainable Development Goals

88. Tunisia prepared its voluntary national report on the Sustainable Development Goals on the basis of a participatory approach. Children were involved in several workshops and activities during the preparation of the report (see paragraph 27 of these replies).

¹⁴ www.legislation.tn/sites/default/files/fraction-journal-officiel/2018//2018A/049/Ta2018341.

¹⁵ www.legislation.tn/sites/default/files/fraction-journal-officiel/2018//2018A/049/Ta2018331.