



Country Profile of Tunisia

A Review of the Implementation of the UN Convention on the Rights of the Child
August 2011



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This publication is fully funded by SIDA (Swedish International Development Cooperation Agency). SIDA has not taken part in its production and does not assume any responsibility for its content.

The Child Rights Governance Programme in Save the Children Sweden's Regional Office for the Middle East and North Africa implemented the activities of the Manara Network: A Civil Society for Child's Rights in the Middle East and North Africa Region.

Work on Child Rights Governance aims to build societies that fulfil children rights by establishing and strengthening the infrastructure necessary for states to effectively implement the United Nations Convention on the Rights of the Child and other child rights obligations. It seeks to support a vibrant civil society pushing children up the political agenda and holding states to account for what they have or haven't done to realise children's rights. It is an effective strategy for impacting at scale the lives of millions of children, resulting in structural and lasting change.

Our long-term vision is that far more children have their rights fulfilled because:

- All states meet their obligations to monitor and implement children's rights
- A strong civil society, including children, holds states and the international community to account for children's rights

To advance this vision the Child Rights Governance Programme will have significantly contributed to two key objectives:

- Strengthened State institutions and mechanisms for the implementation and monitoring of children's rights,
- Increased awareness and capacity among civil society and children to promote children's rights and hold duty bearers to account

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*Save the Children's vision is a world in which every child attains the
right to survival, protection, development and participation.*

*Save the Children's mission is to inspire breakthroughs in the way
the world treats children, and to achieve immediate and lasting
change in their lives.*

*The Manara Network is a regional network focused on coordinat-
ing and promoting information and action on children's rights in the
Middle East and North Africa. Based on the belief that civil soci-
ety can and should play a key role in the protection and promotion of
human rights in general and child rights in particular, Manara aims
to support civil society organizations and children in the MENA
region in their role as advocates and active development partners for
the rights of the child.*

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This project is funded by the Swedish International De-
velopment Cooperation Agency (SIDA).

First Edition

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Foreword

The project “Manara Network: A Civil Society for Child’s Rights” was designed and has been implemented by Save the Children Sweden in a time when the Middle East has experienced an Arab spring.

Our partner Amal pour la famille et l’enfant (Amal) was key in producing this country report, a component of the Manara Network project.

The objective of this innovative project is to assure and contribute to effective development and implementation of policies, strategies and legislation in line with the Convention on the Rights of the Child at the national and regional levels in Middle East and North Africa countries. The overall project aim is to establish a regional child rights network of civil society organisations by supporting and strengthening the capacity of local organisations in four main components: analysis and reporting, coordination and networking, advocacy and child rights programme mainstreaming with a high degree of children’s participation. During the year, children across the region have been actively involved in the newly-developed child-led data collection. Based on their findings, the children developed their own animated movies for advocacy purposes, which can be found at www.manaracrc.org.

On behalf of Save the Children Sweden’s Regional Office for the Middle East and North Africa, I am happy to introduce you to one of the key components of the Manara project, the country profile, a report highlighting the commendable practices implemented by government, civil society (parents, non-governmental organisations, media, religious leaders, etc.) and the international community (United Nations agencies and international non-

governmental organisations) towards compliance with the Convention on the Rights of the Child and its Optional Protocols.

The country profile component of the Manara project is a rigorous and exhaustive report on the status of the implementation of the Convention on the Rights of the Child. It aims to be a resource for identifying gaps and challenges on the status of the implementation of the Convention, to highlight the recommendations of the Committee on the Rights of the Child on specific matters, and to identify commendable practices implemented by the State, civil society and the international community in addressing these issues.

We encourage its use as an inspiration to neighbouring countries, since the exchange of experiences presented in the country profiles can only lead to positive changes in the promotion and protection of children’s rights in the region. I would also like to thank the Swedish International Development Cooperation Agency and their regional office in Cairo who believed in this idea and made the funding available.

Sanna Johnson
Regional Director, Save the Children Sweden

Regional Office for the Middle East and North Africa



Acronyms

Amal	Amal pour la famille et l'enfant	INPE	National Institute of Child Protection
AGIM	The General Association of People Living with Motor Disability	IOM	International Organisation for Migration
APAHT	Association of Parents and Friends of the Handicapped of Tunisia	GNP	Gross National Product
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women	MDG	Millennium Development Goal
CPE	Child Protection Code	MENA	Middle East and North Africa
CRC	Convention on the Rights of the Child	POCT	Workers' Communist Party
CSO	Civil society organisation	SONEDE	National Society for Water Exploitation and Distribution
ECOSOC	United Nations Economic and Social Council	UAERC	United Arab Emirates Red Crescent
FTCC	Tunisian Federation of Film Societies	UNDAF	United Nations Development Assistance Framework Plan
IBCR	International Bureau for Children's Rights	UNHCR	United Nations High Commissioner for Refugees
ICC	International Criminal Court	UNDP	United Nations Development Programme
ICRC	International Committee of the Red Cross	UNFPA	United Nations Population Fund
IFRC	International Federation of Red Cross and Red Crescent Societies	UNODC	United Nations Office on Drugs and Crime
INGO	international nongovernmental organisation	UTAIM	Tunisian Association for Aid for the Mentally Impaired

Introduction

Amal pour la famille et l'enfant

Amal pour la famille et l'enfant (Amal) is a non-profit association created in 2000 with the aim of preventing the abandonment of children born out of wedlock through the social and economic rehabilitation of single mothers and a rights-based approach. To achieve its goal, the association adopts a multidisciplinary programme of action based on providing temporary accommodations for the single mother and her child, psychological, legal and administrative support, as well as human rights awareness. In 2009, the association set up a tutoring programme for children of low-income families with the objective of school dropout prevention, providing equal opportunities for children and ensuring better access to leisure and cultural activities that complement education. Two centres were created in Ettadhamen City and Tozeur. This project impacts more than 200 children from ages six to 16.

The International Bureau for Children's Rights

Created in 1994 and based in Montreal, Canada, the International Bureau for Children's Rights (IBCR) is an international nongovernmental organisation (INGO) with special consultative status with the United Nations Economic and Social Council (ECOSOC). IBCR offers its expertise, particularly in the legal sector, to contribute to the protection and promotion of children's rights in conformity with the 1989 United Nations Convention on the Rights of the Child (CRC) and its Optional Protocols. IBCR is involved in projects around the world to facilitate the sharing of knowledge and good practices and the development of tools and models to inspire implementation of children's

rights. IBCR's expertise also lies in raising awareness about children's rights to persuade decision-makers to adopt laws and programmes that more effectively respect the rights of the child. In recent years, IBCR's main successes include its exceptional contribution to the elaboration of the Guidelines on Justice in Matters Involving Children Victims and Witnesses of Crime as well as their adoption by the United Nations Economic and Social Council.

Save the Children Sweden

Save the Children Sweden was established in 1919 as an independent rights-based non-governmental organization (NGO) with no religious or political affiliations. The basis of its work is the CRC and the United Nations' Declaration on Human Rights. These build on the principles that all people are equal, children have special rights and everyone has a responsibility—but governments have a special obligation. Save the Children Sweden believes that children themselves can also fight for their rights, if they are given the chance to do so and if they receive support and encouragement.

Save the Children Sweden works both in Sweden and in eight regions around the world, carrying out its own programmes and in cooperation with other organizations. It is also part of Save the Children International, comprised of 27 Save the Children organizations. Save the Children's vision is a world in which every child attains the right to survival, protection, development and participation. Its mission is to inspire breakthroughs in the way the world treats children, and to achieve immediate and lasting change in their lives.



About This Country Profile

All Middle East and North Africa (MENA) states have ratified the CRC since its adoption in 1989. Following ratification, MENA countries have enacted or proposed the enactment of laws to protect children from violence, abuse, neglect, and exploitation. Demonstrating a willingness to realise the promotion and protection of children's rights, states have introduced legislation that provides for the protection of the child. Some states have gone further by implementing comprehensive mechanisms to not only prevent violations of children's rights, but also to monitor the situation and ensure justice for victims of violations. Despite these initiatives, however, the rights of children in the 17 countries of the region continue to face challenges.

In fact, child protection remains a sensitive issue in MENA countries, some of which have yet to comply fully with international standards. The nature and extent of child protection concerns varies from country to country, and includes issues such as violence against children, harmful practices (particularly female genital mutilation and early marriage), juvenile justice, exploitative child labour, and birth registration. Children in Lebanon, Yemen, Iraq and the occupied Palestinian territory have been exposed to political violence and conflicts, and have been affected by the deteriorating humanitarian situation. In other countries around the region, children also face violence, abuse, neglect, and discrimination. However, all children deserve the full enjoyment of their rights including the right to education, health, housing, and a basic standard of living, as well as the right to express their views, to be heard, and to participate in matters concerning them.

Civil society organisations (CSOs) are a driving force of society. Their continual and often thankless work has resulted in increased awareness, sensitisation, monitoring,

and reporting of violations of children's rights. As guardians of international human rights instruments, and more specifically of the CRC, CSOs have played a key role in raising awareness, denouncing violations, protecting victims and advocating, promoting and defending children's rights against abuse, violence, exploitation, ignorance, and contempt. In many parts of the world, including in the MENA region, CSOs have above all served to denounce violations of children's rights, often in conflict with public authorities, at the risk of grave consequences.

However, too few local CSOs obtain recognition from the international community for their competency in these areas. Often, international organisations will rely on local organisations, who are rooted in the reality on the ground and working directly with children afflicted by the problems under study, to obtain their data and analysis of the situation. The international organisations then produce reports that are considered credible and speak on behalf of these affected populations. By being actors of public policy and therefore essential in the development of democratic governance, local CSOs should also be heard at the international level.

About The Manara Network

Bearing in mind the importance of the role of civil society organisations (CSOs) in ensuring the respect, protection and fulfilment of children's rights, the project "Manara Network: A Civil Society for Child's Rights"¹ was designed and implemented by Save the Children Sweden in collaboration with IBCR, along with local civil societies from the region. This innovative project was made possible thanks to the funding of the Swedish International Development Agency.

The objective of the project is to contribute to the effective development and implementation of policies, strate-

gies and legislation in line with the CRC in MENA countries but also at the regional level. The project aims to establish a regional child rights network of CSOs by supporting and strengthening the capacity of local organisations in four main components: analysis and reporting, co-ordination and networking, advocacy and child rights programming mainstreaming.

One of the components of the project is the production of a country profile. This report highlights commendable practices implemented by the government, civil society (including parents, local non-governmental organisations, media and religious leaders, among others) and the international community (both United Nations agencies and INGOs) to improve compliance with the CRC and, where applicable, its Optional Protocols.

The country profile component of the Manara project is two-fold: it includes the publication of a credible and exhaustive report on the status of implementation of the CRC in each country, but also involves strengthening the capacity of local CSOs in conducting research and analysis. To this end, the IBCR provided technical expertise and support to partners. During the project, a one-week training workshop on research methodology on children's rights was given on site to each partner, followed by a complementary training session a few weeks later. Throughout the project, IBCR provided support in drafting the report in order to ensure its credibility and reliability.

“Child protection remains a sensitive issue in MENA countries, some of which have yet to comply fully with international standards.”



Methodology Used

In order to paint a clear picture of the situation of children's rights in its respective country, each partner conducted an exhaustive literature review to identify existing reports and documents on all issues affecting the rights of children, followed by field research involving a series of interviews with identified stakeholders. Key respondents in relevant government ministries and institutions, local and INGOs, academics, unions and professional associations, media, religious authorities and United Nations agencies were contacted and interviewed. These interviews contributed to filling the gaps identified through the desk research. By meeting with relevant stakeholders, partners were able to gather information about the practices implemented by governmental and non-governmental actors following the recommendations of the Committee on the Rights of the Child in its latest Concluding Observations, as well as the challenges they faced.

The availability of respondents contacted in the course of the research for this project, and their willingness to share their experiences, allowed partners to identify praiseworthy initiatives implemented by a variety of stakeholders, at the same time as noting the gaps and overlaps that may prevent children from the full enjoyment and exercise of their rights. Therefore, the results of the research are based on responses given by a wide range of interlocutors in corroborating and completing data collected from secondary sources, so as to depict as accurately as possible the situation of children's rights in the country.

The research and drafting of this country profile was undertaken by Amal staff, particularly Semia Ben Maseoud and Yakouta Sliti.



Constraints and Challenges

Besides the contextual challenges specific to each country, the writing of the country reports has faced some constraints. The lack of up-to-date statistical data or information was a challenge common to all partners. While each country has rather extensive expertise on children's rights, accessing it remains a challenge as reports and studies conducted by experts and other stakeholders are not available to the public. Also, taboos and cultural considerations sometimes prevented partners and respondents from hav-

ing reliable and accurate data on issues that remain unspoken of, underreported and therefore, unaddressed. On the other hand, stakeholders were at times reluctant to share their experience on the initiatives implemented. Therefore, the report reflects only information that was corroborated by various stakeholders.

In Tunisia, the main challenge was the lack of access to representatives of the government, as well as the lack of recent and reliable data and statistics.



Country Overview

1. Demographic and Geographic Presentation

Located between Libya to the east and Algeria to the west, Tunisia covers an area of 162,155 km² and has a long border of 1,250 km adjoining the Mediterranean Sea to the north and east. As an integral part of the Maghreb and the northernmost country of Africa, Tunisia has a strategic location dominating the Strait of Sicily, between Cap Bon Peninsula and Italy. The Strait, which is 200 km wide, is one of the most frequented pathways in the world.

Tunisia is divided into three large geographically distinct regions. In the north, the Medjerda Plains are surrounded by Kroumirie Mountains and Mogods Hills on one side, and by the Tunisian Dorsal on the other. This region is agriculturally rich.

In Tunisia's middle, mountains are separated by fertile valleys and have a semi-arid climate. Large olive plains (the Sahel and Sfax region) are located to the east.

Then in the south, the large depression of Chott El Djerid and its riparian palm groves (Tozeur, Kebili, Douz) mark the threshold to the Sahara. The tourist island of Djerba is found near the coast, and Matmata Mountains (arid) are located further to the east.¹⁶ Tunisia's climate is Mediterranean, alternating between a dry and hot season in summer, and a fresh and humid season as rain starts falling in September and ends in June.

The population includes Arabs (98%), Europeans (1%), Jews and others (1%). In 2011, Tunisians under the age of 14 were estimated at 23.2% of the total population, those

General Statistics on Tunisia

Official Name	The Republic of Tunisia ²
Capital	Tunis
Official/ National Languages	Arabic ³
Type of Political Regime	Republic ⁴
Date of Independence	20 March 1956
Date of Admission to the United Nations	11 December 1956
Human Development Index (/177)	0.683 – 81 ⁵
Total Population	10,549,100 as of 1 July 2011 ⁶
Youth (under 18) (2009)	2,961,000 ⁷
Children (under 5)	788,000 ⁸
Density (people per km ²)	67 ⁹
Urban Population	65.9% ¹⁰
Life Expectancy	74.5 ¹¹
Fertility Rate	2.05 ¹²
Adult Literacy Rate	78% ¹³
People living on less than USD 1.25/day 1992-2008	3% ¹⁴
Average Annual GDP Growth Per Capita	3.7% ¹⁵



between 15 and 64 years were 69.3% of the population, and 7.5% were 65 years old and above.¹⁷ Sixty-six percent of Tunisians live in urban centres, particularly in coastal governorates.

The official language is Arabic. In recent decades, Tunisia has seen a demographic transition and a reduction of its birth rate.

2. Historic Overview

The first known inhabitants of Tunisia were the Berbers, descended from Libyc populations that migrated from the south. Their arrival is attested at least 4,000 years B.C.¹⁸ Since the 12th century B.C., Tunisia has maintained relations, mostly in commerce, with several Mediterranean countries. In 814 B.C., Phoenician settlers founded the city of Carthage. In 1574, Tunisia was annexed to the Ottoman Empire. Although Tunisia officially remained a province of the Ottoman Empire, it acquired great autonomy in the 19th century, under the dynasty of Husseinite Beys founded in 1705. In May 1881, the French protectorate was officially declared upon the signature of Treaty of Bardo.

In the aftermath of World War II, negotiations with the French government were conducted by Habib Bourguiba and Salah Ben Youssef of the Neo-Destour. Their failure gave rise to an armed revolution in January 1952 and a hardening of positions. On 31 July 1954, Pierre Mendes France unilaterally recognized the internal autonomy of Tunisia and announced the formation of an interim government. The internal autonomy treaty was signed on 3 June 1955. On 20 March 1956, France finally conceded total independence to Tunisia.¹⁹

The National Constituent Assembly, which was first presided over by Habib Bourguiba, was elected one month

“On 17 December 2010, the self-immolation of a street vendor from Sidi Bouzid to protest the confiscation of his goods by the police triggered an unprecedented political and social movement.”



struggles and a hardening of the regime. This situation favoured the rise of Islamism, driving the country to the brink of civil war. On 7 November 1987, Prime Minister Zine El Abidine Ben Ali deposed President Bourguiba. He was elected two years later for a new term.

On 17 December 2010, the self-immolation of a street vendor from Sidi Bouzid to protest the confiscation of his goods by the police triggered an unprecedented political and social movement. Populist uprisings against high prices and unemployment, affecting the central regions of Tunisia in particular, intensified. Authorities first reacted by using force and mobilizing the police apparatus. On 14 January 2011, following the declaration of late and doubtful presidential concessions (namely the creation of 300,000 jobs, the dismissal of the minister of interior, a new mandate for 2014, restoration of freedom of the press, dissolution of the government and the organizing of early elections), the president hastily left the country.

On 17 January, a provisional “national unity” government was formed, led by Prime Minister Ghannouchi and including the heads of three “legal” opposition parties as

later. On 25 July 1957, the monarchy was abolished and Tunisia became a Republic. Habib Bourguiba was elected President on 8 November 1957.

In the mid-1980s, Tunisia witnessed a stifling political and social crisis along with growing clientelism and corruption. State paralysis accompanied the deteriorating health of Bourguiba, followed by succession

well as independent members of the civil society. On 27 February, following the first government reshuffle, protesters achieved their call of the resignation of Mr. Ghannouchi, who was replaced by Beji Caïd Essebsi, formerly a minister under President Bourguiba.²⁰

3. National Political System

Tunisia is a constitutional Republic with a bicameral legislature.²¹ The Constitution dates back to 1959 and was last amended (before the 2011 revolution) in 2002. These amendments removed limits to presidential terms, raising the age limit for presidential candidates from 70 to 75 years and granting judicial immunity to the President during and after his mandate. In addition, the composition of the Parliament was amended to two chambers, namely the Chamber of Deputies and the new Chamber of Advisors. The Chamber of Deputies is composed of 216 members elected for a five-year term through universal suffrage. The people also elect the President through direct universal suffrage for a five-year term. The Chamber of Advisors is composed of 126 members elected by large voters (85 members elected by municipal councils, parliament members, mayors, professional organisations and trade unions) or appointed by the President (41 members) for a six-year term.

Pursuant to the Constitution, the President must be Muslim of Tunisian nationality, with a family of the same for at least three generations without discontinuity. The President is the Commander-in-Chief of the Armed Forces. He sets the foreign policy, appoints the Prime Minister and presides over the Council of Ministers; he can dismiss the government and veto legislation.²²

After 23 October 2011, following the outbreak of the revolution earlier that year, a new Constituent Assembly was elected to draft a new Constitution. In December 2011,

a law establishing the provisional organisation of powers was approved, allowing the appointment of a President and Prime Minister to lead the country. The 26-article text continues to provide for public power and the operation of government institutions.²³

Since 13 December 2011, the President of the Republic has been Moncef Marzouki, who appointed Hamadi Jebali as Prime Minister on 14 December 2011.

Tunisia is divided into 24 administrative units or governorates²⁴ led by Governors who are appointed by the President of the Republic. Governorates are also divided into 264 delegations.

4. Economic and Social Situation

Tunisia has a diversified economy based on agriculture and mining, as well as tourism and industry. Average real growth, which had reached around 5% over the past decade, decreased to 4.6% in 2008 and then to 3-4% in 2009-2010 owing to economic recession and a slowdown in demand from Europe, which is the main market for Tunisian exports. In 2010, the Gross National Product (GNP) was estimated at USD 44.29 billion, with a public debt to GNP ratio of 48%. More than 10% (10.6%) of GNP is generated by the agricultural sector (the production of olives and olive oil, cereals, tomatoes, citrus, beets, dates, almonds, beef and dairy products), 34.6% by the industrial sector (the extraction of oil, phosphate and iron, as well as tourism, textiles, shoes, agribusiness and beverages), and finally 54.8% is generated by the service industry. Tunisia's main export markets are France (26.5%), Italy (17.4%), Germany (9.6%), Libya (6.2%), Great Britain (5.6%) and Spain (4.2%). In June 2011, external debt was estimated at USD 31.41 billion.²⁵ In 2010, unemployment increasingly affected youth, standing at 27.5% among 20-24 year-olds and 32.6% among 20-29



year-olds. Unemployment is more prevalent in inland regions than along the coast.²⁶

According to Tunisian Secretary of State for Finance Slim Besbes, economic growth has amounted to -0.2% since the first year of the revolution.²⁷ The World Bank estimates that in Tunisia, the financial crisis faced by high-income countries strongly risks delaying the achievements of “positive or strengthened growth”. Following its -0.5% growth in 2011, Tunisia is expected to grow at a pace of 2.5% in 2012, and 3.2% in 2013.²⁸

5. General Human Rights Situation

On 13 August 1956, the Code of Personal Status was promulgated by Bourguiba, who recognized women’s civic right to vote and eligibility. It required the woman’s consent for marriage; abolished repudiation and substituted this with a judicial procedure for divorce; prohibited polygamy; set the minimum age for marriage at 18; and legalized contraception and abortion. Despite lobbying, gender equality in inheritance was not recognised.

Under the regime of Ben Ali, human rights advocates endured violations of the freedoms of association, assembly, expression and movement. This harassment took many different forms, including unjust complaints lodged at Tunisian tribunals, surveillance of communications, travel restrictions, physical and verbal aggression against advocates and their families, threats, defamation campaigns, etc. Such harassment was aimed at ending activities by civil society actors denouncing rights violations.²⁹

In 2011, following public upheaval and the departure of President Ben Ali, Tunisia ratified important international treaties relevant to human rights, namely the Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention

against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Rome Statute of the International Criminal Court (ICC). The provisional government lifted several reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), yet insisted on the need to respect provisions of the Tunisian Constitution that refer to Islamic law. Moreover, for the first time, the government authorised the United Nations Special Rapporteur on Torture to visit Tunisia in reply to a request issued in 1998.

Domestically, Tunisia also undertook great reforms. Pursuant to Decree 88 of 24 September 2011, dozens of once-forbidden political parties (including the Islamist party Ennahda (Renaissance) and the Tunisian Workers’ Communist Party (POCT) as well as non-governmental organisations (NGOs) that had been formerly prevented from registering, were able to legalize their status. Authorities established independent institutions to manage the October elections, allowed international observers into the country, accredited foreign journalists who came to cover the elections, authorised 187 new periodicals and granted licenses to 12 new radio stations. In November 2011, new laws on freedom of the press and freedom of audiovisual communications lifted restrictions on newspapers and granted further freedom to journalists.³⁰

At the judicial level, a law was adopted to better organise the legal professions. However, judges continued to exert pressure in favour of judicial reforms

“ In 2011, following public upheaval and the departure of President Ben Ali, Tunisia ratified important international treaties relevant to human rights.

to increase the independence of the judiciary and limit interference from the Executive.

Nonetheless, demonstrations (at times violent) protesting the pace of reforms and calling for the need to improve economic conditions, promote employment, and dismiss officials linked to the former regime persisted. New cases of torture and other ill-treatment by the police were also reported.

The state of emergency enacted on 14 January 2011, which prevents public street gatherings and authorises the

army and police to open fire on any “suspect” refusing to obey orders, was extended to 31 March 2012.³¹

A fact-finding commission formed to investigate human rights violations committed during and after the uprising is expected to submit a final report to the government. The commission investigated 2,750 files lodged by victims’ families (which included 323 dead and 2,000 injured).³²



The Children of Tunisia

In Tunisia, children are celebrated, not only by the family, but by the larger tribe and community.³³ Under the former regime, Tunisia developed an extensive legislative system of protection and several childhood programmes, especially for children with special needs. Family support programmes aim to strengthen the capacity of parents and ensure a healthy family environment.³⁴ Tunisia's current situation, namely the founding of a new republic, brings with it misgivings and fears, but also opportunities. Child rights are not separate from this reality and remain the main concern of human rights organisations that are currently seeking to preserve acquired gains, but also move forward towards a better implementation of the Convention on the Rights of the Child (CRC).

1. The Convention on the Rights of the Child and its Optional Protocols

i. General Overview

Tunisia ratified the Convention on the Rights of the Child (CRC) on 30 January 1992 along with the Optional

Protocol on the sale of children, child prostitution and child pornography on 13 September 2002, followed by the Optional Protocol on the involvement of children in armed conflicts on 2 January 2003.

Tunisia submitted its initial report to the Committee on 16 May 1994, its second report on 16 March 1999 (with a delay of few months), and its third report on 6 June 2008, i.e. more than four years after the due date. The last Concluding Observations were submitted by the Committee following its 54th session held on 16 June 2010. No alternative reports have been submitted since the CRC was ratified by Tunisia.

In the framework of its obligations related to optional protocols, Tunisia submitted its initial report concerning the Optional Protocol on the involvement of children in armed conflicts on 13 August 2007, namely more than two years after the due date. The Committee rendered its Concluding Observations on 30 January 2009. Child Helpline International submitted an alternative report that required the State Parties to establish a free hotline for children. Tunisia was expected to submit its initial report in the framework of the Optional Protocol on the sale of children, child prostitution and child pornography on 13 October 2004, but has not yet done so.



Two Tunisian girls make puppets at a sponsored psychosocial activity. *Courtesy of Save the Children Sweden*

ii. Ratification and Reporting to the Committee on the Rights of the Child by Tunisia

	REPORT NUMBER	TYPE OF REPORT	DUE DATE	DATE OF SUBMISSION	REPORT CODE OR NAME OF ORGANISATION
Convention on the Rights of the Child Ratification 30 January 1992	1	Initial Report	28 February 1994	16 May 1994	CRC/C/11/Add.2
	1	Concluding Observations	21 June 1995	CRC/C/15/Add.39	
	2	Periodic Report	28 February 1999	16 March 1999	CRC/C/83/Add.1
	2	Concluding Observations	13 June 2002	CRC/C/15/Add.181	
	3, 4	Periodic Reports	28 February 2004	6 June 2008	CRC/C/TUN/3
		Concluding Observations	16 June 2010	CRC/C/TUN/CO/3	
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts Ratification 2 January 2003	1	Initial Report	2 February 2005	30 August 2007	CRC/C/OPAC/TUN/1
	1	Alternative Report	January 2009	Child Helpline International	
	1	Concluding Observations	30 January 2009	CRC/C/OPAC/TUN/CO/1	

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography Ratification 13 September 2002	2	Periodic Report			
	1	Initial Report	13 October 2004	Not yet submitted	

iii. Reservations

During the ratification process of the Convention on the Rights of the Child, the government of the Republic of Tunisia expressed reservations about the provisions of Article 2 of the Convention³⁵, saying it may create an obstacle to the implementation of its national legislation related to personal status, notably with regard to marriage and inheritance rights. Furthermore, the government believes that the provisions of Article 40, paragraph 2 b) v) of the CRC establish a general principle where the national law can introduce exceptions, as in the case of last resort judgments rendered by cantonal courts and criminal chambers without prejudice to the right of recourse to the Cassation Court, which is charged with ensuring implementation of the law. Finally, the Tunisian government considered that Article 7 of the Convention³⁶ cannot be interpreted as preventing the implementation of its national legislation with regard to nationality and particularly the loss of Tunisian nationality.

In 2002, Tunisia withdrew its declaration regarding Article 40 b) v). In September 2008, Tunisia also withdrew its reservations regarding Articles 2 and 7.³⁷

iv. Punctuality and Quality of Periodic Reports

The third periodic report was submitted by Tunisia to the Committee on the Rights of the Child after a four-year delay. The 89-page report contains several descriptions of established programmes and mechanisms. The Committee congratulated the State Party for presenting the third periodic report in accordance with the Committee guidelines on writing reports. It also congratulated the State Party for the detailed written response to the list of issues to be addressed (CRC/C/TUN/Q/3/Add.1), and for the fruitful dialogue with the multi-sectoral delegation, which allowed for a better understanding of the situation of children in the State Party.³⁸ Nevertheless, in the majority of its Concluding Observations, the Committee regretted the lack of disaggregated data on the situation of children's rights. It encouraged the State Party several times to strengthen its statistical systems, and to use the collected and analysed

data as a basis for assessing progress achieved in the realisation of child rights and designing policies supporting the implementation of the Convention. It recommended that the State Party continue to work on the development of new indicators, collection mechanisms, and the monitoring and disaggregation of data to include children living in rural areas, children with disabilities, children living in poverty, children in the streets, working children, child victims of sexual exploitation and abuse and other children in vulnerable situations.³⁹

The periodic report drafting process involved the relevant ministries, governmental institutions and organisations, and civil society. The Tunisian government charged the Ministry of Women, Family, Children and The Elderly Affairs (MAFFEPA) with coordinating report preparation. The Committee drafting the report benefited from the support of UNICEF (Tunis office).

v. The Committee's Concluding Observations

a. *Positive Aspects and Achieved Progress*

In its last Concluding Observations, the Committee noted with satisfaction that the State Party withdrew its reservations concerning Article 2 of the Convention on personal status, particularly in relation to marriage and inheritance rights, and Article 7 related to nationality. The Committee noted with appreciation the adoption of Law No. 2007-32 of May 2007, which equalizes the minimum age for marriage for boys and girls, setting it at 18 years for both sexes; Law No. 2005-32 of April 2005, which sets the age of admission of children to domestic employment at 16 years instead of 14 years (18 years for some types of work); Law No. 2005-83 of August 2005, aimed at achieving equal opportunities for persons with disabilities, particularly with regard to access to education, vocational

training and employment, and protecting them from all forms of discrimination and finally, Law No. 51 of July 2003, which supplements Act No. 98-75 of 28 October 1998 granting a patronymic family name to children of unknown parentage or abandoned children.

Moreover, the Committee positively noted the ratification by Tunisia of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; the Convention on the Rights of Persons with Disabilities and its Optional Protocol on 2 April 2008; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 23 September 2008; the United Nations Convention against Transnational Organised Crime, in June 2003; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organised Crime, in July 2003; the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime, in July 2003; and finally the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, in August 2008. The Committee also welcomed the creation, in 2006, of the Commission whose role is to improve the efficiency and effectiveness of coordination between the central government and governorates, as recommended in its former Concluding Observations. The Committee took note of the positive steps undertaken by the State Party to improve the effectiveness of the High Council for Children as a coordination mechanism.



“In its last Concluding Observations, the Committee regretted that some of its concerns and recommendations had been insufficiently or only partly addressed.”



the empowerment in 2006 of the Higher Committee on Human Rights and Fundamental Freedoms to deal with individual complaints and the extension of the list of bodies the High Committee is authorized to visit so as to include “social bodies responsible for persons with special needs”.⁴⁰

The Committee noted with satisfaction the role played by the Observatory for Information, Training, Documentation and Studies on the Rights of the Child in providing a national data collection system that annually produces a national report on the situation of children in Tunisia. The Committee welcomed with satisfaction the steps taken by the Observatory to improve the “ChildInfo” database⁴¹ that includes indicators relevant to children, to improve the accessibility of collected data and to work more closely with relevant ministries to improve data collection.⁴²

b. Main Factors and Difficulties Impeding the Implementation of the CRC and the Optional Protocols

In its last Concluding Observations, the Committee regretted that some of its concerns and recommendations

The Committee also commended the adoption of the National Plan of Action for Children (2002 - 2011) and the creation of the post of Chief Child Protection Officer with the aim of overseeing and coordinating the activities of Child Protection Officers, assessing them, and participating in their development skills Furthermore, the Committee welcomed

had been insufficiently or only partly addressed, such as those related to corporal punishment, right to freedom of expression and peaceful assembly, right to freedom of thought, conscience and religion, right not to be subjected to torture and other cruel, inhuman or degrading treatment, and data collection, particularly with regard to child abuse and neglect, and economic and sexual exploitation of children.⁴³

The Committee remained concerned that the State Party had not provided information on the effective implementation of its new legislation and its impact on children. It also recommended that the State Party strengthen the implementation of its domestic legislation and evaluate its direct impact on child rights. Additionally, the Committee remained concerned about the lack of coordination between the various sectors of child protection, and the absence of an overall structural vision about the child protection system.⁴⁴ It encouraged the State Party to evaluate and rationalise the child protection system and to ensure better coordination between the various sectors of intervention related to children at all levels.⁴⁵

Moreover, the Committee expressed concern about the lack of detailed information on the Higher Committee’s independence, effectiveness and mandate with regard to children’s rights and to visits it is empowered to conduct in places of deprivation of liberty. The Committee recommended that a special unit for children be set up within the Higher Committee on Human Rights and Fundamental Freedoms and mandated to monitor and evaluate progress achieved in implementation of the Convention, including by the private sector and non-governmental organisations (NGOs) as providers of services for children. It also recommended ensuring full independence of the Higher Committee on Human Rights and Fundamental Freedoms and enabling it to receive, investigate and address complaints about violations of child rights in a

child-sensitive manner. In addition, the Committee recommended that the State Party promptly seek the accreditation of the Higher Committee before the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.⁴⁶

More generally, the Committee was deeply concerned at reports of harassment, persecution, arbitrary arrests and detentions and other human rights violations against human rights advocates, as well as restrictions imposed on the activities of some NGOs. It urged the State Party to take all necessary measures to immediately halt harassment and persecution of human rights advocates, protect them against such practices, and release all persons detained due to their activities in the field of human rights, including child rights.⁴⁷

vi. Overview of the Response of the Government to the Committee

Since the last Concluding Observations of the Committee on the Rights of the Child in 2010, Tunisia has not been able to implement its recommendations. In fact, since the January 2011 revolution, only a few actions have been taken by the State Party due to the ongoing transition process in Tunisia. Furthermore, since the last Concluding Observations, strikes of employees have disrupted the course of events. The numerous national programmes or strategies developed under the former regime have been suspended. On the other hand, the new sociopolitical climate has paved the way for the creation of new civil society organisations that are benefiting from donors' interest in the country and thus establishing new projects and programmes. Their size and impact are still difficult to document.

2. Applicable International and Regional Legal Instruments

i. Overview

Tunisia has ratified most international conventions and treaties that have an impact on the rights of the child. In the aftermath of the revolution that shook the country in 2011 and the resulting democratic openness, Tunisia ratified several treaties that have a direct impact on the situation of human rights in general, namely the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Rome Statute of the International Criminal Court (ICC). Moreover, at a meeting held on 8 June 2011 in the Summit on the Rights of the Child in Addis Ababa, Tunisia expressed its willingness to engage in the ratification mechanism of the African Charter on the Rights and Welfare of the Child.⁴⁸

ii. Relevant International Human Rights Conventions and Treaties and their Status of Ratification by the State

INTERNATIONAL AND REGIONAL HUMAN RIGHTS INSTRUMENTS	STATUS	LAST SUBMITTED REPORT
Admission to the United Nations	12 November 1956	N/A
Convention on the Rights of the Child	Ratification 30 January 1992	10 November 2008 CRC/C/TUN/3
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts	Ratification 2 January 2003	30 August 2007 CRC/C/OPAC/TUN/1
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	Ratification 13 September 2002	
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	Ratification 13 January 1967	17 September 2007 CERD/C/TUN/19
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratification 20 September 1985	20 May 2009 CEDAW/C/TUN/6
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Accession 23 September 2008	27 April 2009
International Covenant on Economic, Social and Cultural Rights	Ratification 18 March 1969	8 October 1996 E/1990/6/Add.14
International Covenant on Civil and Political Rights	Ratification 18 March 1969	25 April 2007 CCPR/C/TUN/5
Optional Protocol to the International Covenant on Civil and Political Rights	Accession 29 June 2011	
Second Optional Protocol to the International Covenant on Civil and Political Rights	No Reaction	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Ratification 23 September 1988	18 August 2010 CAT/C/TUN/3
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Accession 29 June 2011	

Convention on the Rights of Persons with Disabilities	Ratification 2 April 2008	14 July 2010 CRPD/C/TUN.1
Optional Protocol to the Convention on the Rights of Persons with Disabilities	Ratification 02 April 2008	
International Convention for the Protection of All Persons from Enforced Disappearance	Ratification 29 June 2011	
Convention relating to the Status of Refugees	Succession 24 October 1957	
Protocol relating to the Status of Refugees	Accession 16 October 1968	
Convention on the Reduction of Statelessness	Accession 12 May 2000	
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	No Reaction	
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	No Reaction	
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime	Ratification 14 July 2003	N/A
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	Accession 24 January 1968	N/A
Minimum Age Convention, 1973 (N° 138)	Ratification 19 October 1995	2007 (78th Session)
Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (N° 182)	Ratification 28 February 2000	2007 (78th Session)
Rome Statute of the International Criminal Court (ICC)	Ratification 24 June 2011	N/A
African Charter on the Rights and Welfare of the Child	Signature 16 June 1995	No report was submitted.

3. National Legal Framework and Stakeholders

i. The National Legal Framework

Following the independence of Tunisia in 1956, national laws were unified. The pre-independence fundamental texts were abrogated and replaced with new texts adapted to the realities of Tunisian socioeconomic and cultural society. Tunisian law is inspired by French and Islamic religious laws.

Amended several times, the Tunisian Constitution of 1959 provides for the separation of legislative, executive and judicial powers. Pursuant to Article 65 of 1959 Constitution, the judicial authority and judges should enjoy full independence. However, the Tunisian judicial authority remained influenced by the executive power under the former regime of Ben Ali. As Head of the Supreme Judicial Council, the President was able, by making a decree, to appoint, revoke or transfer judges upon the recommendation of the said Council. The Constitution upheld some fundamental legal principles, such as the presumption of innocence (Article 12), non-retroactivity of law and “Nul-la pene sine lege” (Article 13), inviolability of residence, freedom of movement and freedoms of opinion, expression, publication, assembly and association. Such rights could be restricted, however, by “limits of law” or State security pursuant to Articles 8 and 10 of the 1959 Constitution.⁴⁹ In the post-revolution era, the 1959 Constitution was suspended, and on 23 October 2011, a Constituent Assembly was elected to draft a new text.

On 13 August 1956, the promulgated Code of Personal Status, considered transformative in the Arab Muslim world, supported family reorganisation and redefined the role and status of both genders in Tunisian society.

It abolished polygamy, established judicial divorce, prohibited repudiation and granted the right of divorce to both spouses, limited the legal age for marriage, granted mothers the right of guardianship of their minor children in the event of their father’s death, etc.⁵⁰ In Tunisia, fear of revisiting this Code of Personal Status represents a major concern today, as laws are being revised. Lobbying activities are currently being undertaken by the Arab Institute of Human Rights (AIHR), Tunisian Human Rights League (LTDH), Office of the High Commissioner for Human Rights (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP) and UNICEF to make sure that the issue of child rights is at the core of new government actions.⁵¹

The Child Protection Code of 1995 defines various situations that may threaten a child’s health and physical or moral integrity and established new mechanisms of judicial and social protection for the sake of children. The basic principles of the Code are: keeping children in their family environment, holding citizens and stakeholders responsible for reporting any situation where a child is at physical and/or moral risk, creating a group of protection officers entitled to interfere in favour of children in difficult situations, promoting the specialisation of judges in child affairs, and encouraging mediation as a reconciliation mechanism between juvenile offenders and victims.⁵²

“On 13 August 1956, the promulgated Code of Personal Status, considered transformative in the Arab Muslim world, supported family reorganisation and redefined the role and status of both genders in Tunisian society.”

Other laws promulgated in recent years completed the legal system related to child rights in Tunisia. Law No. 2003-50 completes the 1998 Law and allows for the allocation of a family name to abandoned children and those of unknown parentage. The child is entitled to alimony until the age of majority and beyond in cases determined by the law. The father and the mother remain responsible for the child, throughout the statutory period, for all things related to the rules of responsibility, in accordance with the law.⁵³ However, by having a family name and alimony the child is less stigmatized and marginalised and contributes to reducing the economic vulnerability of the mother.

Law No. 2005-32 sets the permitted age of domestic employment at 16 years instead of 14 years, and 18 years for some types of work. Law No. 2005-83 related to the protection of persons with disabilities provides for equal opportunities for said persons and protects them from discrimination. Law No. 2007-32 sets the minimum age of marriage for boys and girls at 18 years. Law No. 2010-40 amends Article 319 of the Penal Code, which had authorised corporal punishment as a form of discipline, and prohibits the use of all forms of corporal punishment in child education within the family, school and other institutions.

ii. The Main Stakeholders on Children's Rights

a. *Government Bodies*

The Higher Council for Children⁵⁴ is chaired by the Prime Minister and includes, among its members, ministers involved in matters related to children and civil society representatives. Its mission is to conduct a deeper analysis of issues related to childhood promotion, evaluate the progress achieved in the National Plan of Action and

reorient policies. A report on the situation of children is submitted by the Minister in charge of childhood affairs at the first Cabinet meeting of each year.

The Ministry of Women, Family, Children and the Elderly Affairs (MAFFEPA) is in charge of coordinating government efforts in child-related activities. The Ministry works with all other ministries, institutions and associations that are active in this field in order to design, implement and follow up on national plans of action for children, follow up on the national annual report on the situation of children, prepare the activities of the Higher Council for Children and follow up on its recommendations.⁵⁵

For his part, the Secretary of State in charge of Children at the Ministry of Women, Family, Children and The Elderly Affairs supervises activities undertaken by the General Directorate of Children's Affairs. The Directorate includes the Department of Children's Rights and Protection, the Department of Socio-Educational Animation and, since 2002, the post of Chief Child Protection Officer and the Observatory for Information, Training, Documentation and Studies on the Rights of the Child.⁵⁶ Integrated centres for youth and children provide care for children lacking family support or threatened in their family environment. Established in 1999, the centres receive children, referred by child protection officers, in boarding schools until they can be reintegrated.⁵⁷

Tunisia has 23 integrated centres for children and young people, in 18 governorates, under the Ministry of Women, Family, Children and the Elderly Affairs. Integrated centres for children and youth are socio-educational centres catering for children who lost their parents and are at risk as defined by Article 20 of the Child Protection Code (CPE) or living with social difficulties. These children fall between the ages of six and 18, attend school or vocational training, be physically and mentally fit, and be able



to live with groups of other children. These centres also provide a system of boarding school for children who have lost their parents and are at risk, as well as a system of semi-boarding school for children with social difficulties due to the loss of a parent or family breakdown, provided that the location of their residence permits them to attend the centre daily.⁵⁸

The Ministry of Women, Family, Children and the Elderly Affairs works with the Ministry of Social Affairs, Solidarity and Tunisians Abroad, particularly concerning children with special needs. Under the umbrella of the Ministry of Social Affairs, Solidarity and Tunisians Abroad, the centres of defence and social integration were created in 1993 pursuant to Law No. 93-109. They are responsible for looking after people in difficulty, particularly youth (minors and young adults), single-parent families and minors in conflict with the law, by adopting programmes for early screening of factors that may lead to delinquency as well as coaching and orientation programmes, and by supporting economic and social integration of the target population.⁵⁹

The Observatory for Information, Training, Documentation and Studies on the Rights of the Child (hereafter “Observatory”) is a public institution with an administrative character and is affiliated to the Ministry of Women, Family, Children and the Elderly Affairs. Its mission is to implement policies and guidelines set up by the State related to child protection and child care. The Observatory seeks to collect, analyse and index data and information in databanks or databases created for this purpose at national and international levels (the national database on the follow-up of children’s situation in Tunisia is “Child-Info”); conduct research, evaluations or studies regarding the protection of child rights and the childhood sector and its evolution; prepare summary reports; co-publish periodical and cyclical magazines related to these fields;

facilitate communication and dissemination of the culture of child rights among ministries and structures involved in implementing the Convention on the Rights of the Child (CRC) and the Child Protection Code or engaged in a relevant activity; support authorities in the elaboration of policies and programmes aimed at promoting child rights; draft remarks resulting from the observation and follow-up process; suggest any measure that might improve child rights protection; and organise learning and training seminars, meetings, study days and demonstrations regarding children.⁶⁰

The National Institute of Child Protection is a social protection institution providing care for children who lack family support, and is affiliated to the Ministry of Social Affairs, Solidarity and Tunisians Abroad. Established in 1972, the Institute activities such as looking after children who lack family support and fulfilling their right to live by meeting their basic needs and granting a patronymic family name to abandoned children or those of unknown parentage under the age of six.

To ensure strategic planning, Tunisia developed in 1992 the first National Plan of Action for the Survival, Protection and Development of the Child. Early in 2004, on the occasion of the Arab League High-Level Conference on Children, Tunisia submitted its new National Programme of Action for the period 2002-2011. A National Plan of Action for Children 2012-2021 was developed by the former regime, but has not yet been approved by the existing authorities.

b. Civil Society Organisations and Networks

Under the former regime, there were approximately 7,000 civil society organisations including groups of women, artists, sportspeople, professional associations, trade unions as well as environmental and charity groups. With

regard to child rights, non-governmental organisations (NGOs) were essentially focused on meeting the child's basic needs and supporting vulnerable families.

Tunisian associations related to the welfare of children are primarily concerned with caring for vulnerable children with special needs, mainly children living with disabilities and children without family support. This situation is explained by the State's reluctance to delegate the mission of advocacy to civil society organisations. The State monopolized the powers of promulgating laws and their implementation. Social issues relating to children such as the phenomenon of children living on the streets, school failure and dropout rates, and children in conflict with the law have been addressed by public institutions.⁶¹

Among the most active associations in the field of childhood are the Tunisian Association for Aid for the Mentally Impaired (UTAİM), the Association of Parents and Friends of the Handicapped of Tunisia (APAHT), and the General Association of People Living with Motor Disability (AGİM), all of which work for social inclusion and educational and vocational training of children living with disabilities. The Association Voice of the Child (Voix de l'enfant), the Amal Association for Family and Child and the Association of Friends of INPE support children born out of wedlock. The Tunisian Association "Child First" (L'Enfant d'abord) helps children from needy families in the interior regions and hospitalized children. Finally, the association Defense of the Rights of the Child was established in November 2011 with the aim of promoting and disseminating the culture of child rights in Tunisia.

Every civil organisation must be legally authorized. The current atmosphere favours the emergence of a civil society that can respond to the real needs of Tunisian society. When the recent law on associations was promulgated

(Decree 88 of 24 September 2011), associations supporting children born out of wedlock formed a collective.⁶² According to the Ministry of Interior, 1,366 associations and 111 political parties were newly authorised after the law.⁶³

c. United Nations Agencies

There are 11 United Nations agencies with offices in Tunisia, and three others participate in programming processes but are not resident in the country. Under the auspices of the United Nations Resident Coordinator who ensures their representation in the country and the coordination of their activities, these agencies and institutions provide technical assistance in support of the Tunisian government in several economic and social fields. In particular, they make sure that their joint efforts promote the achievement of the Millennium Development Goals (MDGs), taking into consideration national priorities. Such priorities are consigned in the United Nations Development Assistance Framework Plan (UNDAF). The Framework Plan for the period 2007-2011 included four strategic objectives: reducing disparities, promoting equality and improving quality of life, promoting and developing youth and protecting children and adolescents, promoting decent employment and supporting the adaptation of globalization impacts.⁶⁴

The United Nations Children's Fund (UNICEF) had been engaged in producing five-year plans related to childhood alongside the former regime. Currently, few long-term activities can be conducted, however, owing to the prevailing transition; hence, UNICEF is now implementing two-year projects only.⁶⁵



d. International Organisations

Many international organisations operate in Tunisia, particularly since the revolution and in the framework of the humanitarian response to the Libyan crisis.

The activities of Handicap International have included rehabilitation and inclusion projects for persons with disabilities. Since the beginning of the democratic transition, the organisation has provided support for hundreds of non-governmental organisations in addition to pursuing its sports and inclusion activities. Since 2008, the organisation has worked to build the capacities of hundreds of local organisations, half of which are related to persons with disabilities.

The Red Cross and Red Crescent are also present, particularly through the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (IFRC).

4. Identifying Child Rights Commendable Practices in Light of the CRC's Main Principles

i. The Right to Non-Discrimination (Article 2)

In its last Concluding Observations, the Committee expressed concern that the principle of non-discrimination is not adequately reflected in the Child Protection Code and that the legal framework addressing discrimination against children is not fully applied in practice for certain groups.

It recommended that the State Party make concerted efforts at all levels to address discrimination, notably discrimination based on political or human rights activities;

the expressed opinions or beliefs of children or their parents, legal guardians or family members; or national, ethnic, or social origin by means of a review and a reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups.⁶⁶

a. Gender-Based Discrimination

Article 6 of the Constitution provides that all citizens have the same rights and obligations, and are equal before the law.⁶⁷ Law No. 2007-32 sets the minimum age for marriage at 18 years for boys and girls. With regard to the implementation of the principle of non-discrimination based on gender in education, a situation assessment conducted prior to the elaboration of the National Plan of Action for Children interestingly reveals an absence of any form of gender-based discrimination in the access to preschool and school education.⁶⁸ Hence, the number of students who finish the various levels of school is higher among girls. In fact, the success rate for girls, irrespective of their level, was 91.3% in 2001-2002 as compared with 87.5% for boys.⁶⁹

Those indicators were developed because Tunisian educational policy seeks, in addition to ensuring equal access to education for all, to create an environment enabling all children to complete their schooling. It sees to do this by fighting grade repetition and early school dropouts, particularly among girls in rural areas, urban districts and suburbs.⁷⁰

“In spite of educational breakthroughs in favour of females, the Code of Personal Status still tolerates discrimination against women and girls in inheritance.”

In spite of educational breakthroughs in favour of females, the Code of Personal Status still tolerates discrimination against women and girls in inheritance. In fact, women do not receive the same inheritance share as men.⁷¹ Consequently, the Committee, in its Concluding Observations, was concerned by this and urged the State Party to review domestic legislation so as to ensure that discriminatory provisions affecting the inheritance rights of females are removed in accordance with Article 2 of the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).⁷²

In this regard, the Tunisian Association of Democratic Women, in collaboration with the Association of Tunisian Women for Research and Development, launched a study in 2003 on inheritance equality that led to advocating the abolition of this type of discrimination.

*b. Discrimination against
Children Born out of Wedlock*

The promulgation of the Child Protection Code aims to ensure the interests and protection of every child without discrimination. Pursuant to Article 6 of this Code, every child is entitled to have his/her private life respected, taking into consideration the rights and responsibilities of parents or guardians in accordance with the law.⁷³ The 1998 patronymic law strongly reduced the stigmas surrounding children born out of wedlock, strengthened the rights of women and mothers, and provided for better continuity of child care. A guide of procedures was also developed by several governmental bodies, with the participation of associations in 2002, to coordinate all services with a view to better guide children.

Law No. 2003-0051 of 7 July 2003 allows children of unknown parentage to have a patronymic family name. The

same law provides that the mother who has the custody of her minor child of unknown parentage must give him/her a name and her patronymic family name or must ask for permission to do so pursuant to the provisions of the Civil Status Act. Furthermore, within six months of the birth date, she must request that the President or Vice-President of the competent Court of First Instance grant the child a father's name, grandfather's name and a patronymic family name, which should be in this case the mother's name.

The number of children who are born out of wedlock and cannot be supported by their mothers has reached approximately 1,000 children per year. In most cases, the mothers are poorly educated, illiterate and from a rural and poor environment.⁷⁴ In 2010, out of 1,146 births out of wedlock, 595 children were temporarily placed or abandoned by their mothers.⁷⁵

Therefore, in recent years, the State has taken legal measures to improve conditions for the legal and material care of children born out of wedlock and/or deprived of a family environment. Such laws in particular address adoption, matrilineal identity, mother's parental authority and the search for paternity through DNA tests. They gradually allowed granting an identity to those children who became citizens under State protection. Nevertheless, maternity out of wedlock is still little accepted by society, and response may be further improved to allow for better protection and the autonomy of mothers.⁷⁶ Despite improvements, the situation of single mothers is still precarious owing to inadequate care system.⁷⁷

According to the Committee, discrimination against children born out of wedlock persists, including discrimination against single mothers expressed in negative social attitudes that negatively impact children as demonstrated, inter alia, by the high rate of abandonment and some



“The Committee was concerned, in its Concluding Observations, at the high rate of children born out of wedlock placed in institutions resulting from the precarious situation, stigmatisation and social discrimination single mothers face.



and parental support for single mothers and maintenance recovery from fathers or other persons having financial responsibility for the child.⁷⁸ On the other hand, the Committee noted with concern that the law does not clearly provide for the right of children born out of wedlock to succession or inheritance and, thus recommended the State Party amend its national legislation to ensure that children born out of wedlock benefit explicitly from the same inheritance rights as children born within marriage.⁷⁹

Amal Association for Family and Children (Amal) fights the abandonment of children born out of wedlock through the socioeconomic reintegration of single mothers. A training project for single mothers, financed by the Spanish Agency for International Cooperation, was launched in November 2010 and targets 80 single mothers. Single mothers receive six-month training on supporting dependents and assistance in seeking employment. This project extends over two years. Amal also has another programme that provides care for single mothers and their children and it revolves around five aspects, namely

infanticide cases of children born out of wedlock. Therefore, the Committee was concerned, in its Concluding Observations, at the high rate of children born out of wedlock placed in institutions resulting from the precarious situation, stigmatisation and social discrimination single mothers face. It also noted with deep concern that the Child Protection Code fails to provide appropriate mechanisms to secure adequate family

provisional accommodation (around three months), psychological and legal support, social and administrative coaching, family mediation, as well as follow-up in the medium and long terms. This last aspect includes follow-up in schools of children born out of wedlock. To date, 300 single mothers have benefited from this programme.

Associations who manage centres for abandoned children or children placed temporarily, such as the association Voice of the Child or Sahel Child Horizon provide guidance and support to mothers who recover care of their children.⁸⁰

The National Institute of Child Protection (INPE) is a governmental institution that welcomes children at risk under the age of six. The Institute provides information for single mothers on their rights and those of their children. In order to preserve the child's interest, the Institute mainly seeks to encourage women in recovering their children. The recovery rate has increased since 2006 thanks to the implementation of Law No 2003-50 which stipulates the attribution of a patronymic name. In fact, by having a patronymic family name and alimony, the child is less stigmatised and marginalised, and contributes to reducing the mother's precarious condition.

c. Discrimination against Children in Rural or Urban Areas

In Tunisia, some inequalities in access to education persist according to the place of residence. With a view to addressing this situation, the National Plan of Action for Children recommends the gradual reduction of disparities in education by means of the school card, centralised management of educational institutions and increased capacity of regional teaching administrations. In this regard, particular attention has been given to rural areas through measures aimed at encouraging non-government-

tal organisations (such as the National Union of Tunisian Women and the Tunisian Union of Social Solidarity) to create preschool teaching structures in the framework of partnerships.⁸¹

Besides, significant disparities in the health sector exist between different areas. The mortality rate of children under one year of age in rural areas is twice the rate in urban areas. Prematurity affects 5% of children under five, low birth weight affects 5.4% and stunting affects 12.3%, with this last including 3.4% with severe chronic malnutrition. Acute malnutrition or wasting and low weights are less frequent (2.2% and 4%). Conversely, the prevalence of anaemia remains high, affecting 22% of children under five. The South, Central West and Grand Tunis areas are the most affected.⁸²

According to UNICEF, 84% of the rural population had access to drinking water compared to 99% of the urban population in 2008. Moreover, 64% of the rural population had access to health services compared to 96% in urban areas.⁸³ Nevertheless, all stakeholders unanimously agree on the lack of reliable and credible data on disparities between rural and urban areas in Tunisia.⁸⁴ Disparities in standards of living and access to services such as health, education, food, employment and social support lay at the heart of the demands of protestors in 2011.⁸⁵

The Tunisian association Child First, created in 1984, supports children from low-income families and provides institutional support to schools from rural areas. The association organises convoys of school supplies and food for children in rural areas. Furthermore, this association has rehabilitated schools and given them computers, as well as providing food stuffs for student cafeterias.⁸⁶

In its Concluding Observations, the Committee noted that the State Party made important strides in eradicating

poverty and is undertaking efforts to eliminate disparities and promote equal opportunities for all children by facilitating social programmes alongside economic growth. It welcomed the three-year project (2009-2011) aimed at improving youth employment figures in most disadvantaged regions. The Committee remained concerned, however, about disparities in access and availability of services for children. The Committee recommended that the State Party pursue a policy aimed at addressing household poverty and vulnerability, and continue prioritising investment in children. It reiterated its previous recommendation (CRC/C/15/Add.181, § 23 (b)) and urged the State Party to further enhance an appropriate decentralization of budgetary resources to the most underprivileged locations and strengthen measures to ensure equal access to and availability of services for all children, irrespective of where they live.⁸⁷

Improving equal access to essential social services, notably in the most underserved governorates such as Kassine, Sidi Bouzid, Tataouine, Kairouan and Siliana, was the primary strategic objective of the United Nations Development Assistance Framework Plan (UNDAF) 2007-2011.⁸⁸ UNICEF also supported the efforts of the Ministry of Education in resource management to reduce existing disparities.⁸⁹ Additionally, stakeholders involved in child protection were mobilised in 2010 to strengthen family capacities in the most disadvantaged areas of the country.⁹⁰

Nevertheless, in the framework of this research, little information was collected about initiatives taken by the State and civil society to fight discrimination against children in rural areas since the last recommendations of the Committee, owing particularly to the lack of interlocutors within governmental institutions and to the prevailing transitional context of Tunisia.



d. *Discrimination Against Migrant or Refugee Children*

No information was found regarding discrimination against migrant or refugee children, and the Committee did not express any concerns or issue any recommendation about this issue.

e. *Discrimination Against Children of Ethnic or Religious Minorities*

No information was found regarding discrimination against children of ethnic or religious minorities, and the Committee did not express any concerns or issue any recommendation about this issue.

f. *Discrimination Against Children Living With Disabilities*

Law No. 2005-83 aims to achieve equal opportunities for persons with disabilities, particularly with regard to access to education, vocational training and employment, and to protect them from all forms of discrimination. According to the Association of Parents and Friends of Disabled People in Tunisia, children living with disabilities do not face discrimination and enjoy all their rights like other children.⁹¹ Article 17 of the Child Protection Code provides that a child living with a mental or physical disability is entitled, in addition to the usual child rights, to be protected and receive medical care in addition to a certain degree of teaching and training that allows the child to look after himself/herself and facilitates his/her active participation in social life.⁹² Since 2004, Tunisia has implemented a national strategy for children living with disabilities to achieve their full integration (for mild disabilities) or partial integration (for average disabilities) in school by the year 2015. This programme was managed by the Ministry of Social Affairs, but since 2010, has

been turned over to the Ministry of Education. UNICEF noted that this programme had questionable outcomes insofar as it did not include follow-up for children outside the school setting (medical follow-up, support from specialised physicians, etc.). Awareness-raising activities were conducted to reduce discrimination but no advocacy *per se* was undertaken. Regional commissions approved the inclusion of children, a practice that may have given rise to favouritism towards children with severe disabilities.⁹³ The Association confirms those concerns insofar as the Ministry of Education and the Ministry of Social Affairs programme for the school integration of children with disabilities does not fully take into consideration the needs of the target population.⁹⁴

In addition, since 2005, four percent of training positions in public vocational training centres have been reserved for children living with disabilities.⁹⁵

In fact, the Committee on the Rights of the Child noted with satisfaction that, since the adoption of policies by the State Party to place children with disabilities in regular schools, the number of pupils with disabilities attending regular schools has increased more than fourfold.⁹⁶ It is concerned, however, that the implementation of this policy remains too slow to meet established goals and that the integration of children with disabilities in regular schools is not accompanied by sufficient sensitivity campaigns and appropriate teacher trainings. The Committee recommended that the State Party take all necessary measures to ensure the implementation of legislation providing protection and equal access to education, professional training, employment, and social and public life for children with disabilities, in a gender-sensitive manner.⁹⁷

The Ministry of Education organised in May 2011, in partnership with UNICEF, training sessions on communication and self-development techniques for teachers

looking after children with disabilities in two integrated schools located at Siliana and Bizerte. This was a pilot project supported by British Airways. Training on communication techniques allowed teachers to strengthen their relational aptitudes and acquire new communicational automatisms and attitudes.⁹⁸

To respond to the particular needs of persons with disabilities, notably children with disabilities, the Ministry of Social Affairs, Solidarity and Tunisians Abroad seeks to integrate into the professional curriculum of its social personnel training on the rights of persons with disabilities in general, and the rights of children with disabilities to education in particular, in the framework of the school integration programme.⁹⁹

The Association of Parents and Friends of Disabled People in Tunisia is a national association composed of 22 sections, almost one section per region. Each section is managed by a regional office and includes a nursery school for children and a vocational training centre. The Association is responsible for children from early childhood to ensure their social integration in nursery schools that are composed of one-third of children with disabilities, one-third of “normal” children and one-third of children of disadvantaged families. In the early stages, this work approach was confronted by the strong reluctance of parents of non-disabled children, but the Association was able to overcome this difficulty by offering quality services, recruiting specialized and polyvalent personnel, and welcoming the beneficiary children with disabilities.

The Association of Parents and Friends of Disabled People in Tunisia was the first structure to launch a programme of school integration of children with disabilities. In this framework, it signed an agreement with the Ministry of Education. The project began with a pilot in three schools in Grand Tunis, namely Tunis, Ariana and

Ben Arous, where specific classes were established welcoming a limited number of children with disabilities, not exceeding seven children with mental disabilities per class and supported by two specialised educators and a trained teacher. This experience yielded beneficial outcomes but unfortunately the agreement with the Ministry was not renewed.¹⁰⁰

More generally, Handicap International organises awareness-raising activities on the Convention on the Rights of Persons with Disabilities. Although several services are provided for them, persons with disabilities lack visibility, and few actions had been undertaken to promote their rights. Since the revolution, organisations have tried to further incorporate the participation of persons with disabilities.¹⁰¹

*g. Discrimination Against
Children Living with HIV/AIDS*

According to UNICEF, around 2,400 people in Tunisia were living with HIV/AIDS in 2009, namely less than 0.1% of population. Less than 1,000 of females aged 15 year and above were living with HIV in 2009¹⁰² and 103 children below the age of 15 in 2009 were presumably infected.¹⁰³ Although the law prohibits any form of discrimination against people living with HIV/AIDS, social perceptions stigmatize them. Little data is available about discrimination against children, in particular. However, if a child had been excluded from the school system because he or she had tested positive for HIV, it would be possible to seek legal intervention.¹⁰⁴

In its 2004 report, UNICEF noted that mother-to-child HIV/AIDS transmission was rapidly declining and is now limited to two cases per year on average. Public health services provide free coverage of all required treatments, including tri-therapy. The National Programme for the



Fight Against AIDS is closely working with international partners within the UNAIDS programme in Tunisia.¹⁰⁵

The Tunisian Association for the Fight Against Sexually Transmitted Diseases (STDs) and AIDS is a non-governmental association (established in 1990) whose activities include information dissemination, educational programming, and communication campaigns through high schools, vocational training centres, scouts groups, etc. The Association provides moral and financial support for HIV-infected persons, organises continued training seminars for its members, holds training of trainers, and offers peer education.¹⁰⁶ In May 2010, a support group for people living with HIV/AIDS was formed by HIV-infected persons under the auspices of the Tunisian Association for the Fight Against Sexually Transmitted Diseases (STDs) and AIDS. UNDP-UNAIDS supports them in capacity-building, notably in the development of a roadmap and in communications.¹⁰⁷

The Youth and Life Space of the Association also provides services for free and confidential HIV testing of young people, without their being singled out or stigmatised.¹⁰⁸

The Association has begun developing a legal guide in cooperation with the United Nations Development Programme. The guide aims to support people living with HIV/AIDS by informing them about their rights and the services available to them. The guide was completed but must be simplified to become more accessible, according to the recommendations of people living with HIV/AIDS who contributed to the project.¹⁰⁹

In a project initiated in 2008, “The Mobilisation of Religious Leaders on HIV/AIDS”, the United Nations Development Programme and the Ministry of Religious Affairs, in collaboration with the National Office for the Family

and Population, organised training sessions for religious Muslim and Christian leaders on the medical aspects of HIV/AIDS and on fighting discrimination against people living with HIV/AIDS. Trainings were aimed at raising their awareness of discrimination and its prevention. The last training session was held for three days in December 2010 and two consultant trainers, a religious science professor and a reproduction physician, were hired. From 2007 to 2010, the Ministry of Religious Affairs, through this project, urged imams to discuss in their Friday speeches, the fight against sexually-transmitted diseases and how to avoid stigmatisation of people living with HIV.¹¹⁰ The project was financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria. A training guide was also produced.¹¹¹ Since the 2011 revolution, however, the programme has been suspended.¹¹²

ii. The Best Interest of the Child (Article 3)

Pursuant to Article 4 of the Child Protection Code, the best interest of the child should be considered significantly in all child-related measures taken by tribunals, administrative authorities, and public or private institutions of social protection. The child’s age, health, family environment and the various aspects related to his/her situation must be taken into consideration.¹¹³ All stakeholders involved in juvenile justice and concerned with the best interest of the child should seek to give precedence to an educational and correctional approach over a punitive approach in reintegrating children in conflict with the law.¹¹⁴

In its Concluding Observations, the Committee noted with appreciation that the principle of the best interest of the child is incorporated into the State Party’s legislation, and that it is generally implemented to decisions affecting children taken by legislative, judicial and administrative authorities of the State Party. The Committee was con-

cerned, however, that Article 58 of the Code of Personal Status, which provides that a female guardian must be unmarried and that a male guardian should have a wife to discharge the duties of guardianship, might be inconsistent with the principle of the best interest of the child. The Committee recommended that the State take all appropriate measures to ensure, in accordance with Article 3 of the Convention, that the principle of the best interest of the child is adequately integrated into all child-related legal provisions and implemented into judicial and administrative decisions and programmes, projects and services that have an impact on children.¹¹⁵

As confirmed by most interviewees engaged in the framework of this research, the best interest of the child is taken into consideration in the judicial sector (notably in divorce cases), but not for children in conflict with the law.¹¹⁶ Furthermore, the existing discord between practice, notably in lack of coherence and follow-up in coaching procedures, and legislative texts prevents full respect for the best interest of the child.¹¹⁷

iii. The Right to Life, Survival and Development (Article 6)

a. Health

In 2009, the mortality rate for children under one year of age was 18 per 1,000 while that of children under five reached 21 per 1,000. At birth, life expectancy is 74 years. That same year, rates of vaccination against diphtheria, whooping cough, polio and hepatitis for children under one year of age were 99%, while tuberculosis and measles vaccination rates reached 98%. Ninety-six percent of children were vaccinated against tetanus. The coverage rate for prenatal care was found to be 96% (for at least one prenatal visit) and 68% for three prenatal visits.

“As confirmed by most interviewees engaged in the framework of this research, the best interest of the child is taken into consideration in the judicial sector (notably in divorce cases), but not for children in conflict with the law.”



disparities, in particular. The survey covered 1,816 households and indicated a maternal mortality rate of 44.8 per 100,000 new births.

The 2010 national survey also showed a clear reduction of regional disparities. The regions of the South-West and Central-East had 56.8 and 30.5 maternal deaths per 100,000 new births, respectively. The North-East had the lowest rate of maternal deaths with 27.9 deaths per 100,000 new births, while the highest rate was found in the North-West with 67 deaths per 100,000 new births.¹¹⁹ These figures are different from UNICEF estimations and only reflect those births that occurred in public maternity wards, excluding the private sector and emergency wards.¹²⁰

The main objective of school health services is to protect students' health and to ensure that no health problem disrupts their school career or that they are not injured or become unwell at school. These services are provided free of charge by 1,547 first-line doctors and 2,162 paramed-

Between 2005 and 2009, 89% of deliveries occurred in institutions. In 2008, the adjusted maternal mortality ratio reached 60 deaths per 100,000 births.¹¹⁸

The national survey on maternal mortality carried out in 2010 by the National Institute of Public Health with the support of the World Health Organisation (WHO) indicated a sharp decrease in the maternal mortality rate, and a significant reduction of regional



ics, and target preschool and school children in all public and private schools, including professional schools and vocational schools. During the academic year 2008-2009, the national average of school health services stood at one doctor per every 6.92 schools and one nurse per every 4.95 schools.

Generally, this ratio is increasing, with a current average of 1,503 pupils per doctor and 1,075 students per paramedic. Recently, most school health care indicators have been positive in all educational stages in the public sector. Deterioration has been seen in the private sector in the number of students that had medical examinations, in vaccine coverage, and in the number of inspections by safety and health officials.¹²¹

In its Concluding Observations, the Committee expressed concern at the relatively high infant and maternal mortality rates. It recommended that the State Party strengthen its efforts to further reduce infant and maternal mortality, especially by focusing on preventive measures and implementing programmes to prevent the major causes of maternal death.¹²²

According to UNICEF, two-thirds of infant deaths in Tunisia are neonatal, and three-quarters of infant deaths occur during the first seven days. An audit has been conducted of all deaths of women of child-bearing age. In support of efforts to reduce maternal mortality, prenatal follow-up was intensified as part of policies for targeting, screening and capacity-building in different regions. The problem appears to lie in the lack of human (and material) resources in specific regions (mainly the lack of specialised doctors such as gynaecologists, paediatricians or anaesthetists-resuscitators). The former regime had submitted a draft law requiring doctors to serve in certain regions, but the legislation law was not passed due to the

subsequent revolution and there is little chance that it will be renewed for discussion.¹²³

Reinforcing measures for preventing and coping with child disability and incapacity was translated into a national strategy of prevention and early screening for disabilities at all stages of health-related activities. Actions taken within this context include a ministerial instruction to step up pregnancy monitoring, the elaboration of systems of reference for disability screening during the perinatal stage and the standardisation of early screening for hearing problems in maternity wards at regional and university hospitals. School health services are being consolidated to promote systematic screening for various disabilities by training personnel and preparing screening guides for psychomotor, motor or psychological defects, instrumental guides and decision-making algorithms.¹²⁴

As part of Tunisia's national anti-tobacco strategy, several preventive measures have been suggested, among them legislation, awareness, control, training and research, with the aim of fighting this phenomenon at all levels.¹²⁵

The Committee commended the measures taken by the State Party to address the use of tobacco by children (such as the national anti-tobacco campaign and the revision of the legislative framework) but remained concerned that, according to the Global Youth Tobacco Survey (2007), almost one-fourth of adolescents between the ages of 13 and 15 have already smoked a cigarette. The Committee recommended the State Party to provide children with accurate and objective information about substance abuse, including tobacco use, and to protect them from misinformation through comprehensive restrictions on tobacco advertising. It further recommended that the State Party develop rehabilitation services for children who are victims of substance abuse.¹²⁶ No information was found on anti-smoking programmes that were initiated as a result.

In the framework of the cooperation between UNICEF and the Tunisian government and in response to the events that shook the country at the beginning of 2011, a four-day training course on post-traumatic psychosocial support was organised for psychologists from the Ministry of Women Affairs. A second session subsequently targeted social workers from the same ministry. This training aimed at strengthening the capacities of participants from all over the country to offer psychological support for children and their families. The training enabled the psychologists to recognise the main psychopathological disorders associated with child trauma, to identify healthy attitudes that should be embraced, and to better deal with children who have been confronted with traumatic events.¹²⁷

b. Nutrition

Between 2005 and 2009, five percent of newborns had insufficient weight at birth. During the same period, 87% of children were precociously initiated to breastfeeding. Only six percent of infants younger than six months were exclusively breastfed and 61% were breastfed until the age of nine months with weaning food. Fifteen percent of children between 20 and 23 months were still being breast-fed. Ninety-seven percent of households used iodised salt.¹²⁸ No data on rates of stunting or insufficient weight were available. Maternal breastfeeding was a common practice in Tunisia; a 2001 survey found that 96% of children under five years old, in urban and rural areas alike, had been breastfed and that the prevalence of maternal breastfeeding did not vary according to child gender.¹²⁹

In its last Concluding Observations, the Committee was concerned that prevalence of exclusive breastfeeding fell significantly between the years 2000 (48%) and 2006 (6%). Therefore, it urged the State Party to develop strategies

and sustained programmes to inform parents and communities of the advantages of breastfeeding.¹³⁰

The promotion of maternal breastfeeding has always benefited from the sustained efforts by health authorities. Hence, the initiative “Baby-friendly Maternity Hospitals” was launched early in the 1990s and social benefits were granted to working women allowing them to accumulate up to six months of maternity leave and to take two hours per day at work for breastfeeding during the first year of their babies’ life. At the beginning of 2005, a circular was sent out offering government subsidies to all institutions that had opened a day-care centre on their premises for the children of employees. The Ministry of Health is currently implementing a nutrition communication and education strategy with respect to maternal breastfeeding in collaboration with the National Institute of Nutrition and Food Technology and UNICEF’s Tunis office.¹³¹ In the framework of this research, little information could be obtained on the causes of such a marked decrease in maternal breastfeeding and on the actions undertaken in this field to meet the Committee’s recommendations.

c. Physical Environment

Protection of the child’s environment, drinking water safety, waste water removal and treatment, and the safety of bathing water and swimming pool water is ensured by checking water purification systems, testing water’s bacteriological and physicochemical quality and monitoring drinking water treatment plants and supply points. Bottled water, which is consumed mostly by children and ill people, is subject to strict controls throughout the bottling cycle and until its consumption. Moreover, sea water is monitored along the coastline, which extends over 1,300 kilometres. Testing has shown that the water is of good quality and safe for consumption. Health checks are also performed on public institutions, food production



and service lines, swimming pool water and wastewater treatment plants and sewer systems. Surfaces irrigated with wastewater and treated water are also subject to controls.¹³²

d. Reproductive Health

According to UNICEF, around 2,400 persons in Tunisia were living with HIV/AIDS in 2009—i.e. less than 0.1% of the population. Among them were less than 1,000 women aged 15 years and above. HIV infections are more prevalent among youth than among any other age group. Since the start of the HIV/AIDS epidemic and until 2009, roughly 59% of the Tunisian population living with HIV were between 20 and 39 years of age.¹³³ Sixteen percent of youth and 10% of women of child-bearing age have adopted attitudes and practices that protect them from the risk of HIV infection.¹³⁴ Mother-to-child transmission rates of HIV are relatively low, averaging four children per year.¹³⁵

The birth rate among girls aged 15 to 19 years was six per 1,000 between 2000 and 2008.¹³⁶ Between 1990 and 2010, 60% of women aged 15-49 years used contraceptives (all methods) and 52% used modern contraceptive methods.¹³⁷ Since 1973, the voluntary termination of pregnancy (abortion) has been allowed during the first three months of pregnancy in a hospital, health or authorised clinic by a physician legally practicing his profession. All family planning and abortion services are free in clinics run by the National Office for Family and the Population. Family planning services (listening and counselling services, clinical examination and monitoring) and abortion services (including counselling and post-abortion care) are primarily carried out by midwives.¹³⁸

The National Office for Family and the Population, part of the Ministry of Public Health, is the governmental

agency in charge of Sexual and Reproductive Health (SRH) of Youth. Article 2 of the Child Protection Code guarantees children the right to benefit from preventive measures related to social, educational and health issues, as well as other provisions and procedures protecting them from all forms of violence or harm, physical or psychological harm, sexual abuse, abandonment or neglect, and ill-treatment or exploitation.¹³⁹ The National Office implemented “SRH Spaces for Adolescents and Young People”, a programme providing a conducive environment for single adolescents and young people aged 15 to 29 years to express their latent demands related to sexual and reproductive health. These spaces provide services for prevention and the treatment of adolescents and youths of both sexes. They include at least one recreation area; a multipurpose room for education run by young volunteers who respond to all questions asked by young people; an area of exchange and information about sexual health and reproduction where CDs and websites are accessible; and a listening and counselling service and high-quality confidential medical consultation by a specialist trained to meet the specific needs of young people. The objectives of this space include the development of advocacy around related issues. There are 20 youth spaces around the country, but they do not extend to all regions. However, all regional delegations offer the same services in the spaces.¹⁴⁰

In its Concluding Observations, the Committee noted with appreciation the development by the National Office for Family and the Population of an information and education strategy to increase adolescents’ awareness of mental health, reproductive health and risky behaviours. However, the Committee recommended that the State Party ensure adolescents be provided information on sexual and reproductive health, including family planning and contraceptives. It also recommended that child-friendly health services and counselling for adolescents be

gender-sensitive and confidential and be made available to adolescents who are out of school and those living in rural or remote areas.¹⁴¹

In terms of youth awareness on sexually transmitted diseases, the Tunisian Association for the Fight Against Sexually Transmitted Diseases (STDs) and AIDS organises information, education and communication campaigns in high schools, vocational training centres, and among scouts groups, and places booths at concerts and other events where young people participate.¹⁴² Also a toll free number (“80101212”) was to have been launched to respond to citizens’ questions and direct them to free and anonymous centres of counselling and HIV testing.¹⁴³ This number is not yet operational for technical reasons.¹⁴⁴

In the framework of a programme developed between the Ministry of Public Health (Department of Basic Health Care) and the Joint United Nations Programme on HIV/AIDS, a national strategy against AIDS and sexually-transmitted diseases was developed for 2012-2016. A National Committee against AIDS was established bringing together stakeholders from various medical specialisations in both the public, private and NGO sectors. Its objectives for 2015 are, inter alia, reducing the sexual transmission of HIV by half, including among young people; reaching a point where 50% of young people and 20% of young women of reproductive age adopt attitudes and practices that protect them from the risk of HIV infection; making young people aware of protective measures against sexually-transmitted HIV; incorporating preventive measures related to addiction in briefings, education and close communication sessions (youth spaces, schools and universities, centres of defence and social integration, etc), creating occasional campaigns; and assuring pregnant women with HIV have access to adequate measures for preventing HIV transmission to their children (in pregnancy, childbirth and when breastfeeding).¹⁴⁵ However,

few other measures having a specific focus on youth have been put in place in Tunisia.¹⁴⁶

e. Education

According to Orientation Law No. 80 of 23 July 2002 on education and school education, formal schooling is compulsory until the age of 16 and free for all Tunisians without any discrimination.

Basic education in Tunisia consists of nine years of schooling and is divided into two distinct stages: six years of primary school and three years of preparatory education. After these nine years, students sit for the national exam of graduation from basic education and must pass it in order to obtain a diploma of completed studies.¹⁴⁷ Kindergartens fall under the responsibility of the Ministry of Women and schools are run by the Ministry of Education.¹⁴⁸

Between 2005 and 2009, enrolment rates for primary education was 97% for boys and 98% for girls and primary school attendance rates were 95% and 93%, respectively. Enrolment in high school, however, was lower at 67% for boys and 76% for girls.¹⁴⁹ According to UNICEF, in recent years the drop-out rate has not been addressed as needed. Despite the fact that Tunisia spent 7.2% of its GDP on education in 2010-2011, the rise in high drop-out rates will have costly long-term effects. It is estimated that between 60,000 and 80,000 children drop out of school each year and 7.6% of these leave in the seventh year. These children have no access to a second-chance educa-

“It is estimated that between 60,000 and 80,000 children drop out of school each year and 7.6% of these leave in the seventh year.”



tion or to vocational training, largely because information about opportunities is not available. A review of vocational training was conducted but raised the issue of prerequisites for admission. As a result, children who have dropped out of school are often used as apprentices outside of the sphere of formal training. As a result, two years after leaving school a child can be considered de facto illiterate. One of the major factors in the high rate of drop-outs is the lack of access for some children to preschool classes. There should be a compulsory preparatory year at ages five and six to equalise opportunities for children once they enter the school system. Preschool is well-established in the private sector.¹⁵⁰

In its Concluding Observations, the Committee expressed concern that enrolment in early childhood education remains low and that many poor families and those living in rural areas are excluded from these services due to the progressive recession of the public sector in favour of the private sector as the main preschool education service provider. The Committee recommended that the State Party pursue efforts to prevent the dropping out of school and grade repetition; coordinate educational and social services; and establish an early-warning mechanism enabling the timely re-entry of drop-out children back to school or in alternative educational facilities that cater to their special educational and learning needs. Expanding vocational training in secondary schools as part of the transition from school to employment was also identified as a need.¹⁵¹

As part of a National Plan of Action for Children (2002-2011), officials have begun a reform project to modernise the educational system and improve its efficiency. Facilities for young children (namely nurseries and family day-care centres) and related procedure manuals and specifications have been introduced. In addition, a specialised training programme for care providers of children aged zero to

three years and educational support personnel has been implemented. An upgrade of *koutebs* (Koran study institutions for children) also improved their facilities and equipment and enhanced the skills development of educators.

Curriculum revision, renewal of textbooks for primary and secondary students, and teachers' guides for basic education of undergraduates have been completed, including the adoption of a competency-based approach. Among the other planned actions worth noting: the integration of new information and communication technologies into education, revision of a strategy to prevent failure and school dropout by adopting a competency-based approach and a new evaluation system, establishment of the educational priority schools network, the strengthening of social action cells and listening and guidance offices at schools, and the creation of English clubs in primary schools.¹⁵²

Vocational training also received special attention through a comprehensive reform process that improved the system's performance and applied structural interdependence between vocational training on the one hand and education and higher education sectors on the other. This contributed to significant achievements in terms of quantity and quality. Indeed, the number of vocational training students increased by 8% between 2008 and 2009. Girls account for 32.7% of total students in training. The number of vocational centres stood at 212 in 2008/2009, whether in the private or public sector. A certificate of competency completes a six month or longer training programme. The training voucher mechanism was introduced by the Ministry of Labour through a pilot programme that began in 2009 as part of the establishment of a more efficient vocational training financing system.¹⁵³ No additional information was collected on this pilot project by this study.

“This study showed that 94% of children aged two to 14 years old have been victims of verbal, physical or psychological violence within the family circle.”



ated before the 2011 revolution. However, these activities were suspended due to the current political situation.¹⁵⁵

A social action programme in schools was introduced in 1992 by three governmental bodies, namely the Ministry of Social Affairs, Solidarity and Tunisians Abroad, the Ministry of Education and Training and the Ministry of Public Health. The programme (through cells composed of the school principal, the school health team and the social worker) aims at preventing students from dropping out of school by identifying children facing difficulty integrating in order to support them. The provision of material assistance for children and their families is also included in this program through the free care card, medical support for children with disabilities, and monitoring by a social worker.¹⁵⁶ UNICEF supports related capacity building of personnel and promotes coordination through workshops, planning meetings, and an exchange of expertise. However, it is obvious that the impact of such efforts is not sustainable. An evaluation of this programme is expected to be conducted in 2012 because, although the programme has been in existence for several years, it has never been independently evaluated.¹⁵⁷

UNICEF conducted national studies on the phenomenon of students dropping out of school in nine governorates in 2009 and 2010. The studies were aimed at understanding the magnitude, characteristics and factors affecting school success or failure in Tunisia in primary schools.¹⁵⁴

Advocacy activities for the establishment of second chance schools were initiated

During the 2010/2011 school year, there were 2,944 of these cells in the same number of schools in both rural and urban areas. An additional 100 cells will be created in rural areas only during the 2011/2012 academic year. A total of 856 social workers are employed by the programme alongside 56 psychologists. Initial evaluations of the programme have suggested a lack of cooperation between different departments and limited human resources despite the large target population.¹⁵⁸

Amal Association for Family and Children maintains an academic support programme for children of deprived families with the objective of fighting early school drop-out and helping provide equal opportunities for children and better access to leisure and culture activities that complement education. Two centres were created in Ettadhamen City and Tozeur. This project was launched in the fall of 2009 targeting 200 children aged six to 16 years.¹⁵⁹ Other similar initiatives were introduced after the revolution but little information about them was available.

f. Violence Against Children

Domestic violence and abuse of children, including sexual abuse, constitute a widespread and growing problem as demonstrated, inter alia, by the figures provided by the latest Multiple Indicators Cluster Survey. This study showed that 94% of children aged two to 14 years old have been victims of verbal, physical or psychological violence within the family circle. The available physical and psychological support for victims of violence is insufficient, and the system of child protection lacks an implementing body and proceedings, especially for prevention, identification, reporting, investigation, treatment, social reintegration and follow-up. In addition, there is insufficient disaggregated data to monitor and protect child victims.¹⁶⁰ In this regard, UNICEF confirms that, while action was taken after the survey to address the issue through the National Action



“The Committee was concerned that corporal punishment remains lawful in the home and in alternative care settings and that, in spite of internal regulations of the Ministry of Education prohibiting corporal punishment, it continues to be inflicted on children by teachers throughout the State Party.”



In the last Concluding Observations, the Committee was concerned that corporal punishment remains lawful in the home and in alternative care settings and that, in spite of internal regulations of the Ministry of Education prohibiting corporal punishment, it continues to be inflicted on children by teachers throughout the State Party. Furthermore, the Committee expressed concern that the interpretation of the provision prohibiting “usual ill-treatment” of children is much narrower than the Committee’s interpretation of corporal punishment.¹⁶⁴

To address this problem, the Committee urged the State Party to take all necessary measures to prevent, prohibit and protect children from all forms of torture or other cruel, inhuman and degrading treatment or punishment in all settings. It recommended that the State Party investigate allegations of torture and ill-treatment of children, and take all necessary measures to bring the alleged

Plan to combat violence against children, implementation remains insufficient. Discussions are held on the issue of children who act violently (towards peers, teachers, or those in charge of housing centres), but not when the child is the victim.¹⁶¹ The reporting duty in case of physical or sexual violence against children is the responsibility of Child Protection Officers, medical professionals and citizens.¹⁶² Doctors have a deontological duty to report such violence, but not a legal one.¹⁶³

perpetrators to justice and avoid impunity. In addition, the Committee recommended that the State Party review its legislation in order to ensure that infliction of torture or cruel, inhuman or degrading treatment or punishment upon children is considered an aggravating factor and that penalties are commensurate with the gravity of the crime.¹⁶⁵

However, the Committee noted with appreciation the adoption of a National Plan of Action (2009-2012) to combat violence against children and to promote non-violent behaviour, the creation of an information system on children in danger that should allow for the disaggregation of data collected by Child Protection Officers, and the carrying out of surveys on violence in the school environment and on violence in the family and social environment.¹⁶⁶ No information on this programme could be obtained through this study.

An amendment to Article 319 of the Penal Code passed on 20 July 2010 by the Chamber of Deputies considers corporal punishment inflicted by parents on their children a criminal act. This amendment suppresses the legal pretext for the use of physical violence as a means of educating children. The paragraph that was removed stipulated that “the punishment of the child by the person having authority over him is not a felony and cannot be prosecuted.” The revised law therefore prohibits all forms of corporal punishment against children by parents and guardians.¹⁶⁷ No information about the impact that this amendment has had on child protection could be collected through this study.

As part of the national programme to combat violence against children and disseminate the culture of non-violence, the Observatory of Information, Training, Documentation and Studies on the Rights of the Child (hereinafter referred to as “the Observatory”) observes

and collects data on cases of violence against children to perform objective analyses and help develop strategies and action plans in this area. Following a situation assessment, several deficiencies were detected in the availability of statistics, which thus preventing the achievement of planned objectives. On 24 December 2011, the Observatory cooperated with the UNICEF office in Tunis to organise a workshop on the “Development of Statistical Indicators on Violence against Children”. This workshop aimed at discussing the design and development of statistical indicators reflecting the situation of violence against children in Tunisia.¹⁶⁸

g. Sexual Exploitation and Abuse

Child prostitution is forbidden under the Penal Code and the Child Protection Code, and the applicable provisions covers both girls and boys. Tunisian law also criminalises the production and distribution of child pornography.¹⁶⁹

Little information on sexual violence against children is available. In fact, the Child Protection Code criminalizes sexual exploitation and this terminology covers all forms of sexual violence, making no distinction between abuse and exploitation. Additionally, few cases are reported due to cultural taboos. Out of an estimated 120-126 cases of sexual violence reported by Child Protection Officers, only seven or eight might be referred to a judge.¹⁷⁰ Most people interviewed in this study confirmed this trend.

Moreover, no proper support, in particular long-term support, is offered to children victims of sexual violence. The protection network is not firmly established as clear procedures or protocols are lacking. In a sexual abuse case, the Child Protection Officer reports the case to the judicial police.¹⁷¹ However, this observation seems contradicted by the information that the Minors’ Brigade only intervenes upon the requisition of the Prosecutor of

the Republic to arrest and investigate the offender. The Minors’ Brigade has no direct relationship with the child victim or witness.¹⁷²

If the child is very young, a child psychiatrist is called upon. A confrontation between the child and the alleged abuser is organised in all cases in the presence of the judicial police or the investigating judge. As the child is interviewed several times under the current procedure, his/her testimony may change.¹⁷³

In cases of sexual exploitation, a child will be heard by the Minors’ Brigade of the judicial police, not a children’s judge (which deal with children in conflict with the law) nor a family judge (as the issue does not pertain to family affairs). Due to a lack of proper training, investigating judges usually do not take into account the background of the child.¹⁷⁴

According to our sources, child victims of sexual abuse are protected under Tunisian law through Article 77 of the Child Protection Code. However, this article must be systematized and the necessary administrative arrangements and mechanisms put in place for the adequate protection of this category of children. Moreover, the lack of child psychiatrists in hospitals (there is only one child psychiatry service at the Raazi psychiatric hospital) prevents proper psychological support of the child.¹⁷⁵

In its Concluding Observations, the Committee noted with concern that Article 227 bis of the Penal Code prohibiting sexual acts—even without violence—with a child under the age of 15 only makes reference to girls, therefore not expressly protecting boys younger than age 15 from such acts.¹⁷⁶

In addition, the Committee was concerned about the reported sharp increase in the number of children victims



of sexual abuse in the State Party in the year 2008-2009. The Committee regretted that the data provided are neither specific nor disaggregated, making impossible an assessment of the nature and extent of sexual exploitation and abuse of children, including child prostitution and pornography in the State Party.

The Committee recommended that the State Party develop a data collection and analysis system on sexual exploitation and abuse of children and the prosecution and conviction of perpetrators. It also recommended to the State Party that it amend Article 227 bis of the Penal Code so as to ensure that sexual acts without violence with both girls and boys under the age of 15 is expressly prohibited. The Committee further recommended that the State Party implement adequate legislation, policies and programmes for prevention, investigation, prosecution, recovery and social reintegration of child victims of sexual abuse and exploitation, taking into account the outcome documents from the First, Second and Third World Congresses against Sexual Exploitation of Children, held in 1996, 2001 and 2008 respectively, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.¹⁷⁷

At the end of 2010, a draft law on the procedures to be followed in cases of sexual abuse of children was read in Parliament. This draft law, prepared upon a request of stakeholders, had stipulated that in such proceedings a child is heard only once and his/her testimony recorded. A clause should have been included in the text stating that the judge be accompanied by a psychologist to preserve the best interests of the child. However, this legislation proved unsuccessful.¹⁷⁸ In addition, the draft law (part of the 2014 electoral programme of the former president) is unlikely to be supported by another political party.¹⁷⁹

b. Child Trafficking

Although there is no law that specifically criminalizes trafficking, the Tunisian Penal Code proscribes capturing, detaining or sequestering a person to be used for forced labour.¹⁸⁰ No information on child trafficking in Tunisia was found during this research, and one source stated that child trafficking does not exist in Tunisia.¹⁸¹

In its recent Concluding Observations, the Committee noted with appreciation that the State Party recently adhered to several international instruments on the matter. The Committee, however, expressed concern that the law does not specifically prohibit human trafficking and that the State Party's report lacks information about the sale, trafficking (including of body organs), and abduction of children in the country. The Committee recommended that the State Party bring domestic law into full compliance with the Convention, its optional protocol on the sale of children, child prostitution and child pornography and other relevant international instruments. The Committee also recommended that a national coordination mechanism and a comprehensive data collection system be established in order to ensure that data on human sales, trafficking, and abduction are systematically collected and analysed, and disaggregated by, inter alia, age and sex, and that they provide the tools needed to formulate and evaluate policies. The Committee also recommended that the State Party carry out awareness-raising activities on trafficking, including through media campaigns, and that it establish a toll-free child helpline to report cases and support victims of trafficking.¹⁸²

No information on actions taken to address the Committee's recommendations could be collected in this research.

*i. Children Associated
with Armed Groups or Armed Forces*

Article 18 of the Child Protection Code requires that “children benefit from all guarantees of international humanitarian rights, provided for in ratified international conventions. It is forbidden to involve children in wars and armed conflicts.”¹⁸³ The minimum age for compulsory military service is set at 18 years.

j. Landmines and Small Arms

The Committee has raised no concerns or recommendations on landmines and small arms. No source has indicated that this phenomenon exists in Tunisia.

k. Displaced or Refugee Children

In the absence of national legislation and procedures for asylum, the United Nations High Commissioner for Refugees (UNHCR) registers asylum seekers, determines whether they qualify for refugee status, issues papers to refugees and asylum seekers and tries to ensure compliance with the minimum standards of international protection for all persons within its jurisdiction. UNHCR also provides monthly allowances to long-term refugees to enable them to meet their basic needs, helps hundreds of refugees living in urban areas and seeks to relocate those who have specific protection needs.¹⁸⁴ Since the beginning of the crisis in Libya, nearly a million people, including more than 660,000 Libyans and over 200,000 persons of other nationalities, flocked to Tunisia. Most Libyans coming to Tunisia were quickly hosted by Tunisian families. The UNHCR has set up transit camps in Tataouine, Shousha and Remeda.¹⁸⁵ Other camps were also established by the International Federation of Red Cross and Red Crescent Societies (IFRC), the United Arab Emirates Red

Crescent (UAERC) and other non-governmental organisations in other camps in the region.¹⁸⁶

UNICEF has made supplies available to meet refugee needs in health, child welfare, nutrition, water, sanitation and hygiene. The supplies consist of food products, including highly-nutritious supplements such as Plumpy’nut, a peanut-based ready-to-use paste that is effective in the treatment of moderate malnutrition. Nonperishable items, including blankets, hygiene kits, early childhood development kits, vaccines, first aid kits, water containers and recreation equipment, were also provided.¹⁸⁷

International organisations have mobilized to support Tunisian host families and meet the needs of people living in camps. The International Committee of the Red Cross (ICRC) has supported the National Society for Water Exploitation and Distribution (SONEDE) to increase the supply of drinking water in the two particularly-affected regions of Ben Guerdane and Remeda.¹⁸⁸ UNICEF and its partners continue to support people living in camps by providing latrines to improve hygiene.¹⁸⁹

Early in the refugee crisis, the UNICEF organised an emergency vaccination campaign against polio, measles, diphtheria, tetanus and other childhood diseases for children under five in the transit camps, in collaboration with the Ministry of Health. Campaigns have been supported by the IFRC, the UAERC and other non-governmental organisations in other camps in the region.¹⁹⁰

To help Tunisian health facilities cope with this situation without interrupting services to Tunisians, the ICRC provided medical supplies to civilian hospitals in Dehiba, Tataouine, Ben Guerdane, Sfax and Medenine and to military hospitals of Dehiba and Shousha. Dressings, medicines and surgical equipment (including external fixa-

tors for the treatment of complex fractures) were distributed.¹⁹¹

UNICEF and Save the Children have also set up child-friendly spaces in camps and organised psychosocial support and entertainment activities, such as drawing exercises, games and singing.¹⁹² Workshops for adolescents in singing, dancing and rapping were also held.¹⁹³

In May 2011, UNICEF and Save the Children also opened a school for 150 children in Shousha Camp.¹⁹⁴ School supplies were distributed.¹⁹⁵

UNICEF has also worked with the Tunisian Ministry of Education to build two or three classrooms in Tunisian schools in areas around Ramada, where many Libyan refugee children and families live.¹⁹⁶ Libyan teachers in refugee communities will be asked to teach these children. Thus, the special educational needs of Libyan children will be met and children will have the opportunity to resume a normal life by combining social interaction and learning.¹⁹⁷

A working group on child protection coordinated between Save the Children, the Red Cross and Red Crescent movement and other partners is responding to the situation of unaccompanied minors as well as birth registration in camps.¹⁹⁸ Nearly 150 unaccompanied minors were identified by the UNICEF in June 2011. In January 2012, it was reported that 39 of 90 unaccompanied children registered during 2011 by the UNHCR were repatriated to Norway, Sweden and Denmark. To preserve the best interests of the child, the UNHCR has worked with communities of origin in the camps to find the best solution and take up the case of these children in host countries. The International Organisation for Migration (IOM) has provided child-appropriate counselling services and organised the transfer.¹⁹⁹

In close cooperation with Tunisian authorities, the IOM and UNICEF have also worked to improve assistance to all children that have crossed the border from Libya. These operations included the organisation of training sessions and other capacity-building measures for front-line workers and local authorities to more easily identify unaccompanied minors and separated children. Many of these children have arrived in Tunisia with no identification documents or with documents containing erroneous information. Children have been referred to a coordinated system of care. The operations focused first on reuniting children with their families, using interviews to determine whether reunification is considered to be in the best interest of the child.²⁰⁰

l. Orphans, Separated or Unaccompanied Children

Article 11 of the Child Protection Code states that children separated from one or both parents have the right to maintain regular contact and personal relations with both parents and other family members, unless otherwise decided by court, taking into account the best interests of the child.²⁰¹ UNICEF estimated that 130,000 children were orphans in Tunisia in 2009.²⁰²

In order to protect this category of children, the State created in 1972 the National Institute of Child Protection (INPE), which provides care for children without family support, fulfils their right to life by meeting their basic needs, and provides a surname to abandoned children or children of unknown parentage. Originally a single centre, the INPE has since been divided into six housing units with 20 children per unit. In addition, 13 units are managed by associations, nine of which are managed by the Voix de l'enfant association. Each of these units has the capacity to support 10 to 12 children.²⁰³ The Voix de l'enfant association provides for abandoned children less than one year old. Since 2002, the association also has a

“According to the Ministry of Social Affairs, the practice of placing children with foster families is well-developed.”



an extra housing unit was set up in the centre of Sidi Thabet.²⁰⁵ The INPE also provides care to children in temporary custody (two percent of the children it serves).

The Tunisian SOS Children’s Villages is a charity association of social and humanitarian nature, which supports children at risk and without family support (i.e., orphans, the abandoned and the disadvantaged). Four villages (Gammarth, Siliana, Mahrès and Akouda) accommodate 442 children. SOS Children’s Villages provides individual long-term support within a family-type model. Based on the principle that the natural family is the best environment for the development and growth of the child, the association developed a family-strengthening programme to prevent child abandonment in vulnerable families. This programme focuses on children less than six years of age, benefitting 1,207 children from 551 families. In addition to providing school education and nursery and day care, the association provides psychological support and administrative and social guidance (regularisation of civil status, job search, free care and social benefits, etc.) for single mothers.²⁰⁶

In its Concluding Observations, the Committee remained concerned that the total number of children placed in institutional care has not decreased significantly in the

support centre “J’ai droit à ma maman” (“My Mother is a Right”) in the section of Nabeul, which provides psychological, medical, legal and social support for mothers in difficulty as a way of preventing child abandonment.²⁰⁴

For children with disabilities without family support,

last ten years. The Committee therefore recommended that the State Party give priority to the protection of the natural family environment and ensure that removing the child from the family and placing him or her in foster homes or institutional care is used only as a measure of last resort when in the best interests of the child. It also recommended the development of a National Plan of Action to implement this de-institutionalization policy in an efficient manner, within a clear time-frame and ensuring the establishment of mechanisms for its implementation and monitoring.²⁰⁷

According to the Ministry of Social Affairs, the practice of placing children with foster families is well-developed. Over 400 children supported by the INPE were placed in foster families during the first nine months of 2011. During the same period, of the 746 children supported by INPE, 126 were placed back in the custody of at least one parent (mainly mothers). Of 233 children in the housing units, 71 were recovered by their mothers.²⁰⁸

To ensure the balanced physical, psychological and social development of children born out of wedlock, improve support to the child and family, decrease constraints, harmonise working methods and finally strengthen coordination among different stakeholders in favour of children deprived of their family environment, 13 organisations located in 13 governorates met to develop a constitutive text in October 2011. This work was initiated in partnership with Santé Sud, based on a potential informal networking between women directors of housing units. This network was established in the beginning of 2012 under the name of “Amen Enfance Tunisie”.²⁰⁹

m. Birth Registration

In Tunisia, the civil state is governed by Law 57-3 of 1 August 1957. The first article of this law stipulates that



birth and death certificates are mandatory for both Tunisians and foreigners.²¹⁰

Article 5 of the Child Protection Code states that every child has the right to an identity at birth. The identity consists of the first name, family name, date of birth and nationality.²¹¹ No information on rates of birth registration was available during the course of this research and the Committee raised no concerns or recommendations in this regard.

n. Children Living or Working in the Streets

Tunisian law makes no direct reference to “street children” as such. However, the Child Protection Code published in 2005 refers to children who are “exposed to neglect and homelessness.” Given this rather vague definition, statistics on children living or working in the streets have been difficult to obtain and rarely reliable. The only data available is drawn from cases of missing children.²¹²

Mobile units have patrolled at night to pick up children working in the streets. They were usually returned to their families, with no substantive follow-up from any institution, and often returned to the streets days later.²¹³

In 2010, the Committee expressed concern that 35% of the cases referred to regional Child Protection Officers in 2008 involved neglect and vagrancy. In view of the magnitude of this phenomenon, the Committee expressed concern at the apparent lack of adequate protection measures in place and at the absence of information and specific data in the State Party’s report on the state of children in street situations. The Committee therefore recommended that the State Party undertake a systematic assessment of the state of children in street situations in order to obtain an accurate picture of the root causes and magnitude of the phenomenon and, in coordination with NGOs,

to provide children in street situations with the necessary protection, including a family environment, adequate health-care services, the possibility to attend school and other social services.²¹⁴

In light of this growing phenomenon, the Ministry of Social Affairs, Solidarity and Tunisians Abroad, in cooperation with the UNICEF office in Tunisia, studied the psychosocial profile of children and young people in the streets in 2008. This study showed that 2.9% of the 564 children surveyed were living permanently in the streets and at odds with their families. The remaining children, i.e., 97.1% of the surveyed, spend their days either working or wandering, sleeping in the streets occasionally but irregularly.²¹⁵ This survey was conducted by social workers during working hours, however, and the children who participated in the survey already had a relationship with the social workers. Therefore, the survey might not have covered some marginalised children.²¹⁶ The study also showed that most children living in the streets are located in the capital region, and in greater numbers in the inner governorates of Kasserine, Gafsa, Gabes, Kairouan and Kef, as compared to coastal areas. Dropping out of school is one of the main causes for the lack of social integration of these children and young people: 86% said they had dropped out of school very early, which impeded their socio-economic integration. In fact, their low level of skills is incompatible with the requirements of additional education, job training and other such projects.²¹⁷ This survey led to the development of a strategy and action plan for informing, supporting and accompanying these children and ensure follow-up of their cases, but the project is currently stalled due to political developments in Tunisia.²¹⁸

a. Child Labour

Law No. 2005-32 has raised the minimum legal age for domestic work from 14 to 16 years, and to 18 years for certain tasks. The Tunisian Labour Code sets the minimum age of employment at 16 years with some exceptions for work in family-run businesses and light work in the industrial and agricultural sectors, provided the work is not hazardous and does not interfere with schooling. The Labour Code and the Child Protection Code both bar children younger than age 18 from hazardous work. The Labour Code gives the Ministry of Social Affairs, Solidarity and Tunisians Abroad the power to determine which jobs fall under this category.

Generally, the number of children at work aged five to 15 in Tunisia appears to be small, however the phenomenon is poorly-documented. The latest available data from 2004 shows that approximately two percent of children are employed and 0.7% work in fields unregulated by the Labour Code. Boys are generally more involved than girls (2.60% compared to 1.64%) and rural areas are more affected (2.99%, in family businesses) than urban areas (1.50%). For three quarters of working children, working hours do not exceed four hours per day.²¹⁹ Reports also indicate that Tunisian children, mostly girls, work as domestic servants, which puts them at risk of physical, psychological and sexual abuse. There have been reports of girls trafficked internally to work as domestic servants. There is evidence that children work in the agricultural sector, where they may be exposed to chemicals, injured by dangerous machinery or tools, or suffer physical harm from performing repetitive motions and carrying excessively heavy loads. Children also reportedly work in factories and as street vendors selling candy, cigarettes, and other small items. Children working on the streets may be exposed to multiple dangers including severe weather, vehicle accidents and criminal elements.²²⁰

Child labour is closely linked to the rates of children who drop out of school. As mentioned earlier, it is estimated that between 60,000 and 80,000 children drop out of school each year, while 7.6% of children drop in their 7th year. Moreover, these children have no access to second-chance education or vocational training. They are often used as apprentices on the margins of formal training.



A Tunisian girl does arts and crafts at a sponsored psychosocial activity. *Courtesy of Save the Children Sweden*

They are not supported or guided and can be victims of abuse.²²¹

The Committee welcomed the legislative amendment of 2005 changing the minimum age for domestic work and the National Programme to combat the economic exploitation of girls as domestic servants. The Committee reiterated the concern expressed in its previous Concluding Observations (CRC/C/15/Add.181, par. 41) about the lack of specific data and evaluation of activities concerning child labour in the State Party.²²²

The Ministry of Social Affairs has requested UNICEF's support in conducting a survey on child labour in Tunisia. The terms of reference were being prepared at the time of writing and partners are sought, while the International Labour Organisation might contribute to this effort. It is hoped that the study will commence in early 2012.²²³

p. Juvenile Justice

The age of criminal responsibility is set at 13 years old for boys and girls alike. In its mid-term report on its National Plan of Action for Children, Tunisia related the establishment of a legal support system, including children's courts with children's and family judges assisted by 115 social psychologists, a care and rehabilitation centre for young people sentenced to brief imprisonment, an observation centre for minors to study the determinants of delinquency and rehabilitation opportunities before sentencing, a correction and rehabilitation centre, a body for probation officers and an interdepartmental committee of reintegration of children in conflict with the law, established according to a Memorandum of Understanding between the Ministry of Social Affairs, Solidarity and Tunisians Abroad and the Ministry of Justice and Human Rights.²²⁴ The family judge hears and intervenes in cases where children face threats to their physical or moral well-being. The

children's judge hears cases of children in conflict with the law aged 13 to 18 years. The children's court is located at the Court of Appeal in each governorate.²²⁵ Children and adults may spend six days in custody and more than six months in detention awaiting final judgment.²²⁶

Child victims and witnesses of crime are heard first by the investigating judge before the investigation commences. Subsequently, they will be heard by the family judge in ensuing court proceedings. But the investigating judges are not trained specifically in child rights and do not take into account the children's background. At the moment, there is no code of procedures for these children. A confrontation is organised in all cases between the child and the alleged abuser in the presence of the judicial police or investigating judge. Moreover, under the current procedures, as the child is interviewed several times, his/her testimony may change, impacting the judicial proceedings.²²⁷

The period between 2008 and 2009 witnessed a decline in the number of children in conflict with the law who were referred to courts. In 2009, 11,902 cases were registered, compared to 12,455 cases in 2008—a decrease of 4.5%. Tunis, Sousse, Monastir and Grombalia governorates have the highest numbers of child perpetrators of felonies. Of the total, 49% of children were convicted of crimes of assault on properties, 34% of assault and 13% of crimes against morality. The midterm report does not mention the crimes for which the missing four percent were convicted.²²⁸

To prevent recidivism, children in juvenile rehabilitation centres are housed and fed. They have the opportunity to continue their education and participate in training programmes and cultural and sports activities. Regarding follow-up of children released from juvenile correctional centres, departments of social promotion, and centres for defence and social integration received 738 children

released from correctional facilities in 2009 and provided psychological and social care, family reconciliation, reintegration in schools or in training, and integration through employment or project creation. However, the Social Centre for the Observation of Juvenile Offenders provided care for 229 children during 2009. Of these, 177 children were released and returned to their families And 32 children were placed in child rehabilitation centres. The social protection centres have supported two children while two other children were imprisoned. Sixteen children remained under observation in the centre.²²⁹

Those interviewed in this research agree that, although some national laws are in line with international standards, their application and the established systems deserve further attention. Indeed, social workers and psychologists who assist judges are often in competition, and the tasks assigned to experts overlap, thus generating a complex monitoring procedure. No institution follows up on children after they appear before the court. In addition, there are no administrative mechanisms for the protection of child victims and witnesses of crime. Cases of violence against children committed by staff in detention centres are not reported by centre directors, given that this affects the assessment of their professional performance.²³⁰

In the last Concluding Observations, the Committee welcomed that the State Party adhered to all international instruments and standards related to juvenile justice and that the Child Protection Code introduces specific mechanisms that constitute an appropriate framework and procedures. The Committee noted with concern that alternatives to deprivation of liberty are not used sufficiently and regretted that the Probation Officer envisaged in the Child Protection Code has not yet been established. The Committee recommended that the State Party continue its efforts to improve the juvenile justice system in conformity with articles 37 (b), 40 and 39 of the Convention, as

well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules). Furthermore, the Committee noted with concern the high rate of recidivism of child offenders, especially girls. The Committee regretted the insufficient information available on prevailing conditions in detention facilities for children and with respect to independent complaints mechanisms.²³¹

Eight representatives of the Ministry of Justice and Human Rights and the Ministry of Social Affairs, Solidarity and Tunisians Abroad participated in a training of trainers for “The Establishment of Participatory Methodologies for Family and Social reintegration of Children Temporarily Deprived of their Freedom” in November 2010. The practical training was organised with the Canadian Centre Jeunesse de la Montérégie, with support from UNICEF. Combining theoretical courses and field visits, this training aimed to provide a new approach to working with children in conflict with the law and temporarily deprived of freedom. In December 2010, the group was to ensure the preparation and development of a training programme for other officers of both ministries.²³² Although this project was interesting, its processes are used when the child is already placed in an institution, and not in lieu of detention.²³³

In 2011, a new draft law was read in Parliament at the request of stakeholders. The draft law stipulated that a child victim of criminal acts will testify only once and his/her testimony recorded. Currently, the draft law is at standstill. Moreover, a clause should be included in the bill stating that the judge must be accompanied by a psychologist when interviewing the child to preserve the child’s interests.²³⁴



UNICEF is working with the Ministry of Justice to prepare an inventory of indicators and information on children's interaction with the justice system, in collaboration with the United Nations Office on Drugs and Crime (UNODC).²³⁵

5. The Principle of Child Participation (Article 12)

According to UNICEF, "In Tunisia, the forms of active and responsible participation of adolescents and young people in working life are rather limited."²³⁶

This study obtained one review of children's knowledge of the Convention on the Rights of the Child, dated from 1998, that shows that 60% of children know their rights, with urban children slightly more informed than rural children (64% compared to 52%).²³⁷

Four national youth consultations were conducted in 1996, 2001, 2005 and 2010. The first three consultations included those 15 to 29 years old, while that of 2010 included only those age 18 and older. The first two consultations found that organisational life only interests half of youth aged 15 to 24. Low participation in association activities is explained in 65% of cases by the lack of associations that meet their needs.²³⁸ At the third national consultation conducted in 2005, 83.3% of the 10,000 boys and girls aged 15 to 29 years were not members of parties or civil society organisations. Coffee shops were reported to be the main leisure area (31%), far ahead of associations, organisations and other clubs.²³⁹

Article 10 of the Child Protection Code states that the child has the right to freely express his/her opinions and be heard in relevant judicial proceedings and social and educational proceedings. Children are also given the opportunity to organise within a dialogue space, allow-

ing them to express their views on topics related to their rights and become accustomed to exercising responsibility, a sense of citizenship, and promotion of the child rights culture. This same article encourages the family and society to empower the child and teach him/her the rules of social life by offering the opportunity to participate, express and explain his/her concerns objectively and with self-confidence, and learn to listen to and talk to others.²⁴⁰

The Child Parliament was established under Law No. 2002-41 of 17 April 2002. It gives children the opportunity to organise themselves within a dialogue space, express their views on matters related to their rights, exercise responsible behaviour, develop a sense of citizenship and promote a child rights culture. The Parliament is comprised of 189 children and organises two regular sessions annually during the months of March and December. The Director General of the Observatory of Information, Training, Documentation and Studies on the Rights of the Child presents an annual report on the activity of the Child Parliament to the Higher Council for Children.²⁴¹ Child parliamentarians are elected for a two-year period, after which they become members of "the club of former parliamentarians." Child parliamentarians decide the topics they will discuss in parliamentary sessions. In previous sessions, members of the Child Parliament invited a minister responsible for a topic on the agenda to answer questions posed by the children. Sometimes, this was even a bit uncomfortable for the minister, when the parliament members asked many questions.²⁴² Also, the selection of children and themes addressed was conducted in a non-transparent process.²⁴³

Law No. 2006-48 of 17 July 2006 reviewed the General Municipal Statute and created a statute organising children's town councils, entrusting the chairmen of Social and Family Affairs Commissions and general secretaries of municipalities to mentor and help them organise

their annual meetings, to help promote and diversify their activities.²⁴⁴ Currently, 4,366 children, 44.32% of them girls, are members of town councils in 264 municipalities. A town council consists of four standing committees in charge of cleanliness, environment and health; culture and recreation; solidarity; information, awareness and relationships with other children's town councils.²⁴⁵

To promote the active participation of students in school life, delegates are elected to represent students on school boards. This approach aims to train young people on management and dialogue to solve problems with all members of the education community.²⁴⁶

In 1949, French settlers in Tunisia initiated film clubs to promote film culture. Currently, there are 10 film clubs, each one with a group for adults and another for children, in different regions and all under the umbrella of the Tunisian Federation of Film Societies (FTCC). Film clubs for children are spaces for exchange and expression for children using the cinematic image. They allow children aged six to 14 years not only to develop their film culture, but also to learn communication techniques (such as drawing, shadow puppets and film techniques) and to present their views freely. The number of children who participate in each club's weekly activities varies between 35 and 100 children.

Film clubs for children are managed by committees of three to seven members, including educators, parents and children. Child members are entitled to vote in elections of members. Children participate in the development and implementation of the annual club programme, which revolves around the two main components of training workshops and film screenings. Ambulatory children's film clubs are also set up to organise activities in areas without permanent clubs. Adult film club members have

the opportunity to organise ad hoc activities to teach cinema to children in other agencies and organisations.²⁴⁷

Those involved with the clubs say that, although children are primarily attracted by science fiction and action films, they are more daring than adults and often suggest films and discussion related to various psychological, social and family topics. Their suggestions are uninhibited and "anything can be expected."²⁴⁸

In its Concluding Observations, the Committee appreciated the creation of the Child and Youth Parliaments and Children's Town Councils. The Committee regretted, however, that in practice, the participation of children in public life and the ways in which they can actively participate in setting priorities and in implementing and evaluating programmes are quite limited. The views of the child are not always sufficiently taken into account in matters concerning school administration and classroom education, in public debates, in the family, as well as in administrative and judicial proceedings.²⁴⁹ In addition, the Committee also regretted that the Children's Town Councils only benefit children living in urban areas. It recommended that the State Party incorporate and establish clear mechanisms and guidelines on how the views expressed by children at the Child Parliament, the Youth Parliament and in Children's Town Councils are to be taken into account by policymaking bodies and ensure that children are provided with adequate responses to their proposals. The Committee further recommended that councils also be established in rural areas. It recommended the State Party, in accordance with Article 12 of the Convention, incorporate, facilitate and implement in practice the principle of respect for the views of the child within the family, schools and the community, as well as in institutions and administrative and judicial proceedings.²⁵⁰

In partnership with UNICEF and the United Nations Population Fund (UNFPA), the School and University Medicine Department organised in September 2010 a four-day session of training of trainers on the participation of children, adolescents and youth. This activity sought to strengthen the capacities of professionals within government institutions and associations in order to promote the effective participation of children, adolescents and youth.²⁵¹

During 2011, the Tunis film club organised a workshop for the creation of a film conceived and produced by children themselves. This movie will be released on the occasion of the 12th session of the event “Cinema for Peace” to be organised by the Federation of Film Societies in March 2012. In response to children’s requests through the committees of children film clubs and as part of the event “Cinema for Peace” (which is normally meant for adults), the third session for children will be an opportunity to deal with the issue of child labour and the Mexican film “Los Herederos” by director Eugenio Polgovski will be screened.²⁵²

In March 2011, the Arab Institute for Human Rights signed an agreement with the Ministry of Education to reactivate citizenship and human rights clubs and revise the programme of human rights education and teacher training in this regard. A commission was established jointly between the Ministry of Education and the Institute to implement this project. Citizenship and human rights clubs were established in 2005 in nine to 11 schools inside and outside Tunis. The project lasted only two years for lack of funding. These clubs involved youth outside the school setting in promoting the values of human rights, namely through town councils. The current project aims to reinstate these clubs, but at this stage a review is underway to assess whether some previously-existing clubs can be re-launched. The project under development

is also designed to integrate new schools—20 schools to begin with and then ten new schools every year over five years, giving priority to marginalised schools. It would also integrate teachers’ boards and other associations in this new project. Through the programme on human rights education, this project was expanded in 2006 to high schools and colleges but no assessment has been made on its impact. At this stage, the project ought to be assessed and it should be determined whether the issue of human rights can be integrated into other courses.²⁵³

The Association for the Defence of the Rights of the Child is a new association created in November 2011 aimed at the promotion and protection the rights of the child. It works to spread awareness of children’ rights in kindergartens and schools and to promote those rights within public institutions acting with and for children. On 15 March 2012, the association will organise a symposium under the theme “The Child, Silent Citizen” to launch awareness on children’s rights and their relationship with national law. In the symposium, children from different regions will present their views and expectations of the Constituent Assembly via a movie containing their testimonies.²⁵⁴

Other initiatives are in place in Tunisia to promote a culture of law and foster greater participation of children, especially by civil society organisations that have emerged since the revolution. They could not be documented in this research, however.

Conclusion

This study was conducted during a critical period in the history of Tunisia, at a time when the country was experiencing a revolution triggering the regional “Arab Spring”. As this report was written, Tunisia has been laying the foundations of a new republic. Several people interviewed in this research expressed their concerns vis-à-vis this transitional situation.

This study aimed at painting a picture of child rights in Tunisia, in light of the recent Concluding Observations of the Committee on the Rights of the Child issued in 2010. One of the recurring recommendations from the Committee to the State Party asked for an improvement in the quantity and quality of data (i.e., disaggregated data) and indicators on child rights in Tunisia. Studies on children and youth have been conducted by various institutions, but these data were often censored or masked by the previous regime.²⁵⁵ Although we have obtained no documented data on this in particular, stakeholders repeatedly raised concerns over disparities between regions. Children from the country’s central regions suffer from social, economic and even educational marginalisation. This marginalisation was also a trigger for the uprising that led to the fall of the old regime.

Through its pioneering policy adopted in the aftermath of its independence, Tunisia has been able to reduce gender-based discrimination: in education, the number of girls attending school is equal to boys and girls are the majority in higher education. Particular attention was paid to children with special needs to ensure their social inclusion: children with disabilities benefit from a school and professional insertion programme run by government and non-governmental organisations. Children born out of wedlock enjoy

their right to a family name and to alimony. Tunisia has an advanced legal arsenal in favour of children’s rights. It has ratified the Convention on the Rights of the Child and its Optional Protocols, promulgated the Child Protection Code, and enacted many laws over the years. Several bodies have been established in order to popularize international and national instruments and protect the best interests of the child. But these laws, while pioneering, were decided unilaterally and without public participation and awareness, thus limiting their potential and scope.

It is also apparent that child rights frameworks and mechanisms in place demand further strengthening and consolidation. The Committee has rightly recommended improving coordination between various mechanisms, including between the central government and governorates, but also between different institutions. The stakeholders have confirmed this shortfall.

Few initiatives have been documented in detail by this study insofar as many national programmes or strategies were suspended during its writing. In fact, several interviewees indicated that most of the programmes established by the old regime were based on invalid assessments or unilateral decisions made by the former President. At this post-revolutionary juncture, civil society organisations have been receiving more attention from donors. Many initiatives are being implemented spontaneously by new organisations but this study could not document them at this early stage. Undeniably, the revolution offered civil society organisations more freedom to express these views and move forward with once prohibited or restricted activities. As mentioned by most interviewees, civil society organisations, previously directed toward children’s needs, now have the opportunity to implement a rights-based approach. They need support to build their skills in this previously-restricted field, however, and are keen to increase their knowledge.



Endnotes

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This project is funded by

