



International
Labour
Organization



République Tunisienne



Training Manual on Child Labor

**TOGETHER AGAINST
CHILD LABOR IN TUNISIA**



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CHILD LABOR IN TUNISIA**



TABLE OF CONTENTS

Abbreviations	4
Introduction to the manual.....	5
The purpose of the manual	5
Structure of the manual	6
How to use this manual: Notes for the trainer/facilitator	7
MODULE 1: CHILD LABOR: CONCEPTUAL FRAMEWORK.	8
Lesson 1: What is child labor?	8
Exercise 1. What is child labor?	8
a. What is child labor: points of correction	8
b. Key concepts related to child labor.....	11
Exercise 2. Case study on the worst forms of child labor	13
c. What child labor is not: Acceptable work	15
Exercise 3. Light work	16
Lesson 2: Data on child labor	18
1. Global estimates	18
a. Global estimates of child labor.....	18
b. Global estimates of forced labor and modern slavery.....	20
2. Estimates for Tunisia	25
a. National estimates of child labor.....	25
b. Estimates of human trafficking cases	27
Lesson 3: Typology of child labor	28
Forms of child labor	28
Exercise 4. Identification of child labor sectors through a set of pictures. ...	31
Lesson 4: Causes and Consequences of Child Labor	33
a. Causes of child labor	33
b. Consequences of child labor	33
Exercise 5. Case study	34
Exercise 6. Capturing key concepts: Summative assessment	35
Exercise 7. Case Study: The different manifestations of CL: Summative assessment 2	38
MODULE 2: CHILD LABOR: INTERNATIONAL AND NATIONAL NORMATIVE FRAMEWORK.....	41
Lesson 1: International Standards and Instruments	41
1. ILO Conventions and Recommendations.....	41
2. Other International Instruments	43
Exercise 8: How does national legislation compare to international instruments?	44
Lesson 2: National laws governing child labor	45
1. Constitution of the Tunisian Republic.....	45
2. The provisions of the Labor Code.....	46
3. Child Protection Code.....	47

4. Organic Law No. 2017-58 of 11 AUGUST 2017, on the elimination of violence against women.....	47
5. Organic Law No. 2016-61 of 3 AUGUST 2016, on the prevention and the fight against trafficking in persons	48
6. Law n°2017-13 of 13 March 2017 relating to specific measures to guarantee access to basic professional training.	49
7. Law n° 2002 - 80 of 23 July 2002 on education and teaching.....	49
Exercise 9: Analysis of the strengths and weaknesses of child labor legislation in Tunisia	50
MODULE 3: CHILD LABOR: POLICY FRAMEWORKS, STRATEGIES AND ACTION PLANS.	52
1. National Policy Framework.....	52
a. The National Plan of Action to Combat Child Labor in Tunisia (PAN-TN)...	52
b. Public and government programs	53
• Poverty reduction strategies.....	53
• Education and training policy	53
• An integrated approach to social protection systems	54
• Youth and adult employment policies	54
2. Development Cooperation Programs.....	55
a. ILO Project: Together Against Child Labor in Tunisia ("PROTECTE").....	55
b. Programs supported by UNICEF and IOM	56
Exercise 10: Potential benefits of eliminating child labor	57
Points of correction: Child labor leads to poverty.	59
MODULE 4: CHILD LABOR: A STRATEGY FOR ACTION	60
Lesson 1: Intervention Process	60
a. Prevention, identification, removal and protection, rehabilitation and and reintegration	60
Exercise 11: What role do you play in the fight against child labor?	62
Lesson 2: Responses of various stakeholders to child labor	64
1. What can the government/government agencies do?	64
2. What can social partners do?	66
3. What can NGOs do?	67
Exercise 12: Stakeholder mapping to encourage coordination and collaboration	69
Key resources	71
Appendices	73
Appendix 1: ILO instruments	73
Appendix 2: The provisions of the Labor Code concerning child labor.	97
Appendix 3: Sample training program.....	101
Appendix 4: Sample Training Workshop Evaluation Form	104

ABBREVIATIONS

ARP:	Assembly of People's Representatives
ART:	Article
C.:	Convention
CPC:	Child Protection Code
CRC:	International Convention on the Rights of the Child
CT	Labor Code of Tunisia
ILC:	International Labor Conference
ILO:	International Labor Organization
INLTP:	National Initiative to Combat Trafficking in Persons
INS:	National Institute of Statistics
IOM:	International Organization for Migration
JORT:	Official Journal of the Tunisian Republic
MAS:	Ministry of Social Affairs
PAN-TN:	National Action Plan to Combat Child Labor
NGO:	Non-Governmental Organization
PROTECTE:	"Together Against Child Labor in Tunisia" Project
R.:	Recommendation
SNA:	System of National Accounts
UN:	United Nations
UNICEF:	United Nations Children's Fund
USDOL:	U.S. Department of Labor

INTRODUCTION TO THE MANUAL

This training manual was developed within the framework of the International Labor Organization's (ILO) "Together Against Child Labor in Tunisia" (PROTECTE) project, with funding from and in collaboration with the U.S. Department of Labor (USDOL). The objective of this project is to provide support to the Tunisian Government and key stakeholders in the implementation of the National Action Plan to Combat Child Labor (PAN-TN). More specifically, PROTECTE aims to:

1. Strengthen the capacity of the Government, Workers' and Employers' Organizations and civil society to implement the NAP-TN to combat child labor in Tunisia.
2. Support and improve the knowledge base on child labor and its worst forms.
3. Raise awareness and strengthen social mobilization on the fight against child labor.
4. Make available a tested model child labor monitoring system that can be replicated
5. Strengthen educational support and alternative reintegration models for the prevention of child labor

The development of a training manual on child labor in Tunisia contributes to the first objective.

THE PURPOSE OF THE MANUAL

This manual is a technical training tool intended for field workers (labor inspectors, medical labor inspectors, social workers, child protection officers, judicial police officers, social partners and civil society) working with children at risk of and/or engaged in child labor.

This manual can be used independently as a stand-alone resource, for instance for personal study or reflection, or it can be used as a framework to guide the planning and implementation of local, regional or national training on child labor, in order to bring together stakeholders to address child labor.

This manual should enable field actors to :

- Understand the key concepts, normative framework and good practices related to child labor.
- Appreciate the importance of taking child labor into consideration in their areas of work.

- Recognize their role in protecting children from exploitation.
- Transform the knowledge gained from the training into concrete measures that reduce the prevalence of child labor.

STRUCTURE OF THE MANUAL

The manual includes four modules, each containing lessons and interactive exercises to help participants apply the lessons to real-life situations.

Its design allows participants to move from understanding of general principles and definitions (Module 1 and 2) to taking action (Module 3 and 4). In most situations, it will be impossible to cover all topics in a single training session. As such, the training team should determine in advance which lessons and exercises will be most useful to the participants. As mentioned above, it is important to tailor the program to the needs of the participants. Those new to the field will need to start with more introductory sessions, while those with more experience can spend more time on more complex topics. The curriculum can be regarded as a menu from which items can be selected based on the audience's needs.

The manual is divided as follows:

Module 1 presents the conceptual framework of child labor. It examines key concepts, defines what is and is not child labor, provides estimates of the number of children in child labor globally and in Tunisia, and examines the typology of child labor and the causes and consequences of child labor. It includes **Exercises 1 to 7**.

Module 2 deals with the international standards and national laws that guide the work of actors in the field in relation to child labor. It includes **Exercises 8 and 9**.

Module 3 presents an overview of the programmes, policies and action plans to eliminate child labor. This module emphasizes that policies and national action plans to combat child labor should not be "stand-alone" documents. Rather, they should be integrated and included within broader strategies dealing with poverty, social protection, youth employment, health and education. It includes **Exercise 10**.

Module 4 is at the core of this manual. It examines the essential areas of intervention for actors on the ground, namely prevention, child identification and withdrawal, protection, care and reintegration. This module sets out the actions that governments and other stakeholders can take in each of these areas of intervention, identifying key recommendations for priority engagement by governments, workers' organizations, employers' organizations and NGOs. It includes **Exercises 11 and 12**.

The curriculum contains **12 exercises** spread throughout the module and is designed in an interactive way to help participants apply the lessons to real life situations.

Finally, the manual provides three key resources in its **appendices**: 1) ILO instruments (C.138; C.182; C.189; R.146; R.190; R. 201); 2) A sample training programme; and 3) An evaluation form for the training workshop

How to use this manual: Notes for the trainer/facilitator

- This document is intended to serve as a simple resource to accompany a workshop on child labor. An example of a three-day national workshop programme can be found in Appendix 2.
- When using the manual, it is important to take into account the local context and the participants. Trainers/facilitators are encouraged to modify or add detailed information from examples and case studies to make the topics more relevant to the participants' experience in the field. Audiovisual materials on child labor produced at the national or regional level can be extremely effective at capturing participants' attention and putting them "in the shoes of" child labor victims.
- The workshop should not be viewed solely as an opportunity for trainers/facilitators to share their knowledge. The participants themselves, with their skills and their experiences, are an invaluable resource. The role of the trainer/facilitator will be to create an environment in which a fruitful dialogue can take place.

MODULE 1: CHILD LABOR: CONCEPTUAL FRAMEWORK

Lesson 1: What is child labor?

EXERCISE 1. WHAT IS CHILD LABOR?

Note for the trainer:

Objective:

This exercise should assist you in determining the participants' level of understanding of child labor and its related issues.

- It may be useful to assess the weaknesses of the group in order to identify participants or issues that need more attention.
- Encourage participants to share what they already know about child labor, what they have heard about it, and what they have learned.
- Establish a level of consensus on the language that will be used during the training course.
- Clarify the terms that are necessary for the course content.

Duration:

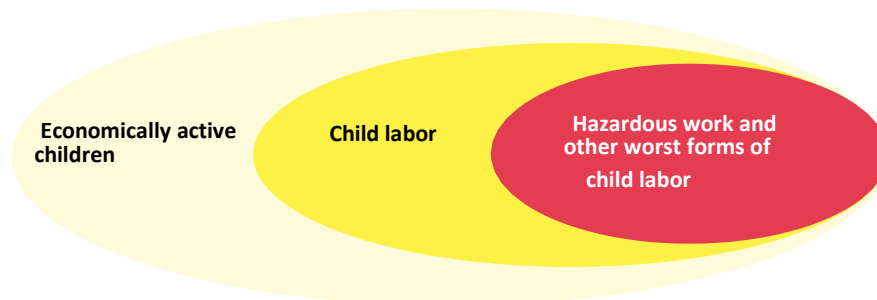
- 10-15 minutes in pairs
- 20-30 minutes in plenary discussion

Methodology:

- Organize the participants in pairs.
- Ask the pairs to define child labor, based on their knowledge and experience, and to be prepared to share their views in the plenary session.
- Be sure to let each participant speak, but if necessary, redirect the discussion toward the relevant issues
- Write down the key topics of this discussion on sheets of paper, with reference to key criteria such as age, type of activity, working conditions, and hours of work.

a. Defining child labor: points of correction

The most recent global estimates of child labor distinguish between three broad categories of working children: children engaged in economic activities, children in child labor, and children in hazardous work and in other worst forms of child labor.



a) Economically active children are those who engage in any activity within the production boundary of the System of National Accounts (SNA), even if only for one hour during the reference period. These are economic activities in which children are engaged and which cover all market production along with some types of non-market production. This concept includes work in both the formal and informal sectors; work done within and outside the family setting; work done for pay or benefit (in cash or in-kind, part-time or full-time); or domestic work (paid or unpaid) done for an employer outside the child's home.¹

b) The concept of "child LABOR" encompasses all activities that deprive children of their childhood, potential and dignity, and which harm their schooling, health, and physical and mental development.

It refers to work which:²

- is dangerous to the health and physical, social or mental development of children;
- compromises their education:
- by depriving them of all schooling;
- by compelling them to drop out of school prematurely;
- by requiring them to participate in a combination of school and work activities that are too long and strenuous for them.

It is very difficult to develop a clear, precise and universal definition of "child labor". How can we differentiate between "acceptable" tasks performed by children and actual child labor? Any classification must be supported with criteria based on **the age** of the child, **the nature** of the work performed and **the conditions** under which it is carried out.

In essence, **child labor that must be eliminated** falls into the following three categories:

- 1.** Work performed by a child under the age specified for this type of work and which is therefore likely to hinder the child's education and full development.
- 2.** Dangerous work;
- 3.** Work that falls within the international recognized "unconditional" worst forms of child labor.

¹ International Labor Organization, Resolution concerning statistics of child labor, 2008.

² International Labor Organization, Eliminating the worst forms of child labor: A practical guide to ILO Convention No. 182. – Handbook for parliamentarians No. 3, 2002.

TABLE 1: ILLUSTRATION OF CHILD LABOR THAT MUST BE ELIMINATED IN TUNISIA

Children between the minimum working age and 18 years old			Long working hours > 48 hours per week		
16 years old "minimum working age"					
Children between the minimum working age and 18 years old		Working hours > 14 hours per week			
13 years old					
Children under 13 years old					
	Work excluded from minimum age legislation	Light work	Regular work (non-hazardous, non-light work)	Hazardous work	Worst forms of child labor (other than hazardous work)
Source	Art 53-2 and 54 of the CT	Art 55 and 56 of the CT	Art 53, 63-2,79, 88 of the CT	C.182; Art 58 of the CT; Order fixing the list of dangerous works	C.182; Organic Law No. 2016-61 on preventing and combating trafficking in persons

Coloured area = Child labor to be eliminated

b. KEY CONCEPTS RELATED TO CHILD LABOR

Work excluded from the minimum age legislation may include, for example, domestic work, work in family businesses and work that is part of a course of study or training. (Labor Code (CT), Art. 53-2 and 54).

Light work: this is work that :

- is not likely to be harmful to the health or development of the child;
- does not interfere with the child's attendance at school, participation in vocational or skills training programmes approved by the competent authority, or ability to benefit from the education received. (ILO, C. 138 and CT, Art. 55 and 56).

Hazardous work: is work which, by its nature or the conditions in which it is carried out, is likely to harm the health, safety or morals of the child. (ILO, C. 182 and CT, Art. 58).

According to ILO Recommendation No. 190, the following criteria should be taken into account when determining hazardous working conditions for children at the national level:

- a) work that exposes children to physical, psychological or sexual abuse;
- b) work that is carried out underground, underwater, at dangerous heights or in confined spaces;
- c) work requiring dangerous machinery, materials or tools, or that involves handling or carrying heavy loads;
- d) work that is carried out in an unhealthy environment that may, for example, expose children to hazardous substances, agents or processes, or to conditions of temperature, noise or vibration detrimental to their health; and
- e) work that is carried out under particularly difficult conditions, for example during long hours or at night, or where the child is unjustifiably held on the employer's premises.

Types of work in which the employment of children is prohibited pursuant to the Order of the Minister of Social Affairs of January 19, 2000

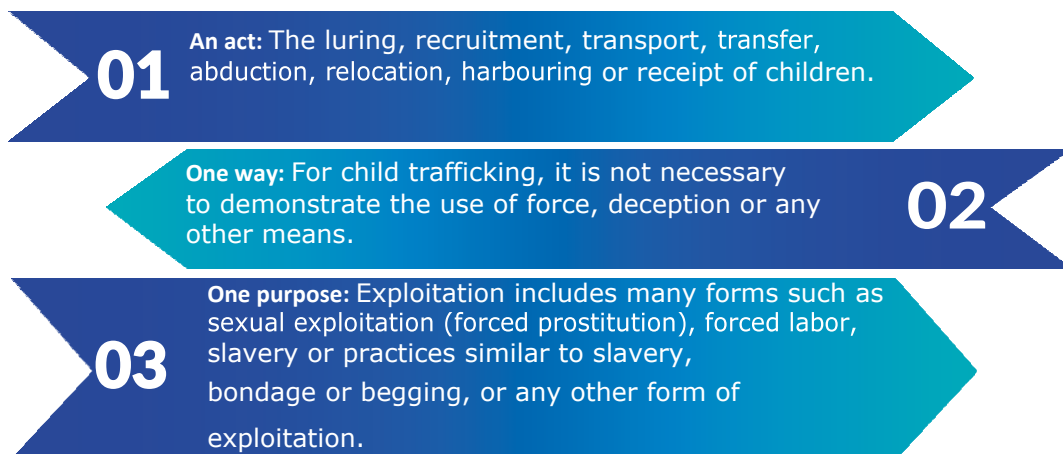
- Underground work in mines and quarries,
- Work in sewers,
- Work in furnaces for foundry and metalworking,
- Work done on the facades of the tall buildings,
- Demolition work,
- Transporting loads which exceed the maximum weights set for children under current legislation,
- Work involving the production, transformation and transmission of electricity and motive power of any kind
- Work done on aircraft runways,
- Garbage collection and processing work
- The manufacture and transportation of explosives,

- Manufacturing and pesticides,
- Work carried out in tanks or other containers containing flammable or toxic gases or vapors,
- Manufacturing and handling of tar,
- Manufacturing and trading of alcoholic beverages,
- Work in clubs, nightclubs and bars,
- Other work involving the handling of substances not provided for in this text and mentioned in the list of occupational diseases established by the legislation in force, as well as compounds of these substances.

Worst forms of child labor (other than hazardous work): This term includes, according to Art 3 of ILO C.182:

- a)** all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, **debt bondage** and serfdom as well as **forced or compulsory labor**, including the forced or compulsory recruitment of children for use in armed conflict;
- b)** the use, recruitment or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c)** the use, recruitment or offering of a child for illicit activities, including for the production and trafficking of drugs, as defined in the relevant international treaties.

DEFINITION OF CHILD TRAFFICKING UNDER LAW NO. 2016-61



Forced labor = any work or service **imposed on a person under the threat of** any penalty and of which the person has not agreed to perform voluntarily.

Servitude: The situation in which a **person is obliged to perform work or services under** conditions that the person cannot escape or change.

EXERCISE 2. CASE STUDY ON THE WORST FORMS OF CHILD LABOR

Note for the trainer:

Objective:

To explore the participants' understanding of the definition of the “worst forms of child labor”, and of the factors that must be considered in determining whether the examples in the case studies provided constitute the worst forms of child labor.

Duration:

- 15-20 minutes in small groups
- 20-30 minutes in plenary discussion

Methodology:

- Divide the participants into small groups of 4 to 5 people and assign a case to each group.
- Ask each group to read their assigned case study below and answer the questions. If they feel that the answer is not clear - that there are uncertainties or 'maybes' – they should explain why and indicate what additional information they would need in order to provide a definitive answer.
- Each group should present their answers and reasons in the plenary session. Ask those who disagree with the presentation to wait until the end to speak and not to interrupt.
- Discuss the answers and any disagreements in the plenary session. Make sure that the reasons for each conclusion are clearly noted and do not overemphasize the "wrong" answers.

Case Study 1: X is a 15-year-old boy who has finished school and hopes to find work. His uncle offers to help him to move to a neighbouring city and find a job there. His parents agree because his uncle gives them a small amount of money in advance. When they arrive in the new city, the boy is given to an employer who sends him to work in a quarry.

1. Is 'X' a victim of the worst forms of child labor? If so, in what capacity? If not, explain why?
2. Would the situation be different if 'X' was sent to work as a laborer in a factory?
3. Would it make a difference if his parents opposed his departure?
4. Would it make a difference if 'X' was 16 years old?

Case Study 2: Y is a 13-year-old girl who lives in a poor rural area. Her rich aunt who lives in the capital city suggests that Y can come and live with her if she helps her with some household chores. The aunt promises to send her to school.

1. Is Y a victim of trafficking? If so, in what capacity? If not, explain why?
2. What conditions should be considered after Y arrives in the capital city?
3. When does child domestic labor become forced labor?
4. What are the dangers faced by children in domestic work?

POINTS OF CORRECTION

CASE STUDY 1:

1. Yes, X is a victim of the worst forms of labor because he is only 15 years old and working in a quarry is considered hazardous work, which is not acceptable. This is exploitation and, combined with his displacement, the acts in question constitute trafficking.
2. The minimum age for employment is 16 years or over, so the 15-year-old is clearly in a child labor situation even if the work is not hazardous; the child should therefore be considered to have been trafficked. Another possible consideration is that the advance payment to the parents restricts the boy's freedom to leave his job. In this case, he could then be considered a bonded/forced worker, regardless of the tasks he undertakes.
3. If the boy was taken out of his city against his parents' wishes, there is probably an element of deception or force. If this can be demonstrated, the child has been trafficked. Abduction laws may also be applicable.
4. No, the situation would be the same if the boy was 16, because he would continue to be under 18 years of age, and therefore would be a victim of the worst forms of child labor if he ended up in a hazardous work situation in a quarry.

CASE STUDY 2:

1. No, Y is not a victim of trafficking, provided that she is not exploited by her aunt at all (helping with some light housework after school is nothing more than giving a "helping hand").
2. It is important to check that her aunt does not start exploiting Y (e.g., by asking her to do domestic work as if she were a maid and by not sending her to school). In this case, it would be a situation of child domestic labor, but it would still be difficult to prove trafficking.

- 3.** The distinctive characteristics of domestic work - the hidden, isolated and inaccessible nature of the workplace - and the exclusion of domestic labor from legislation, and the weak regulation of the sector, create risks of exploitation: excessive working hours with heavy workloads; low wages, wage theft or even no wages at all; limited freedom of movement for those living with the employer; inadequate housing, without respect for privacy; lack of benefits and/or social protection; lack of respect; verbal, psychological and physical abuse from the employer's family...
- 4.** Long and tiring workdays; use of toxic chemicals; carrying heavy loads; handling dangerous items such as knives, axes and hot pots; insufficient or inadequate food and shelter; humiliating or degrading treatment, including physical and verbal violence, and sexual abuse. Isolation.

c. WHAT CHILD LABOR IS NOT: ACCEPTABLE WORK

Not all tasks performed by children fall under the heading of child labor which should be eliminated (see Appendix 4).

- a).** Work performed in the context of
 - A course of study or training for which the school or training institution is primarily responsible;
 - a vocational training programme approved by the competent public authorities and carried out largely or entirely in an enterprise;
 - an information or orientation program designed to facilitate the choice of an occupation or of a line of training.
- b).** Work in establishments where only family members are employed under the authority of the father, mother or guardian, provided that the work has no adverse effect on the health, physical and mental development and schooling of the child.
- c).** Light agricultural work.
- d).** Work in non-industrial and non-agricultural light activities, provided that it does not exceed two hours per day, both on school days and on holidays, and that school and light work do not exceed a total of seven hours per day;
- e).** The participation of children in artistic performances with the authorization of the competent labor inspectorate or other relevant authority.

EXERCISE 3. LIGHT WORK

Note for the trainer:

Objective:

To explore the participants' understanding of the definition of the “light work” and of the factors that must be considered in determining whether the sample activities described below constitute acceptable forms of work.

Duration:

- 15-20 minutes in small groups
- 20-30 minutes in plenary discussion

Methodology

- Divide the participants into small groups of 4 to 5 people and give each group a copy of Handout Sheet 1: Light Duty Exercise.
- Ask the groups, based on Appendix 4, to determine whether each type of work listed in the handout can be classified as light work. If so, specify whether there are any other conditions that must be met in order to maintain this classification.
- Bring the participants back together and ask each group to share some of their answers, discussing which columns they checked off and why.
- The facilitator must follow along using the answer key and note which answers are correct and incorrect. Encourage questions and comments.

HANDOUT SHEET 1: LIGHT WORK

	Type of work	Light work ?		
		No	Yes, if	Conditions
1	Washing beans, fruits, vegetables, tubers			
2	Collecting firewood			
3	Watching domestic animals			
4	Pruning trees			
5	Selling jasmine on the roadside of La Marsa			
6	Selling tomatoes in a public market			
7	Welding metal parts			
8	Dyeing leather			
9	Cooking soup for a group of 30 people			
10	Selling alcohol			
11	Street vending at the beach			
12	Sewing clothes			
13	Helping dad with his work as an electrician			
14	Masonry			
15	Fetching water from the village			

POINTS OF CORRECTION

	Type of work	Light work ?		
		No	Yes, if	Conditions
1	Washing beans, fruits, vegetables, tubers		X	Number of working hours, conditions of work
2	Collecting firewood		X	Beware of tools (saws)
3	Watching domestic animals		X	Kicks, bites, rabies, salmonella.
4	Pruning trees		X	Tools
5	Selling jasmine on the roadside of La Marsa	X		
6	Selling tomatoes in a public market		X	Under adult supervision, limit the number of working hours and avoid nighttime, handling money
7	Welding metal parts	X		
8	Dyeing leather	X		
9	Cooking soup for a group of 30 people		X	
10	Selling alcohol	X		
11	Street vending at the beach		X	Sun protection, # of hours, handling money
12	Sewing clothes		X	Training, supervision, equipment
13	Helping dad with his work as an electrician		X	Supervision
14	Masonry		X	In training
15	Fetching water from the village		X	Distance, safety on the road, heavy loads

Lesson 2: Data on child labor

1. GLOBAL ESTIMATES

a) Global estimates of child labor

The 2016 global estimates are based on data from 105 national household surveys covering more than 70 per cent of the world's population of children aged 5 to 17 years old. All regions of the world are covered. **A total of 152 million children - 64 million girls and 88 million boys - are engaged in child labor globally,** representing about one-tenth of all children in the world.

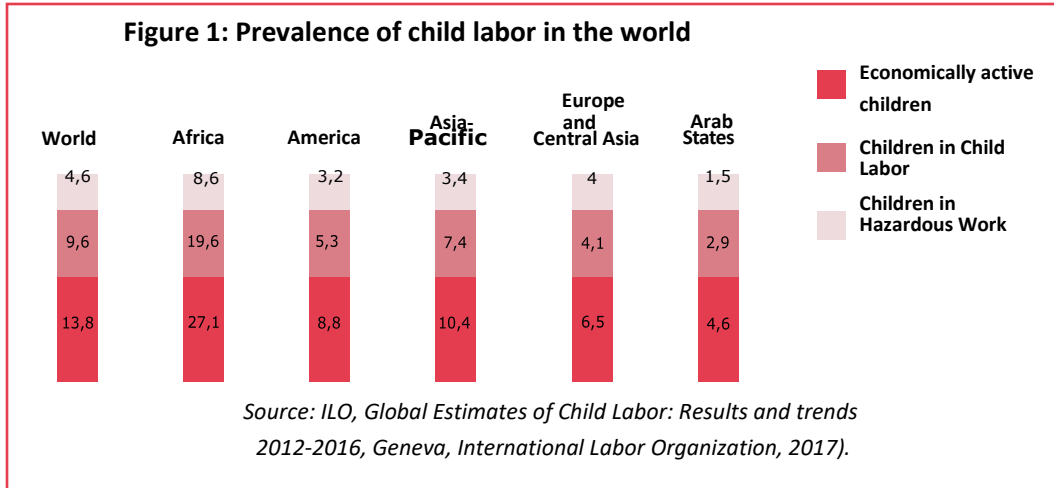
Almost **half of them** (73 million in absolute terms) are **engaged in hazardous work** that directly threatens their health, safety and moral development.

TABLE 2: MAIN RESULTS OF THE GLOBAL CHILD LABOR ESTIMATES, 5-17 YEARS OLD IN 2016

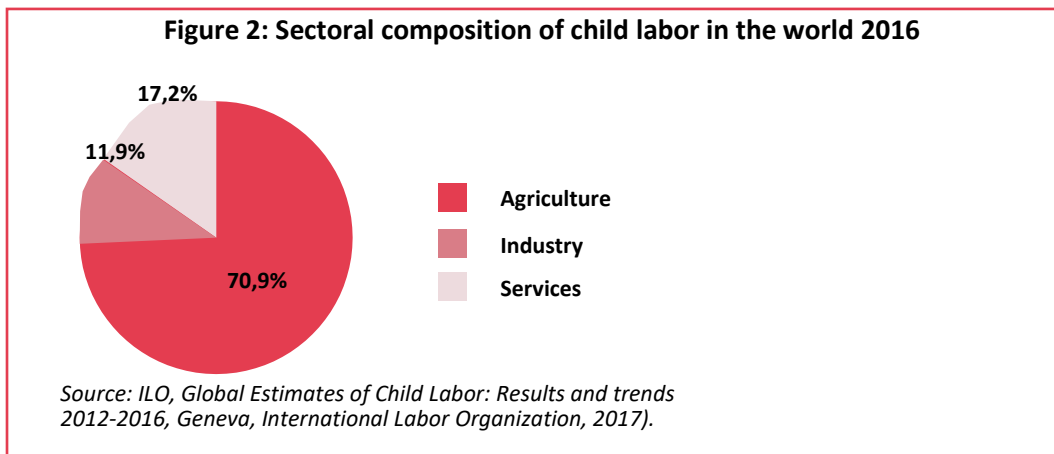
	Economically active children		Children in Child Labor		Children in Hazardous Work	
	Workforce (thousands)	Prevalence %.	Workforce (thousands)	Prevalence %	Workforce (thousands)	Prevalence %
World	218 019	13,8	151 622	9,6	72 525	4,6
Africa	99 417	27,1	72 113	19,6	31 538	8,6
America	17 725	8,8	10 735	5,3	6 553	3,2
Asia-Pacific	90 236	10,7	62 077	7,4	28 469	3,4
Europe and Central Asia	8 773	6,5	5 534	4,1	5 349	4
Arab States	1 868	4,6	1 162	2,9	616	1,5

Source: ILO, Global Estimates of Child Labor: Results and trends, 2012-2016, Geneva, International Labor Organization, 2017).

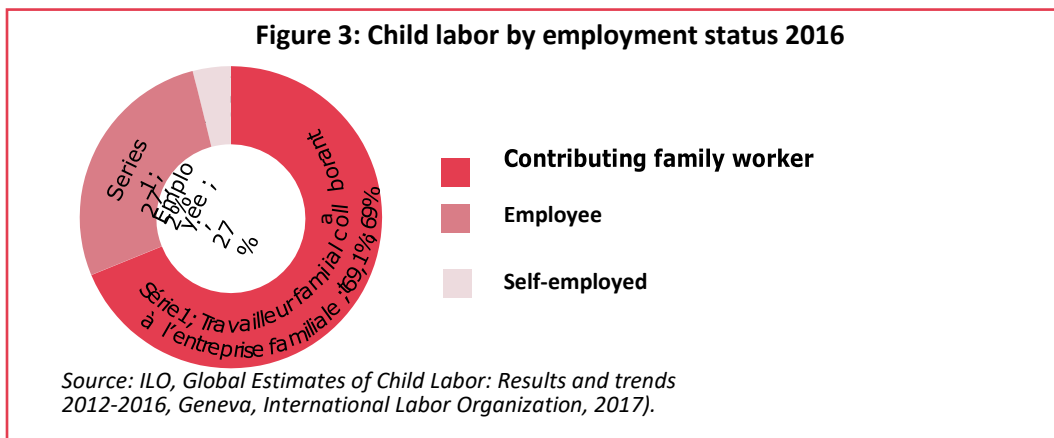
Africa ranks first both in terms of percentage (20%) and absolute number (72 million) of children in child labor.



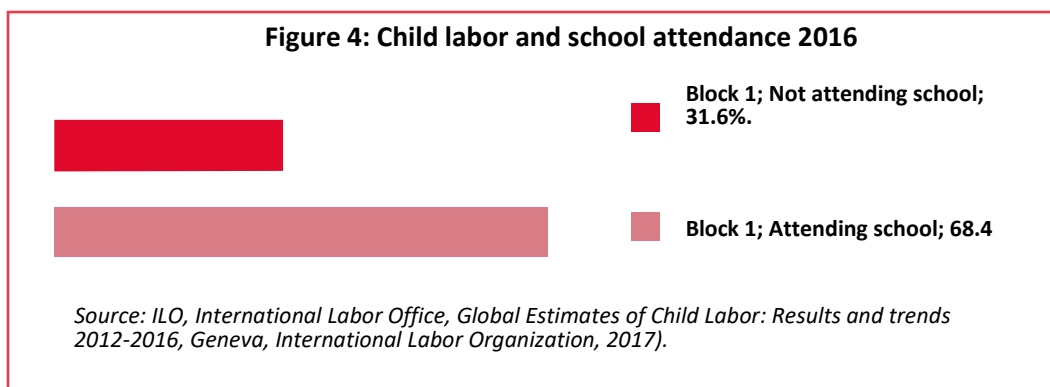
Agriculture is by far the most significant sector when it comes to child labor and accounts for 71% of all children in child labor.



More than two-thirds of all children in child labor work as "contributing family workers".



Among those aged 5-14, 32% of children in child labor are not in school



b) Global estimates of forced labor and modern slavery

Global and regional estimates were compiled by the ILO and the Walk Free Foundation, in collaboration with the International Organization for Migration (IOM). The main data sources were the 2014 and 2015 Walk Free Foundation surveys, as well as data from 26 national surveys conducted jointly by the ILO and the Walk Free Foundation in 2016, and data from the IOM database on human trafficking cases since 2012.

Although not defined in legislation, modern slavery is used as an umbrella term with overlapping legal aspects. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception and/or abuse of power. Global estimates of modern slavery focus on two general concepts: **forced labor** and **forced marriage**. The estimates of forced labor includes forced labor in the private sector, forced sexual exploitation, as well as forced labor imposed by the state.

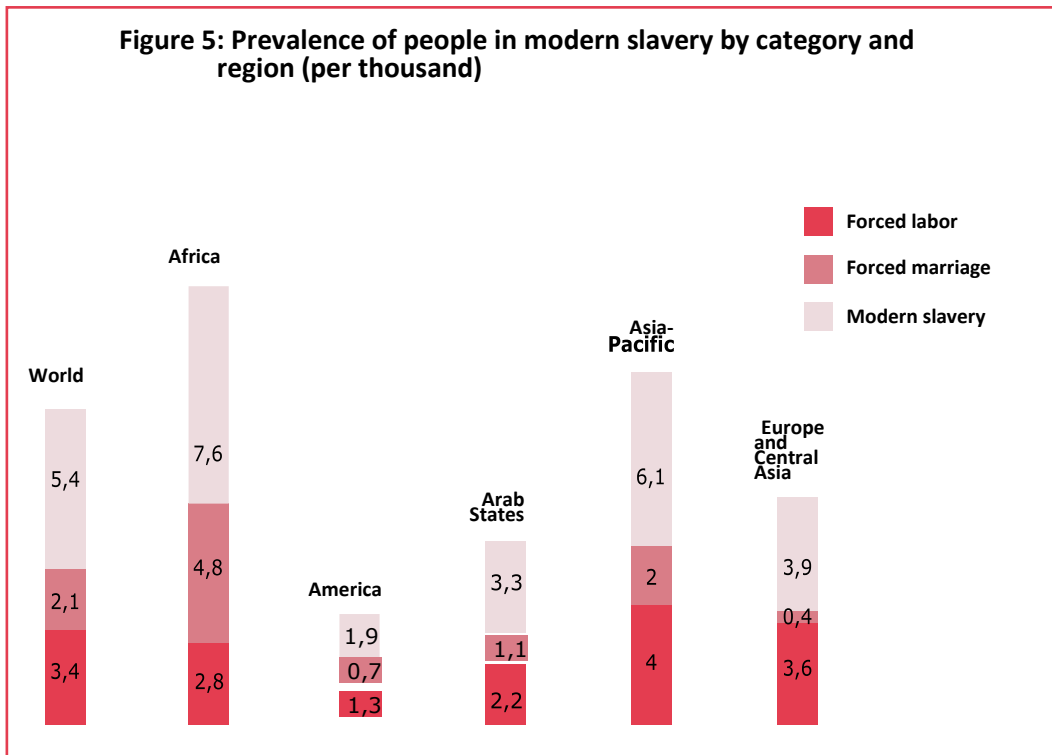
**Most of the people in modern slavery are victims of forced labor.
One in four victims of modern slavery in 2016 was a child under 18.**

TABLE 3: NUMBER AND PREVALENCE OF CHILD VICTIMS OF MODERN SLAVERY BY CATEGORY

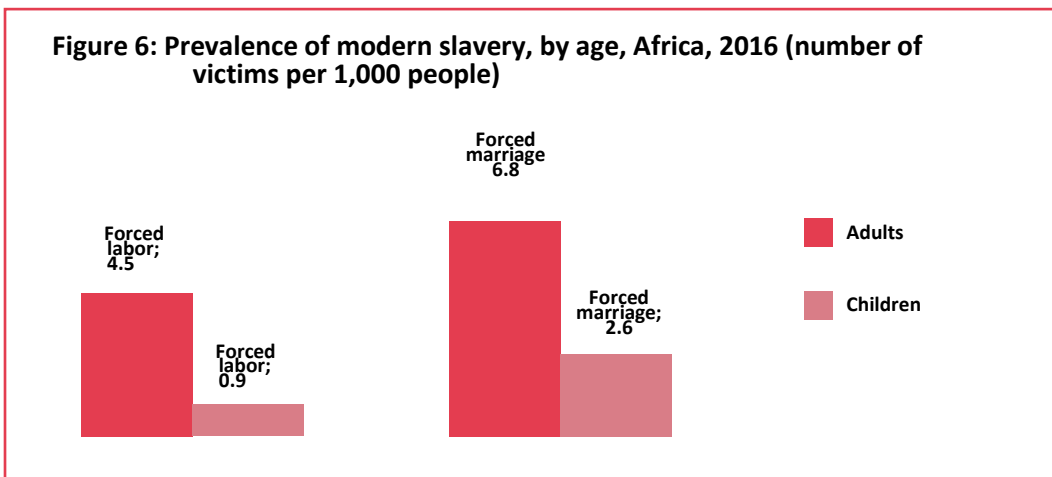
	Forced labor			Total forced labor	Forced marriage	Total modern slavery
	Exploitation through forced labor	Forced commercial sexual exploitation	Forced labor imposed by the State			
Adults						
Number (thousands)	12 995	3 791	3 778	20 564	9 762	30 327
Prevalence (per thousand)	2,5	0,7	0,7	3,9	1,9	5,8
Children						
Number (thousands)	2 980	1 024	282	4 286	5 679	9 965
Prevalence (per thousand)	1,3	0,4	0,1	1,9	2,5	4,4
World total						
Number (thousands)	15 975	4 816	4 060	24 850 3	15 442	40 293
Prevalence (per thousand)	2,2	0,7	0,5	3,4	2,1	5,4

Source: ILO, Global Estimates of Modern Slavery: Forced labor and forced marriage, Geneva, International Labor Organization, 2017.

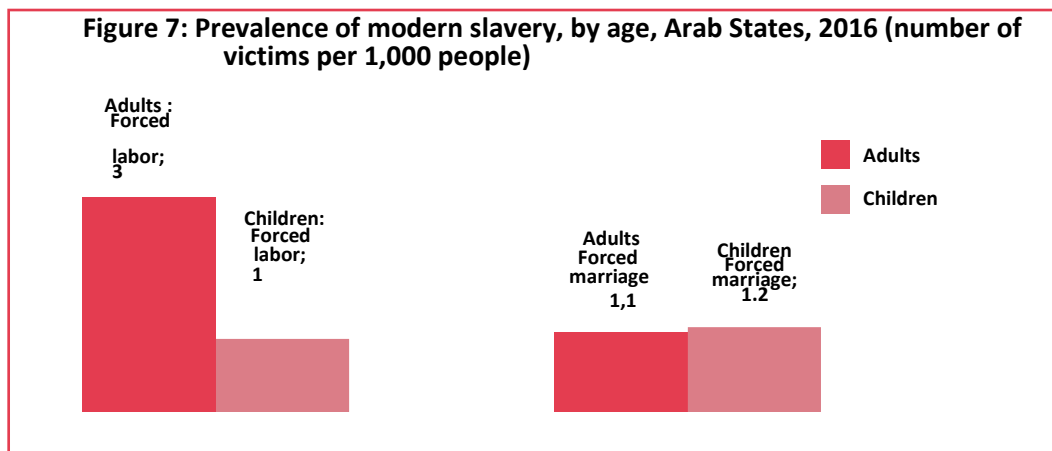
The prevalence of modern slavery is highest in Africa where there are 7.6 victims of modern slavery per thousand people.



Modern slavery affects both children and adults. Two million victims in Africa were children under the age of 18. Children were particularly vulnerable to forced marriage.



Nearly 135,000 victims in the Arab States were children under the age of 18. Children are particularly vulnerable to forced marriage, with a prevalence rate of 1.2 per 1000 children.



The prevalence of modern slavery is much higher for women in the Africa region and higher for men in the Arab States region.

Most victims of forced labor experience multiple forms of coercion from recruiters or employers. Withholding wages, or the threat of doing so, was the most common form of coercion, experienced by almost a quarter (24 per cent) of those forced to work.

TABLE 4: FORMS OF COERCION

Type of threat or penalty	% by form of coercion	% of forms of coercion by gender	
	Total	Men	Women
Physical violence	16.4	51	49
Sexual violence	4.1	2	98
Threats of violence	17.0	54	46
Threats to the family	11.8	65	35
Locked in work or living quarters	6.7	63	37
Kept drunk/drugged	0.9	87	13
Punished by deprivation of food or other forms	5.0	66	34
Punished through financial penalties or fines	6.6	48	52
Threats of legal action	5.7	68	32
Retention of identity papers or passport	4.3	35	65
Had to repay debt	9.1	77	23
Withheld wages	23.6	62	38
Too far from home and nowhere TO go	6.7	89	11
Other penalty	14.5	-	-

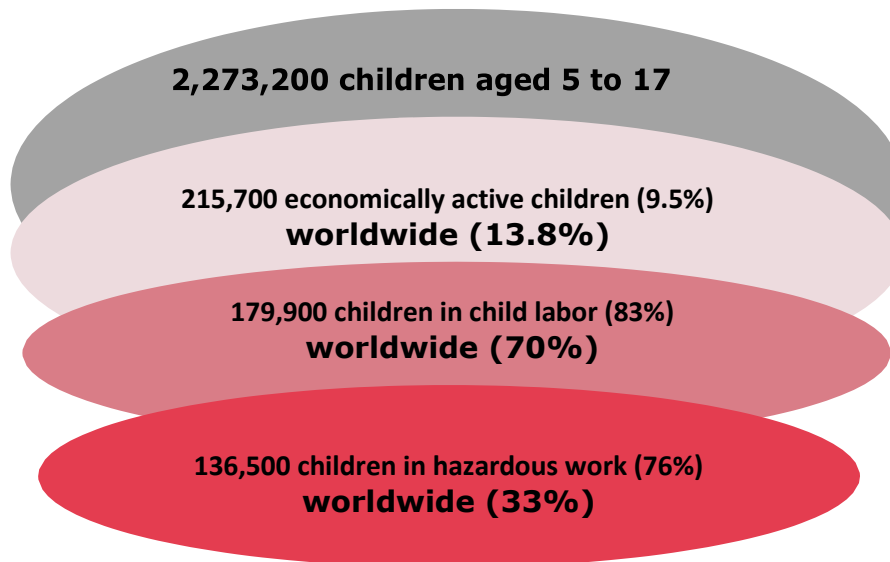
Source: ILO, Global Estimates of Modern Slavery: Forced labor and forced marriage, Geneva, International Labor Organization, 2017.

2. ESTIMATES FOR TUNISIA

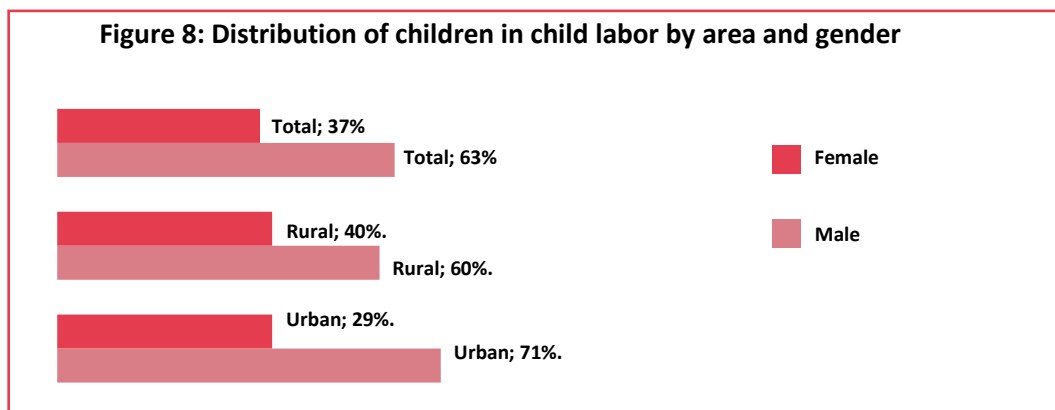
a. National estimates of child labor

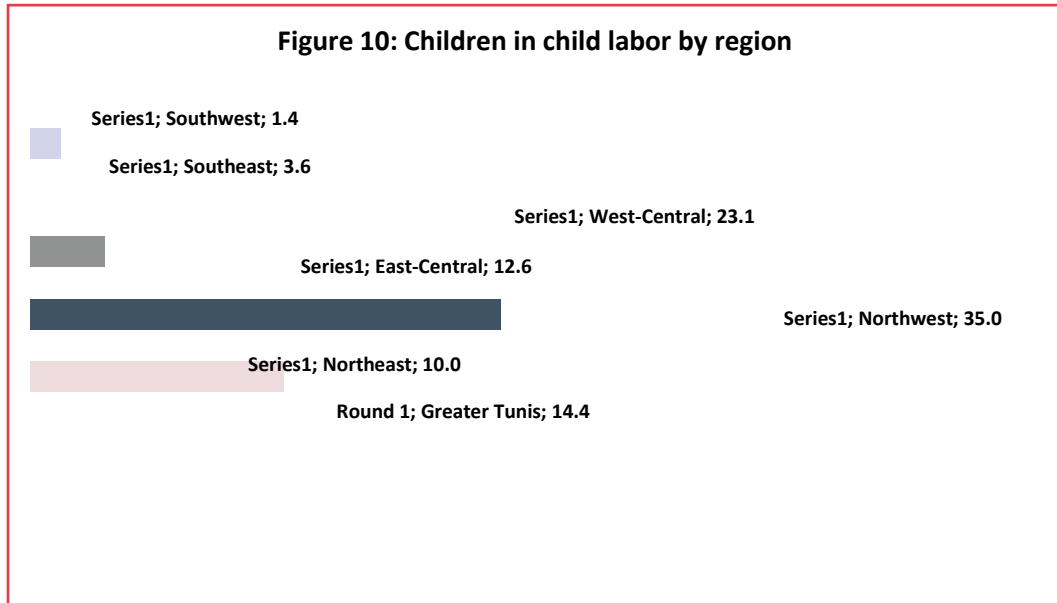
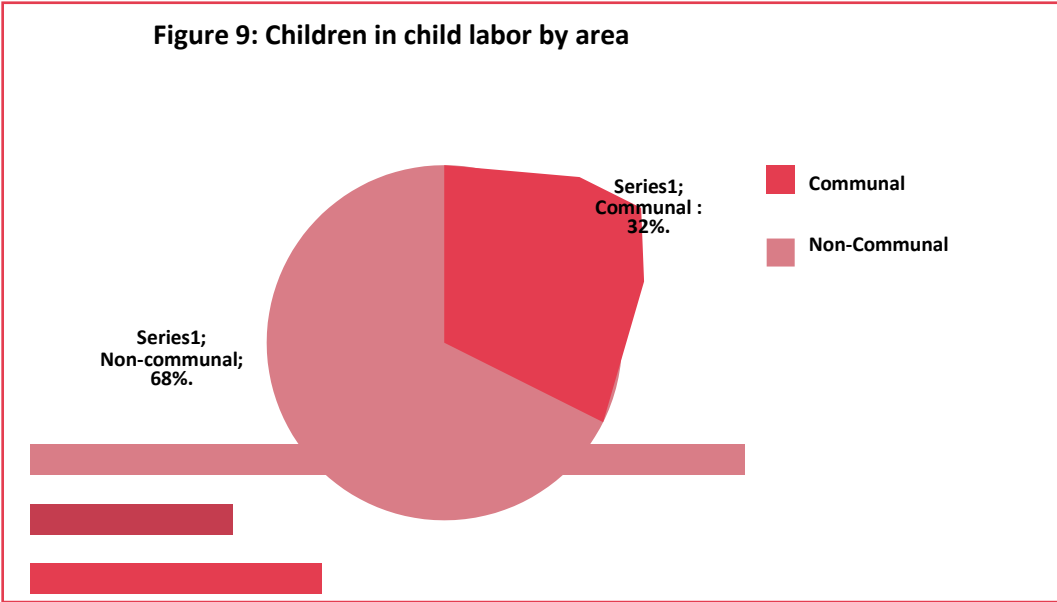
The National Survey on Child Labor in Tunisia was conducted in 2017 by the INS with the technical support of the ILO, on an initial sample of 12,740 households. It highlighted the extent and different forms of child labor among children aged 5-17. It also demonstrated the impact of social and geographical characteristics in the sectoral distribution of activities performed by children.

83% of economically active children are in child labor and 76% are in hazardous work



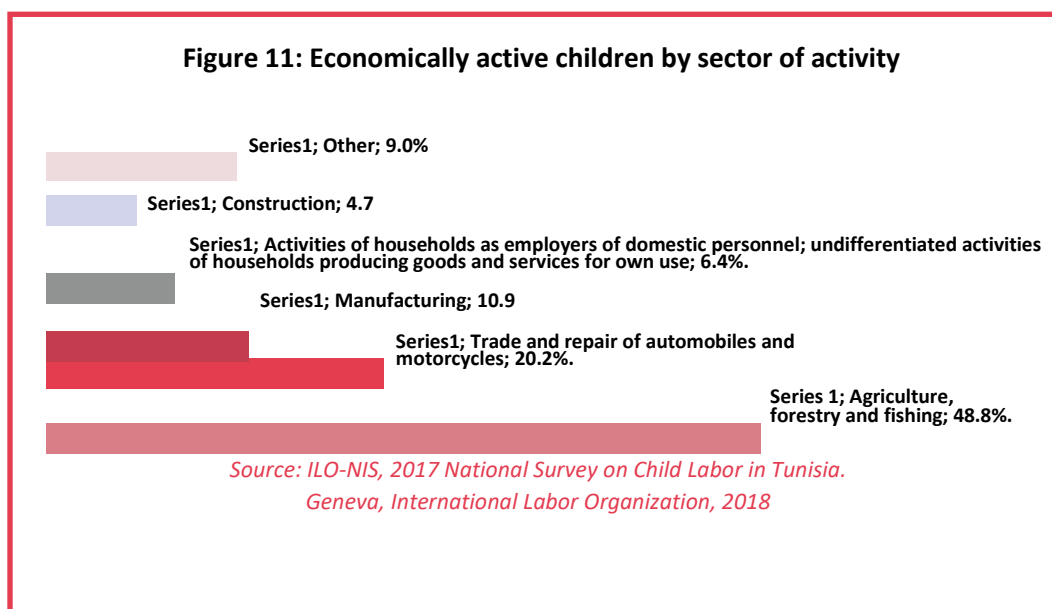
68% of children in child labor live in rural areas





Source: ILO-NIS, 2017 National Survey on Child Labor in Tunisia. Geneva, International Labor Organization, 2018

The majority of economically active children are involved in agriculture, livestock, forestry and fisheries, regardless of age and gender.



b. Estimates of trafficking in persons

According to the first report of the National Initiative to Combat Trafficking in Persons, 780 cases of human trafficking were detected in 2018, distributed as follows:

TABLE 5: DATA ON TRAFFICKING IN PERSONS IN TUNISIA

	Number of cases	% children
Forced labor	382	2.6
Use of children in criminal activities	39	100
Sexual exploitation	93	66.7
Economic exploitation in marginal/informal activities	124	100
Exploitation for begging	142	100

Source: INLTP, 2018 Annual Activity Report, 2019.

Children account for about 48% of the total cases of human trafficking identified in 2018, of which more than 84% were foreigners, with Tunisians accounting for only 15.7% of cases.

LESSON 3: TYPOLOGY OF CHILD LABOR

FORMS OF CHILD LABOR

Child labor takes many forms. In some cases it can be easily observed, while in others it takes hidden forms. Below is a list of the different forms of child labor, including some of the most general forms as well as some of the worst forms. However, as this list is not exhaustive, it does not include all existing forms.

AGRICULTURAL WORK

- Agricultural work includes:

- agricultural and forestry activities;
- the cultivation of various foods for human and animal consumption;
- work in plantations;
- animal and insect breeding;
- the use and maintenance of agricultural machinery, material, tools and equipment.

- Tunisian legislation allows children to work in agriculture from the age of 13, provided that the work does not exceed a certain number of hours and that the tasks are adapted to the age of the child. This law makes it difficult to identify victims of trafficking, as it is common for very young children to work in the sector and for abuses to be committed against them without coming to the attention of the authorities or the general public.

- A number of factors make agricultural work dangerous for children:

- exposure to an unhealthy environment, in an enclosed, poorly ventilated and poorly lit space;
- Prolonged exposure to sunlight, high temperatures or high humidity;
- handling of and exposure to chemical or biological pollutants, such as fertilizers, insecticides, pesticides;
- uncomfortable positions, repetitive movements that cause pain and injury;
- a risk of contamination by viruses, bacteria, fungi, bites or other;
- moving heavy loads, operating machinery and tools, which can cause various types of injury, and even death;

- long working hours during the day, and sometimes even at night.

DOMESTIC WORK:

- In the context of ILO C.189 and for the purposes of this training manual, a domestic worker is someone engaged in domestic work within an employment relationship, i.e. not for their own household or family, but in or for a third party household.

- Notably, it includes the following tasks: cooking, doing laundry and ironing, cleaning and housekeeping, childcare or care of the elderly, and shopping.

- Although the activity of domestic workers is well regulated by law in Tunisia, it is mainly part of the informal sector. It is therefore almost impossible to determine the number of young domestic workers working without a contract in Tunisia. The minimum legal age for engaging in domestic work is 18 years of age.³

- Domestic work is dangerous because :

- It takes place in private spaces and is therefore not visible. This can lead to the exploitation of children, or to physical, sexual or economic abuse;
- Most of the tasks represent a health risk because they can lead to injuries, burns, cuts, falls, poisoning, allergies and various types of physical and psychological injuries;
- A minor does not have the maturity to be able to assume the responsibility of caring for another person;
- It involves long working days and little or no pay;
- It limits the child's development and compromises his or her education; in most cases, it involves the separation of the child from his or her family and community and leaves children unprotected and vulnerable, especially girls who face the risk of sexual abuse.

Exploitation through begging

- Children exploited for begging, either by organized networks or by their parents, are usually left to fend for themselves in dangerous environments.

- Streets are hostile environments for minors and are fraught with danger.
- The exploitation of children for begging can result in their marginalization, their dropping out of school, and can lead to health, nutrition and hygiene issues, and loss of dignity.

Work in other formal and informal activities:

- This work includes a wide range of activities, such as selling small items on the street, collecting garbage, working in bakeries, garages, carpentry and textile workshops. Some of the forms are obvious, while others are hidden.

Work in manufacturing:

- Although limited in number, children, both girls and boys, are reportedly subjected to forced labor by their families in factories in Tunisia. This work may be regular or occasional, legal or illegal. It mainly affects young girls below the legal working age who are forced to leave school and work in factories.¹

- These tasks expose children to hazardous chemicals that can cause poisoning, respiratory and skin diseases, radiant heat, fires and explosions, vision and hearing damage, cuts, burns and even death.

¹IOM (2013), Exploratory study on trafficking in persons in Tunisia.

EXERCISE 4. IDENTIFYING CHILD LABOR SECTORS THROUGH A SET OF PICTURES

Notes for the trainer :

Objective:

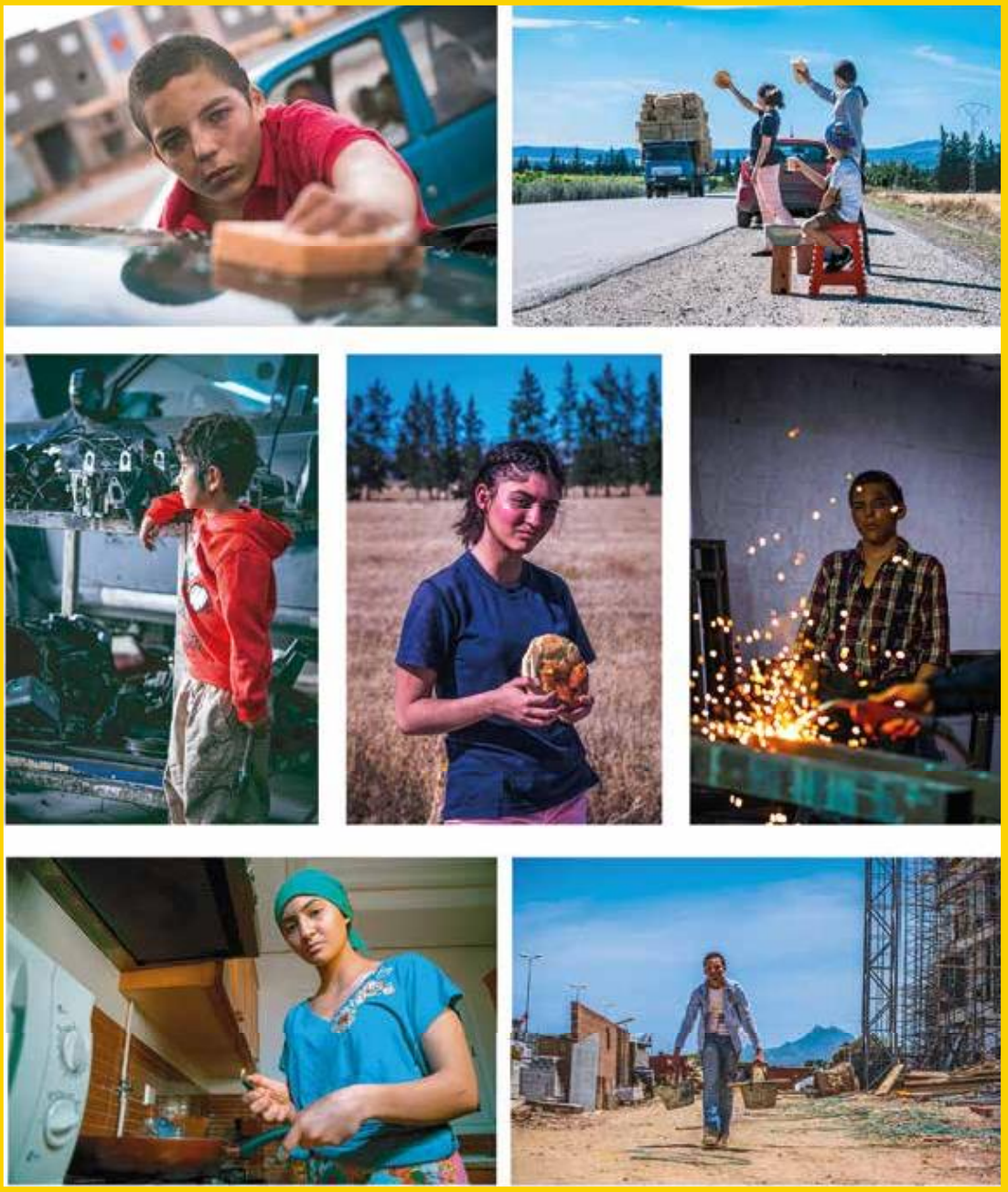
To illustrate the diversity of sectors in which children may work, as well as the difficult working conditions, both in rural and urban areas.

Duration:

- 10-15 minutes in small groups
- 20-30 minutes in plenary discussion

Methodology

- Divide the participants into small groups of 4 to 5 people and give each group the set of pictures.
- Ask the groups to describe in each picture the sector in which the child is engaged, what activities are acceptable and unacceptable, and the risks posed by child labor.
- Bring the participants back together and ask each group to share some of their answers.
- Be sure to let each participant speak, but if necessary, redirect the discussion toward the relevant issues.
- Write down the key topics of this discussion on sheets of paper, with reference to key criteria such as age, type of activity, and working conditions.



Lesson 4: Causes and Consequences of Child Labor

a) Causes of Child Labor

In a country like Tunisia, there are several potential causes of child labor, notably:

SUPPLY FACTORS

- poverty and the need for all family members to contribute economically;
- a labor market that limits adult workers' access to gainful employment opportunities under decent working conditions
- limited access to educational institutions;
- the direct or indirect costs of education, preventing children from attending school;
- the poor quality of education, which leads households to value work more than schooling;
- discriminatory practices within society and education, for example against girls;
- cultural and/or traditional practices in certain geographical areas;
- the death of parents, creating a new generation of households headed by children; many children stop schooling to help around the house or to start working

DEMAND FACTORS

- Intermediaries involved in trafficking, factory owners or farmers who exploit child labor to keep costs down, prices down and profits up.

b) Consequences of child labor

Social consequences

- There is a dual causal relationship between poverty and child labor. On one hand, children who work tend to come from poor households. On the other hand, child labor limits children's development and their opportunities to escape poverty.
- Human rights violations.
- Barrier to education.

Psychological and physical consequences

- The worst forms of child labor can have irreversible consequences on the health and physical integrity of children. The heavy loads, repetitive tasks, tools, products and noise jeopardize children's healthy development.
- These children have no childhood. They have no time to play and they grow up surrounded by adults.
- They can be victims of physical and sexual abuse, stunted growth, illnesses...
- The humiliation and abuse that many of them suffer affects their self-confidence.
- Working children are subjected to high levels of stress and to responsibilities that are too great for their young age and immaturity.

Economic consequences

- The absence or lack of education or training is a barrier to accessing decent work and getting out of poverty as an adult.
- Adults who were formerly in child labor and did not receive a quality education, are limited to low-paid and low-skilled positions, perpetuating the vicious cycle of poverty.

EXERCISE 5: CASE STUDY

Note for the trainer:

Objective:

To explore the causes and consequences of child labor at different levels

Duration:

- 15-20 minutes in small groups
- 20-30 minutes in plenary discussion

Methodology

- Divide the participants into small groups of 4 to 5 people.
- Ask each group to read the case study below and answer the questions.
- Each group should present its responses and reasons in the plenary session.
- Ask those who disagree with the presentation to wait until the end to speak and not to interrupt.
- Discuss the answers and any disagreements in the plenary session. Make sure that the reasons for each conclusion are clearly noted and do not overemphasize the "wrong" answers.

CASE STUDY:

“E. is a 17-year-old native of Jendouba, in the north-west of the country. She is the eldest in a family of three girls and a boy. Her parents are married. Her mother is a housewife and her father a mason. They made her stop her studies in the second year of primary school at the age of 10, having had repeated school failures.¹ She began working at the age of 12 in several families in Sousse and Hammamet. E. is not always well treated but cannot say more. From this experience she has suffered serious consequences. Thus, at 16, once returned to her family, she ran away from home, as her relationship with her mother became very tense. She found refuge with a young man of 23 years, a cannabis dealer, whom she fell in love with. In his apartment live other men of the same age. E. feels compelled to have sex with them, because she does not pay rent and fears homelessness. One of her friends told her mother, who warned the police. E. was sentenced to one month of imprisonment for prostitution. When we met, she was serving her third prison term for the same reason in the Rehabilitation Centre/detention facility for minors. She plans to return to her family at the end of her term, in six months. However, her mother has not visited her since her last conviction.” Source IOM (2013), Baseline Study on Trafficking in Persons in Tunisia”, p. 53.

a) Describe the causes and consequences of this child's work.

b) Have you observed any other causes and consequences of child labour in Tunisia based on your knowledge and experience at the national, regional, and local levels?

EXERCISE 6. GRASPING KEY CONCEPTS: SUMMATIVE ASSESSMENT 1

Note for the trainer:

Objective:

To examine and consolidate participants' understanding of child labor concepts.

Duration:

- 5-10 minutes individually
- 10-15 minutes in plenary discussion

Methodology

- Give a copy of Handout Sheet 2 to each participant and ask them to match the definitions below with the concepts they describe.
- Ask everyone to share some of their answers.
- The facilitator should follow along using the answer key and note which answers are correct and which are incorrect. Encourage questions and comments.

¹ E. was behind in her studies. Students in second year of primary school are normally 7 years old.

HANDOUT SHEET 2: UNDERSTANDING KEY CONCEPTS

Definitions	Concepts
1. "Any human being under the age of eighteen who has not yet reached the age of majority by special provisions".	Child domestic labor
2. "Those engaged in an economic activity, whether remunerated or not, in a permanent or temporary manner, for at least one hour during the week of reference".	Forced labor
3. "Household chores, work in family businesses, and work that is part of a course of study or training".	Exploitation
4. "Work which, by its nature or the conditions under which it is carried out, is likely to harm the health, safety or morals of the child".	Domestic worker
5. "Work that is not likely to adversely affect the child's health or development, school attendance, and participation in vocational guidance or training programs".	The worst forms child labor
6. "(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom as well as forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; 7. (b) the use, recruitment, or offering of a child for prostitution, for the production of pornographic material or for pornographic performances; 8. (c) the use, recruitment, or offering of a child for illicit activities, including for the production and trafficking of drugs; 9. (d) work which, by its nature or the conditions under which it is carried out, is likely to harm the health, safety or morals of the child".	Human trafficking
10. "The luring, recruitment, transport, transfer, diversion, relocation, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation."	Light work
11. "Any work or service imposed on a person under the threat of any penalty and of which the person has not agreed to perform voluntarily".	Hazardous work
12. "Any person of female or male gender performing domestic work in the context of an employment relationship".	Work excluded from minimum age legislation
13. "The act of abusing a person for one's own benefit, for example, sexual exploitation, forced labor or services, slavery, debt bondage or removal of organs".	Economically active children
14. "A situation in which a person is obliged to perform work or provide services under terms and conditions that this person cannot escape or change".	Child
15. "Situations in which such work is performed by children under the minimum age, in hazardous conditions or in a situation akin to slavery".	Servitude

"TOGETHER AGAINST CHILD LABOR IN TUNISIA" (PROTECTE)

Training Manual on Child LABOR

POINTS OF CORRECTION	
Definitions	Concepts
1. "Any human being under the age of eighteen who has not yet reached the age of majority by special provisions".	Child domestic work 12
2. "Those engaged in an economic activity, whether remunerated or not, in a permanent or temporary manner, for at least one hour during the week of reference".	Forced labor 8
3. "Household chores, work in family businesses, and work that is part of a course of study or training".	Exploitation 10
4. "Work which, by its nature or the conditions under which it is carried out, is likely to harm the health, safety or morals of the child".	Domestic worker 9
5. "Work that is not likely to adversely affect the child's health or development, school attendance, and participation in vocational guidance or training programs".	The worst forms child labor 6
6. "(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom as well as forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; 7. (b) the use, recruitment, or offering of a child for prostitution, for the production of pornographic material or for pornographic performances; 8. (c) the use, recruitment, or offering of a child for illicit activities, including for the production and trafficking of drugs; 9. (d) work which, by its nature or the conditions under which it is carried out, is likely to harm the health, safety or morals of the child".	Trafficking in persons 7
10. "The luring, recruitment, transport, transfer, diversion, relocation, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation."	Light work 5
11. "Any work or service imposed on a person under the threat of any penalty and of which the person has not agreed to perform voluntarily".	Hazardous work 4
12. "Any person of female or male gender performing domestic work in the context of an employment relationship".	Work excluded from minimum age legislation 3
13. "The act of abusing a person for one's own benefit, for example, sexual exploitation, forced labor or services, slavery, debt bondage or removal of organs".	Economically active children 2
14. "The situation in which a person is obliged to perform work or provide services under terms and conditions that the person cannot escape or change".	Child 1
15. "Situations in which such work is performed by children under the minimum age, in hazardous conditions or in a situation akin to slavery".	Servitude 11

EXERCISE 7: CASE STUDY: THE DIFFERENT MANIFESTATIONS OF CHILD LABOR: SUMMATIVE EVALUATION 2

Note for the trainer:

Objective:

To examine and consolidate participants' understanding of child labor concepts. To gauge the participants' understanding of the situations that constitute children's work, child labor, the worst forms of child labor, light work, child trafficking, youth employment and hazardous work.

To help participants apply their knowledge in real-life scenarios.

Duration:

- 15-20 minutes in small groups
- 20-30 minutes in plenary discussion

Methodology

- Divide participants into small groups of 4 to 5 people
- Give a copy of Handout Sheet 3 to each group and ask them to discuss each of the situations described in the table below and check off the appropriate columns that apply to that situation.
- Bring the participants back together and ask each group to share some of their answers, discussing which columns they ticked and why. The facilitator should follow along using the marking grid and note which answers are correct and which are incorrect. Encourage questions and comments.
- Ask those who disagree with the presentation to wait until the end to speak and not to interrupt.
- Discuss the answers and any disagreements in the plenary session. Make sure that the reasons for each conclusion are clearly noted and do not overemphasize the "wrong" answers.

"TOGETHER AGAINST CHILD LABOR IN TUNISIA" (PROTECTE)

Training Manual on Child LABOR

HANDOUT SHEET 3: THE DIFFERENT MANIFESTATIONS OF CL

	Case Studies	Children engaged in a job/or task	Child labor	Light work	Worst forms of child labor	Hazardous work	Child trafficking	Youth employment / decent work	Is this correct?
1	A 16-year-old boy is hired by a group of "businessmen" to sell illegal drugs on the market.								
2	A 15-year-old girl works as a maid. She is enrolled in school but often misses classes because she has to look after small children at home.								
3	During the school holidays, a 10-year-old boy works a few hours a day with his mother to help her sell vegetables.								
4	A 16-year-old boy works with his family inside a mine for 8 hours a day.								
5	A local recruiter promises a 17-year-old girl a well-paid job in another country. Once arrived in the new country, the recruiter confiscates the girl's passport and forces her into prostitution.								
6									
7	A 7-year-old boy works alongside his family to harvest fruit. He does not go to school.								
8	A 16-year-old girl does not go to school but works 8 hours a day on a plantation. She is paid fairly, does not operate machinery and does not work with pesticides.								
9									
10	A 13-year-old boy is paid to carry very heavy bags of cement for a construction company.								
	A 12-year-old girl goes to school and works 10 hours a week cleaning the local tea shop.								
	A 16-year-old boy is paid to work full time in a mechanic's shop.								

POINTS OF CORRECTION

	Case studies	Children engaged in a job/ or task	Child labor	Light work	Worst forms of child labor	Hazardous work	Child trafficking	Youth Employment/Decent Work	Is this correct?
1	A 16-year-old boy is hired by a group of "businessmen" to sell illegal drugs on the market.		*		*				
2	A 15-year-old girl works as a maid. She is enrolled in school but often misses classes because she has to look after small children at home.		*		p	p			
3									
4	During the school holidays, a 10-year-old boy works a few hours a day with his mother to help her sell vegetables.	*							
5	A 16-year-old boy works with his family inside a mine for 8 hours a day.		*		*	*			
6	A local recruiter promises a 17-year-old girl a well-paid job in another country. Once arrived in the new country, the recruiter confiscates the girl's passport and forces her into prostitution.		*		*		*		
7									
8	A 7-year-old boy works alongside his family to harvest fruit. He does not go to school.		*		*	*			
9	A 16-year-old girl does not go to school but works 8 hours a day on a plantation. She is paid fairly, does not operate machinery and does not work with pesticides.	*						*	
10									
	A 13-year-old boy is paid to carry very heavy bags of cement for a construction company.		*		*	*			
	A 12-year-old girl goes to school and works 10 hours a week cleaning the local tea shop.		*	*					
	A 16-year-old boy is paid to work full time in a mechanic's shop.	p	p		p	p		p	

P: possibly

MODULE 2: CHILD LABOR: INTERNATIONAL AND NATIONAL NORMATIVE FRAMEWORK

Lesson 1: International Standards and Instruments

There is a clear international normative framework to protect children from child labor, to guarantee their access to education and full development as individuals and citizens, and to protect children's rights. It is important to note that Tunisia has acceded to the main international conventions relating to children. These include the United Nations Convention on the Rights of the Child (ratified in 1991), Convention No. 138 concerning Minimum Age for Admission to Employment (ratified in 1995), and Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (ratified in 2000).

1. ILO CONVENTIONS AND RECOMMENDATIONS

The most recent and comprehensive ILO instruments on child labor are the 1973 Minimum Age Convention (No. 138) and Recommendation (No. 146); the 1999 Worst Forms of Child Labor Convention (No. 182) and Recommendation (No. 190); and the 2011 Domestic Workers Convention (No. 189) and Recommendation (No. 201) (not ratified by Tunisia).

ILO Convention (No. 138) on the Minimum Age for Admission to Employment, 1973, and Recommendation No. 146

The overall objective of C.138 is twofold: to protect the right of children to education and to protect them from hazardous work, by setting a general minimum age below which neither employment nor work is possible, so that children and young people can develop their full physical and mental capacities.

The Convention requires States to set a minimum age for admission to employment which shall not be less than the age at which compulsory

ILO Convention (No. 182) on the Worst Forms of Child Labor, 1999, and Recommendation No. 190

This convention applies to all children under 18 years of age.

It demands "immediate and effective measures" to abolish the worst forms of child labor "as a matter of urgency". The convention specifically refers to:

(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children

schooling ceases, nor, in any event, below 15 years. However, a Member State whose economy and educational institutions are not sufficiently developed may specify a minimum age of 14 years under certain conditions.

Furthermore, according to Recommendation No. 146, Members should strive to raise the minimum age to 16 years, and this should be set at the same level for all sectors of economic activity.

C.138 leaves open the possibility for national legislators to allow individuals over the age of 13 and under the age of 15 to perform what is called "light" work, as long as this does not interfere with their school attendance. However, a country that has previously specified a general minimum age of 14 may replace the ages of 13 and 15 with ages 12 and 14. The convention also defines "dangerous work" as "any type of employment or work which, by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety or morals of young people". It further specifies that these types of work or employment should only be permitted for workers who are at least 18 years old.

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs, as defined in the relevant international treaties;

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. Children engaged in the worst forms of child labor should be withdrawn, rehabilitated and reintegrated into society, and guaranteed access to free basic education and, where possible and appropriate, vocational training.

Domestic Workers Convention, 2011 (No. 189) and Recommendation No. 201.

Convention No. 189 provides specific protection for domestic workers. It sets out fundamental rights and principles and requires states to take a series of measures to make decent work a reality for domestic workers.

The Convention defines a domestic worker as "a person of either sex performing domestic work in an employment relationship" (Art.1).

The Convention requires states to set a minimum age for domestic workers which must be consistent with the provisions of the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labor Convention, 1999 (No. 182), and not lower than that provided for under national law applicable to all workers (Art. 4).

2. OTHER INTERNATIONAL INSTRUMENTS

In addition to the ILO conventions, other international instruments may apply to child labor, particularly to its worst forms: the Convention on the Rights of the Child of 20 November 1989, the Palermo Protocol (ratified by Tunisia in 2003) and the Sustainable Development Goals (SDGs).

a) United Nations Convention on the Rights of the Child (1989)

This Convention, which is the most comprehensive international instrument on the subject, defines a child as a human being below the age of 18 years, unless majority age is attained earlier (Art. 1). It aims to protect a range of children's rights, including the right to be free from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. It requires States Parties to take legislative, administrative, social and educational measures for its implementation, and in particular to a) establish a minimum age or minimum ages for admission to employment; b) provide for appropriate regulation of hours of work and conditions of employment; c) provide for appropriate penalties or other sanctions to ensure the effective enforcement of its provisions (Art.32.).

b) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000) – also known as the Palermo Protocol

This protocol aims to prevent and combat child trafficking, to protect and assist victims, and to promote cooperation between States Parties.

Inspired by the Palermo Protocol, the Organic Law No. 2016-61 aims to eliminate exploitation in Tunisia, particularly of women and children, through the criminalization of acts that constitute trafficking or forced exploitation, as well as any assistance to traffickers.

c) The Sustainable Development Goals (SDGs).

With the adoption of the 2030 Agenda for Sustainable Development by the United Nations General Assembly on September 25, 2015, the international community committed to 17 goals (successor to the 8 Millennium Development Goals: MDGs 2000-2015) aimed at reducing poverty and fostering development by 2030. The goals are accompanied by specific targets and corresponding indicators. Officially launched in Tunisia in December 2016, the SDGs continue to be the subject of consultation between the various stakeholders to ensure better integration into national planning.

There are links between child labor and many of the SDGs, particularly the eradication of poverty in all its forms (SDG 1), access to inclusive and equitable quality education and the promotion of lifelong learning opportunities for all (SDG 4), and the promotion of full and productive employment and decent work for all (SDG 8).

EXERCISE 8: HOW DOES NATIONAL LEGISLATION COMPARE TO INTERNATIONAL INSTRUMENTS?

Note to trainer :

Objective:

Invite the participants to reflect on the legislation in force in Tunisia;
Invite the participants to conduct a detailed review of the three international instruments used in the exercise.

Examine whether labor laws, education policies and anti-trafficking measures meet the international standards outlined in ILO Conventions Nos. 138, 182 and 189.

Duration:

- 20-30 minutes in small groups
- 30-45 minutes in plenary discussion

Methodology

- Divide the participants into 3 groups;
- Give each group a single convention and ask them to identify the key differences between relevant national legislation and policy and the international standards addressed in the convention;
- Bring the participants together and ask each group to share some of their answers.
- Encourage questions and comments. It is not necessary for the participants to know these laws in detail; rather, they should try to provide an overview of the legal protection framework for children in Tunisia and comment on any interesting or important elements, and any areas that they think should be strengthened.

(Print copies of the three Conventions for participants).

Lesson 2: National laws governing child labor

Tunisia has enacted a wide range of laws and regulations relating to child labor, the types of work permitted and prohibited, and the worst forms of child labor.

CONSTITUTION OF THE TUNISIAN REPUBLIC

01 Obligation to attend school

"Education is compulsory until the age of sixteen."
Art. 39.

Constitution of the Tunisian Republic

02 Shared responsibility for child protection obligation of parents and the state

"Dignity, health, care, education and instruction are rights guaranteed to the child by his or her parents and by the State. The State must provide children with all forms of protection without discrimination and in accordance with the best interests of the child." Art.47.

2. THE PROVISIONS OF THE LABOR CODE

The Tunisian Labor Code is broadly in line with international standards. Article 53 of the Labor Code provides that "children under sixteen (16) may not be employed in any of the sectors governed by this Code, subject to the special provisions of this Code". This provision is consistent with the principle of compulsory education. The legislation also establishes penal sanctions to enforce compliance with this minimum age requirement. However, these penalties remain very weak.

The Labor Code permits 5 exceptions to the minimum employment age of 16

- the employment of children under 16 years of age is permitted in establishments where only members of the family under the authority of the father, mother or guardian are employed, provided that the employment of such children does not adversely affect their health, physical and mental development, and education.
- the minimum age for employment is lowered to 13 years for light agricultural work that is not harmful to the health and normal development of children and does not prejudice their attendance and aptitude for school or their participation in vocational or professional skills training programmes approved by the relevant government authorities.
- In non-industrial and non-agricultural activities, children who are 13 or older may be employed in "light work which is not harmful to their health and development and not prejudicial to their school attendance and ability to participate in in vocational or professional skills training programmes approved by the relevant government authorities."
- In addition, in exceptional cases, and with individual authorization from the head of the labor inspectorate, a child under the age of 16 may be employed in public entertainment or in film production,
- Lastly, for certain jobs that are considered dangerous to the health, safety or morals of children, the law raises the minimum age for admission to work to 18 years.

The Tunisian Labor Code also contains a number of provisions aimed at ensuring the physical protection of children at work, although the effectiveness of these provisions is often limited (see Appendix 2).

3.CHILD PROTECTION CODE

1 Definition of a child

"Any human being under the age of eighteen and who has not yet reached the age of majority by way of any special provisions." Art. 3.

3 Definition of Economic Exploitation

"Economic exploitation means exposing a child to begging, or employing him or her in conditions contrary to the law, or assigning him or her to work that is likely to deprive him or her of education, or that is harmful to his or her health or physical or moral integrity". Article 26.

Child
Protection
Code (CPE)

2. Definition of difficult situations threatening the health of the child or his physical or moral integrity

Among others, the exposure of children to begging and to economic exploitation. Art.20

4 The duty to report

"All persons, including those bound by professional secrecy, have a duty to report to the Child Protection Officer anything that may constitute a threat to the child's health or physical or moral integrity." Art. 31.

Penalty: "A fine of 50 to 100 dinars shall be imposed on any person who neglects this duty." Art. 119

4.ORGANIC LAW N° 2017-58 OF 11 AUGUST 2017, CONCERNING THE ELIMINATION OF VIOLENCE AGAINST WOMEN

Organic Law No. 2017-58 of 11 AUGUST 2017, on the elimination of violence against women

1 Prohibition on children working as domestic servants

"It is forbidden to knowingly, directly or indirectly, hire children as domestic workers". Art. 20.

Penalty: Perpetrators and agents will be subject to three (3) to six (6) months' imprisonment and a fine of two (2) to five (5) thousand dinars. This penalty is doubled in the event of a repeat offence. An attempt to commit this crime is also punishable.

5. ORGANIC LAW N° 2016-61 OF 3 AUGUST 2016, CONCERNING THE PREVENTION AND THE FIGHT AGAINST TRAFFICKING IN PERSONS

Organic Law No. 2016-61 of 3 August 2016, on the prevention and fight against trafficking in persons

1. Definition of forms of child trafficking

"The luring, recruitment, transportation, transfer, abduction, relocation, harboring or receipt of children for the purpose of exploitation, in whatever form, whether such exploitation is committed by the perpetrator or with a view to placing the child at the disposal of a third party, shall be considered child trafficking.

Exploitation includes prostitution or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or begging, total or partial removal of organs, tissues, cells, gametes and genes, or any other form of exploitation." Art.2

Sanction:

A penalty of fifteen years' imprisonment and a fine of between fifty thousand and one hundred thousand dinars, shall be imposed when the offence of trafficking in persons is committed against a child or through his or her employment (Art. 23).

2. The Duty to Report

"Every person shall report to the competent authorities, without delay and within the limits of his or her knowledge, all facts, information, or particulars concerning the commission of the offences of trafficking in persons prescribed in this law".

Sanction:

Any person who knowingly fails to report shall be liable to imprisonment for one year and a fine of five thousand dinars (Art. 14).

6. ACT NO. 2017-13 OF 13 MARCH 2017 ON SPECIFIC MEASURES TO GUARANTEE ACCESS TO BASIC VOCATIONAL TRAINING

Law No. 2017-13 of 13 March 2017 on specific measures to guarantee access to basic professional training

Duty to provide basic vocational training

"Basic vocational training is compulsory up to the age of eighteen for every person who has not entered professional work, unless he or she is continuing his or her schooling in basic or secondary education." Art.1.

Penalty: Each guardian who, after having been officially informed in writing, refrains from enrolling his ward, who interrupted his schooling early and did not enter professional life, in the preparatory cycle or professional training as the case may be, mentioned in article 2 of this law, shall be punished with a fine of 20 to 200 dinars. In the event of a repeat offence, the fine shall be increased to 400 dinars. (Art.3).

7. Law No. 2002-80 of 23 July 2002 on education and teaching.

Law n° 2002 - 80 of 23 July 2002 on education and teaching.

Duty to provide access to education

Education is a national priority and school attendance is compulsory from the ages of six to sixteen.

Education is a fundamental right guaranteed to all Tunisians without discrimination on the basis of sex, social origin, color or religion; it is also a duty jointly assumed by individuals and the community." Art. 1.

Sanction: A guardian who refrains from enrolling his or her child in one of the basic education establishments, or who withdraws him or her before the age of sixteen (16), even though he or she is capable of continuing their studies in accordance with the regulations in force, is liable to a fine of between twenty (20) and two hundred (200) dinars. This fine is four hundred (400) dinars in the event of a repeat offence (Art. 21).

EXERCISE 9: ANALYSIS OF THE STRENGTHS AND WEAKNESSES OF CHILD LABOR LEGISLATION IN TUNISIA

Note to trainer :

Objective:

To highlight the strengths and weaknesses of Tunisia's legal framework for protecting children against labor exploitation.

Duration:

- 15-20 minutes in small groups
- 20- 30 minutes in plenary discussion

Methodology

- Divide the participants into groups of 4-5 people. Assign each group the following questions for discussion:
- What are the strengths and weaknesses of the Tunisian legal framework on child labor?
- What are the strengths, weaknesses and gaps in Tunisia's child labor, child protection, and child trafficking enforcement regimes? Consider the implementation of labor laws as well as the implementation of laws and regulations relating to education, health, community development, agricultural development and anti-trafficking measures, etc.
- Bring the participants back together and ask each group to report the results of their group discussions in plenary. Encourage questions and comments.
- Finish with questions and answers and the points of correction below.

POINTS OF CORRECTION

- Strong but insufficient protection:
- Lack of decree prescribing the nature of light work as required by article 56 of the Labor Code;
- The Order of 19 January 2000 on the authorization of children to participate in public performances does not establish a minimum age at which the authorizations specified can be granted. It only states that "these authorizations are granted for children under the age of 16".
- The legislation does not generally prohibit the employment of children in dangerous work
- The legislation fails to incorporate the concept of the worst forms of child labor.
- Weak protection for domestic workers

- Tunisia has not ratified ILO Convention 189 concerning decent work for domestic workers,
- Enforcement of laws against child labor and trafficking is weak.
- The effectiveness of legal provisions often remains limited: sanctions are weak
- Although the right to education is legally recognized as a fundamental right, Tunisia is in urgent need of educational reform.
- The economic exploitation of children is often linked to the informal sector, which is characterized by severe deficits in decent work and a lack of legal and social protection for workers.

MODULE 3: CHILD LABOR: POLICY FRAMEWORKS, STRATEGIES AND ACTION PLANS

The global fight against child labor encompasses numerous policies, programs and projects, involving a wide range of stakeholders from both the public and private sectors.

1. NATIONAL POLICY FRAMEWORK

Tunisia's development agenda, as presented in the Development Plan 2016-2020 and adopted by the parliament in April 2017, places particular emphasis on improving the conditions of vulnerable populations and has become the central focus of public policies and public spending. The Five-Year Plan specifically aims to reform primary and secondary education to reduce failure and dropout rates, proposes the establishment of a national child protection strategy and guaranteed universal basic health coverage, and calls for the establishment of other more transparent measures and procedures to identify vulnerable households in a manner that is fair and efficient.¹

a. The National Plan of Action to Combat Child Labor in Tunisia (PAN- TN)

The 2015-2020 National Action Plan to Combat Child Labor in Tunisia (PAN-TN), adopted in January 2016, provides a general framework for national efforts to address child labor. Developed by the Ministry of Social Affairs, in collaboration with ministerial departments, social partners, and with the technical support of the ILO/IPEC, the plan calls for multi-level efforts which include the following actions²:

- Strengthening and harmonizing legislative and institutional frameworks to combat child labor.
- Increased awareness and knowledge of child labor
- Strengthening child labor protection and prevention efforts
- Strengthening the technical and operational capacities of actors involved in the fight against child labor.
- Increasing the role of education and vocational training in combating child labor.
- Strengthening awareness and social mobilization in the fight against

The Ministry of Social Affairs has established a steering committee³ to oversee the implementation of the National Plan of Action to Combat Child Labor (PAN-TN).

¹ Law No. 2017-28 of 25 April 2017, which promulgated the Development Plan (2016- 2020).

² MAS, National Action Plan to Combat Child Labor in Tunisia PAN-TN, [http://www.delegue-enfance.nat.tn/images/ plan-national-child-labor.pdf](http://www.delegue-enfance.nat.tn/images/plan-national-child-labor.pdf)

³ Order of the Head of Government of 22 June 2015, establishing the steering committee responsible for developing the National Action Plan to Combat Child Labor.

Such implementation has already yielded significant results, including

- The first national survey on child labor, conducted in 2017 by the National Institute of Statistics (INS) with the technical support of the ILO;
- The completion of a study on child domestic workers in Tunisia (Jendouba and Bizerte governorates) by the ILO in 2016

b. Public and government programs

The multiple causes and facets of child labor require multi-pronged responses at various levels and in various policy areas:¹

• Poverty reduction strategies

Despite the country's limited natural resources, the Tunisian government has provided various forms of assistance to marginalized communities since independence. In broad terms, there are two major social transfer programs in Tunisia to help poor families: the National Programme of Assistance to Needy Families (PNAFN) and the Programme of Reduced-Cost Care (AMGII).

On January 16, 2019, the Assembly of People's Representatives (ARP) adopted the law creating "AMEN SOCIAL", a program to assist poor and low-income individuals.² This law supersedes previous approaches by establishing pragmatic and rigorous mechanisms to delineate the concept of poverty, in order to provide equal opportunity for all beneficiaries of social assistance. The conditions and procedures required to access this program will be determined by government decree.

• Education and training policy

Getting children into school and keeping them there is an essential prerequisite for reducing their vulnerability to child labor. This applies especially to "hard-to-reach" children, such as those living on the streets and who are at particular risk of being recruited into child labor or trafficking.

In Tunisia, the provision of universal basic education has been one of the government's priorities since independence. Thus, since 1958, successive reforms of the Tunisian education system have laid the foundations for an integrated 13-year education, free and compulsory from ages 6 to 16.

In accordance with Article 1 of Law No. 2017-13 of 13 March 2017, basic vocational training is compulsory until the age of eighteen for every person who has not entered professional work, and who has stopped their primary or secondary education.

In spite of these achievements, the problem of students dropping out of education at an early age remains a challenge. This phenomenon has continued to increase since the 1980s (about 26,000 in 1984-1985) and exceeded the critical threshold of 100,000 after the 2011 revolution. It has had varying degrees of impact on all levels of education.

Eradicating child labor by 2025: A review of policies and programmes, International Labor Organization (ILO), Geneva, 2017.
¹ Organic Law number 10 of 30 January 2019.

• An integrated approach to social protection systems

Child labor is rooted in societal vulnerabilities that are linked to a variety of interrelated challenges that occur throughout a person's life, such as inadequate and unstable income, unemployment, illness, disability and old age. As a result, there is no single optimal social protection mechanism to combat child labor, but rather a range of situations to which a combination of mechanisms must be applied using an integrated approach.

In this context, Tunisia's Economic and Social Development Plan 2016-2020 includes the conduct of studies for the establishment of a National Social Protection Base based on 4 pillars:

- The guarantee of universal access to care

The guarantee of a minimum income for those who do not have one

- The guarantee of a minimum income for the elderly and disabled
- The guarantee of a minimum income for children

It is worth noting that, although one-fifth of Tunisian children live in poverty (21.1% in 2016 compared to 12.8% for the adult population), about 59% of Tunisian children do not receive any social protection benefits, as they are excluded from family allowances in the contributory system and school allowances in the non-contributory system.¹

• Youth and adult employment policies

In recent years, it has become clear that lowering youth unemployment contributes to family survival while also reducing child labor. Getting young people into decent work means that they are not only able to make a living and, in many cases, to help their families get by, but it also reduces their vulnerability to exploitation and trafficking in the long-term. Providing decent work also involves the empowerment of workers, strong labor relations and genuine freedom of association, which in turn helps to combat child labor.²

Today, the Tunisian labor market is marked by a high unemployment rate, due on one hand to low job creation, and on the other hand to the insufficiency of qualifications held by job seekers as compared to those required by the positions available.

Faced with this situation, the government has taken several measures to facilitate integration and increase the employability of job seekers.

The effectiveness of these programmes is difficult to determine due to the lack of a robust and holistic system for comprehensive monitoring and evaluation.³

¹ CRES (2019), Feasibility Studies concerning the Guarantees of the National Social Protection Floor

² Eliminating child labor by 2025: A review of policies and programmes, International Labor Organization (ILO), Geneva, 2017.

³ MFPE, National Employment Strategy, Diagnostic Phase, Summary Report, November 2018.

2. Development Cooperation Programs

a. ILO Project in Tunisia: Together Against Child Labor (PROTECTE)

b. In order to support the Tunisian Government's efforts to combat child labor, the International Labor Organization (ILO), in consultation with the Ministry of Social Affairs, workers' and employers' organizations, and through funding and collaboration with the US Department of Labor, developed a project in 2017 to support the implementation of the NAP-TN: "Together Against Child Labor in Tunisia" (PROTECTE).

More specifically, this project aims to :

1. Strengthen the capacity of the Government, Workers' and Employers' Organizations and civil society to implement the NAP-TN to combat child labor in Tunisia.
2. Support and improve the knowledge base on child labor and its worst forms.
3. Raise awareness and strengthen social mobilization on the fight against child labor.
4. Make available a tested model child labor monitoring system that can be replicated
5. Strengthen educational support and alternative reintegration models for the prevention of child labor

A series of activities have been carried out within the framework of this project. These include:

3. The development of a guide to child labor laws and regulations in 2018 for institutional stakeholders, in order to strengthen their knowledge of the legal and regulatory provisions relating to child labor in Tunisia
4. The publication of a report on the child labor coordination and monitoring system in 2018, which puts forward recommendations to improve the synergy between the different actors and the coordination mechanisms involved in the fight against child labor.
The mobilization of regional actors in Jendouba and Sfax involved in the fight
5. against child labor to establish a child labor monitoring system (CLMS).
6. Training 13 trainers from government institutions that are project stakeholders.
Training 183 focal points in all governorates on child labor.

c. Programs supported by UNICEF and IOM

The UNICEF Office in Tunisia¹ is implementing an education program with the Government - and specifically the Ministry of Education, the Ministry of Women, the Family and Children, the Ministry of Social Affairs and the Ministry of Vocational Training and Employment -, as well as civil society and the private sector, which intersects with the fight against child labor. This program is aimed at preventing students from dropping out of school and is based on the following activities:

- The design and implementation of an in-school model to reduce school dropout and failure rates (M3D);
- A communication campaign to limit early school-leaving and reduce drop-out rates.
- The renovation and rehabilitation of washroom facilities and playgrounds in 34 schools in the regions most affected by high school dropout rates.
- The design and implementation of the "Second Chance" program

For its part, IOM assisted the legislative process that led to the promulgation of the Organic Law on the Prevention and Fight against Trafficking in Persons, as well as the creation of INLTP, with efforts dating back to 2011.

In support of the implementation of its activities, IOM has:

- supported the Tunisian government through a donation of goods and equipment to set up spaces reserved for the reception of child and adult victims of trafficking, as well as through materials that will help the INLTP in their care.
- organized approximately 15 training sessions and training of trainers in coordination with the INLTP, in order to build the capacity of governmental and non-governmental actors involved in combating trafficking in persons in Tunisia.
- supported the INLTP in developing a "Manual on the Law on the Prevention and Fight against Trafficking in Persons in Tunisia".

¹ UNICEF, Country Programme Action Plan 2015-2019 Tunisia.

EXERCISE 10: POTENTIAL BENEFITS OF ELIMINATING CHILD LABOR

Note to trainer:

Objective:

This activity provides an opportunity for participants to consider how child labor constrains development, and is intended to help participants begin to formulate policy arguments to highlight the social and economic benefits of eliminating child labor.

Duration:

- 15-20 minutes in small groups
- 20-30 minutes in plenary discussion

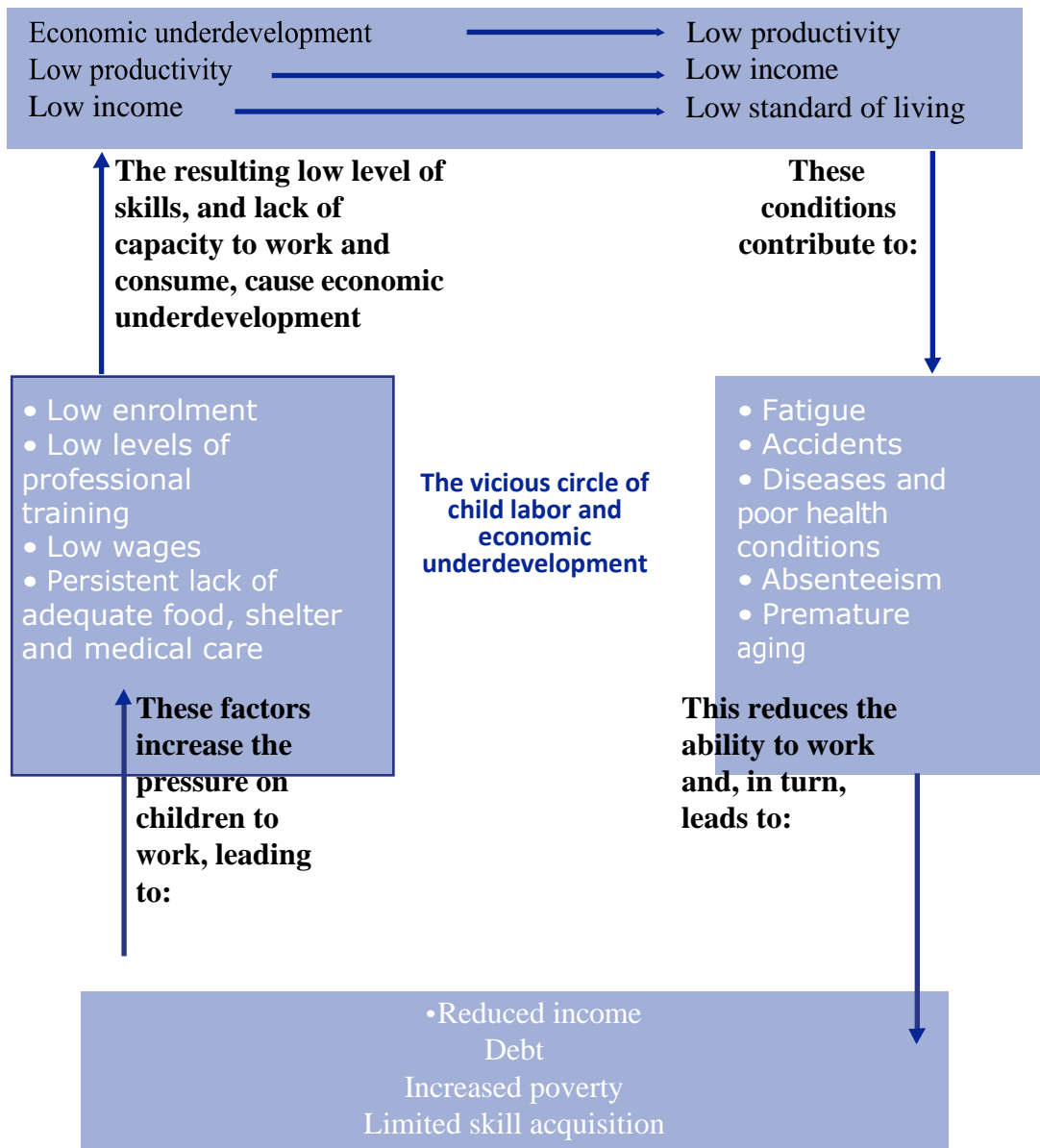
Methodology

- Divide the participants into groups of 4-5 people
Ask each group to identify the possible benefits of eliminating child labor for: a) children; (b) society; and (c) the economy, using Handout Sheet 4 to record responses.
- Bring the participants together and ask each group to report back to the plenary on the results of their group discussions. The main points of this discussion should be recorded on a flip chart.
- During the plenary discussion, note which column gets the most points. If there is an imbalance, the trainer can point out that the three areas are closely related and emphasize that in the long run, the benefits identified in one area will reinforce the benefits in the other two areas.
- Finish with the key points of correction below.

HANDOUT SHEET 4: POSSIBLE BENEFITS OF ELIMINATING CHILD LABOR

For children	For society	For the economy

Points of correction: Child labor leads to poverty!



See also: IPEC: Investing in every child - An economic study on the costs and benefits of eliminating child labor (Geneva, ILO, 2004).

Module 4: Child labor: A strategy for action

Lesson 1: The Intervention Process

a. The prevention, identification, withdrawal and protection, rehabilitation and reintegration model

Every implementation plan to combat child labor will be different. However, the ILO supports national programs that aim to achieve three fundamental objectives:

- Prevent child labor;
- Remove children engaged in child labor;
- Ensure the rehabilitation and reintegration of these children.

The distinction between these different axes may be difficult to discern at times, and some activities may serve both rehabilitation and prevention objectives.

Prevention	<ul style="list-style-type: none">• Prevention activities are typically carried out over a long-term horizon.• Prevention activities aim to, among other things, reduce the factors that make children vulnerable to labor and exploitation. They are carried out through several strategies, including strengthening the legislative and regulatory framework for the protection of children, increasing awareness to encourage a shift in behaviour towards protecting children from all forms of abuse, strengthening the operational capacities of actors involved in the fight against child labor, developing programmes to combat poverty, and providing basic services.• ILO's experience shows that preventing child labor is easier and less expensive than removing children from work and rehabilitating them.
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<p>Identification, withdrawal and protection</p>	<ul style="list-style-type: none"> • Any action that contributes to the immediate or progressive removal of children from work, provides the necessary assistance to those in emergency situations, and provides them with immediate shelter and care. • Any action taken in the workplace to reduce or eliminate hazards while children are still employed. • Withdrawal of children from work is not an easy task. On the one hand, child labor can be a hidden problem and one that eludes actors in the field. On the other hand, children need to be offered viable alternatives, particularly with respect to education and training, to replace the income they bring to their families and on which their families often depend for survival.
<p>Rehabilitation and reintegration</p>	<ul style="list-style-type: none"> • These activities play an important role in the short and medium term. • Any action which puts children who were previously in child labor back on the path of their normal development. Rehabilitation efforts should always aim to provide a useful alternative for the child and should include school enrollment, where possible. • This will include support for social reintegration (supporting children to regain essential social ties in the community, family and access to basic social services such as school and health facilities) and economic reintegration (providing working-age children with livelihoods which are far removed from the worst forms of labor: vocational guidance, development of labor market skills and support to start a business or access decent wage employment).

EXERCISE 11: WHAT ROLE DO YOU PLAY IN THE FIGHT AGAINST CHILD LABOR?

Note to trainer:

Objective:

- Understand the meaning of each axis of intervention
Share knowledge about the roles and responsibilities of the different stakeholders in the intervention process;
- Consider the challenges faced by actors in the course of their interventions;
- Demonstrate the importance of improving coordination and collaboration between different units and organizations since each actor operates in
- specific areas.

Duration:

- 15-20 minutes individually
- 20- 30 minutes in plenary discussion

Methodology

- Ask participants to fill in Handout Sheet 5 below.
- Once the individual charts have been completed, ask participants to share their responses and discuss them in plenary. The main points of this discussion should be recorded on a flip chart.
- During the subsequent plenary discussion, note the column with the most points. If an imbalance exists, the trainer can explain that each actor's intervention is determined by its nature (e.g. government agencies, social partners, or civil society), its responsibilities and powers, and its resources. To ensure the efficacy of any intervention, it is vital to collaborate with all actors.

HANDOUT SHEET 5: THE ROLE I HAVE TO PLAY

The role I have to play is based on my responsibility as:

.....
(specify your institution):.....

1. Do I or my institution have a role to play in the following axes of the intervention process? If yes, describe this role (activities, tasks, responsibilities...)

Prevention	
Identification	
Protection and care	
Withdrawal	
Reintegration	
Please list any potential obstacles to the efficacy of your intervention to combat child labor:	

Lesson 2: Stakeholder responses to child labor

- Due to resource constraints, individual actors in the field are usually not in a position to adequately address child labor alone, especially in the informal sector where most children work.
- It is important for each actor to reach out to the community and meet others involved in the fight against child labor. This will promote a common understanding of the problem and help to develop a coordinated response.
- A comprehensive stakeholder map can assist each stakeholder in identifying and prioritizing their best partners in the fight against child labor.
- Stakeholder maps should be updated on a regular basis as new organizations, programs and initiatives are identified.

1. WHAT CAN THE GOVERNMENT/GOVERNMENT AGENCIES DO?

Prevention	<p>Develop and implement an intersectoral national plan of action to eliminate child labor, in consultation with social partners and other relevant stakeholders, and provide adequate resources to achieve the goals therein;</p> <ul style="list-style-type: none">• Adopt and strengthen national legislation against child labor, especially its worst forms;• Adopt policies to expand and improve access to free, compulsory, quality basic education for all children, at least until they reach the legal working age• Give school dropouts a second chance and ensure access to relevant, high-quality skills training for youth of working age;• Provide and expand a social protection framework that allows families to protect their children through cash transfer systems and access to health insurance;• Pursue policies to create jobs and promote decent work for adults and youth of working age• Promote awareness campaigns and technical advice on child labor using traditional advertising, posters, campaigns, workshops and educational events;
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	<ul style="list-style-type: none"> • Organize training and capacity-building programs on child labor for government departments, employers' and workers' organizations and NGOs; • Strengthen labor inspection; • Periodically review and update national lists of hazardous work prohibited for children in consultation with social partners;
<p>Identification, withdrawal and protection</p>	<ul style="list-style-type: none"> • Identify child labor cases through inspections (both proactive and reactive); the assessment of vulnerable populations and at-risk sectors; and information gathering using research tools (surveys, reports, press, observation of work sites, interviews, etc.); • Help children to connect with necessary assistance services, including by ensuring that they can access a safe place where their immediate needs such as shelter, food, medical care and psychological support can be met. • Issue formal warnings and demand corrective action; • Refer the most serious cases to the police or prosecutors for legal action.
<p>Rehabilitation and reintegration</p>	<ul style="list-style-type: none"> • Healthcare; • Psychological support, especially for children who have been exposed to trauma; • Legal assistance; • Assistance for reintegration into the school system including school supplies and payment of school fees; • Vocational training for older children; • Income support programs for those facing extreme poverty, who are likely to run out of food or other necessities; <p>For children of working age, in addition to guaranteeing basic rights (education, holistic health, recreation, etc.), it is important to offer vocational training, support in finding a decent job, training in occupational safety and health, as well as legal advice and regulatory framework which guarantees their rights as workers.</p>

2. WHAT CAN THE SOCIAL PARTNERS DO?

Prevention	<ul style="list-style-type: none">• Actively participate in the design and implementation of a national action plan to eliminate child labor;• Support efforts to adopt strong national legislation and enforce laws that prohibit the employment of children;• Raise public, community and stakeholder awareness of the benefits of expanding free, basic compulsory education as a strategy to combat child labor;• Actively support social policies and programs that reach the most vulnerable households;• Advocate for labor market policies that promote productive work for adults and young people of working age;• Work with other groups to develop campaigns against child labor;• Develop and implement educational training to increase members' awareness of labor laws and the harmful effects of child labor on early childhood development, and to promote decent employment for adults;• Increase the number of workers' organizations, especially in sectors where child labor is most prevalent, and integrate child labor concerns into organizing and negotiating strategies;• Adopt a clear policy committing member companies to the elimination of child labor: eliminate child labor in supply chains;• Advocate for the prohibition of hazardous forms of work for children and support the revision of the national list of hazardous work in collaboration with governments• Create organizing structures, such as focal points, units and committees, within their organization;• Promote cooperation with the Labor Inspectorate as a form of corporate social responsibility and ensure that labor legislation and standards are respected.
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Identification, withdrawal and protection	<ul style="list-style-type: none"> • Put an end to the recruitment of children and remove children from child labor; • Report any cases of child labor to the authorities; • Assist children in obtaining the help and resources they may require, including accessing essential services; • Actively support programs that provide direct and emergency assistance to working children and their parents (immediate needs such as shelter, food, medical care and psychological support) and prevent their return to child labor
Rehabilitation and reintegration	<ul style="list-style-type: none"> • Work with other stakeholders, and particularly the government, to support the development of policies, plans and mechanisms to address the needs of children and facilitate their transition to appropriate education, vocational training or apprenticeship programs; • Develop new programs to support vulnerable working families; • Employers' organizations can promote employment opportunities for disadvantaged households (including adults and children of working age) and provide vocational training and apprenticeships where possible; • Employers can also offer decent work to children of working age, in order to reduce their risk of falling into exploitative situations.

3. What can NGOs do?

Prevention	<ul style="list-style-type: none"> • Participate appropriately in multi-stakeholder initiatives on child labor and contribute to the monitoring of child labor in sectors where such initiatives exist; • Raise public awareness of child labor and generate support for its eradication, thus fostering a favorable public interest environment to lobby policy makers; • NGOs that are well integrated and accepted in local communities can stimulate cultural changes at the local level, by increasing community knowledge of the risks and dangers of child labor and the value of education;
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	<ul style="list-style-type: none"> • Lead civil society groups in advocating for strong anti-child labor laws and regulations. • Deliver public education programs on the dangers of working at a young age, to children at risk of falling into child labor and their parents. • Raise awareness of the need to improve and expand access to social and health services for vulnerable and socially excluded households
Identification, withdrawal and protection	<ul style="list-style-type: none"> • Identify and publicize concrete cases of child labor. • Remove children from work; • Cooperate with the police and other authorities in bringing offenders to justice • Help children to connect to services for any assistance they may need; • Offer support and protection services directly to children (accommodation, food, medical care and psychological support...)
Rehabilitation and reintegration	<ul style="list-style-type: none"> • In addition to supporting the actions of other actors, NGOs contribute to reintegration through education/non-formal education/vocational training. These activities can be carried out through or in collaboration with schools and training centers, or on their own; • Organize assistance programs for school children to cover school-related needs such as uniforms, school supplies or tuition fees • Support income-generating activities for the children's families.

EXERCISE 12: STAKEHOLDER MAPPING TO ENCOURAGE COORDINATION AND COLLABORATION

Note to trainer:

Objective:

- Understand the importance of working with other government agencies and stakeholders to combat child labor.
- Identify different agencies/organizations with which to collaborate in order to maximize resources and protective measures.

Duration:

- 10-15 minutes individually and/or in small groups
- 20- 30 minutes in plenary discussion

Methodology:

- Group participants by geographic region or area of expertise, if applicable.
- Ask each participant or group of participants to think about the relevant stakeholders working on child protection issues in their geographical area and to complete Handout Sheet 6 below to the best of their ability. Although it is unlikely that everyone in the group will be working in the same location, participants can help each other to complete their respective lists by asking questions and helping each other to refresh their memories. Once the individual charts are completed, ask participants to prioritize the organizations they think would be most useful, placing number 1 next to the most useful organization, number 2 next to the second most useful, etc.
- Gather the participants and ask for a few volunteers to share the names of the organizations they wrote down and explain why they think these organizations would be good partners to work with. Encourage questions and comments.

HANDOUT SHEET 6: LIST OF STAKEHOLDERS TO COMBAT CHILD LABOR

Governorate/City			
Name of the organization	Area of work/specialty	Address/ Telephone	Contact person name/title/ email
Government Agencies			
NGOs			
Unions			

KEY RESOURCES

- ILO:** Practical Guide to Ending Child Labor and Protecting Young Workers in Domestic Work, Geneva: ILO, 2017.
- ILO:** The End of Child Labor: Within Reach. ILC 95th Session, 2006 Report I(B) International Labor Conference Report I(B) 95th Session, 2006.
- ILO:** The Legal and Institutional Framework relating to Child Labor in Tunisia. April 2018.
- ILO:** Eliminating the Worst Forms of Child Labor: A Practical Guide to the Implementation of ILO Convention No. 182 - Handbook for Parliamentarians No. 3, 2002.
- ILO:** Study on Child Domestic Workers in Tunisia: A Case Study of Children from the Governorates of Jendouba and Bizerte, Geneva: ILO, 2016.
- ILO:** Guide to Child Labor Laws and Regulations. 2018.
- ILO:** Investing in Every Child: An Economic Study on the Costs and Benefits of Eliminating Child Labor, Geneva, 2004.
- ILO:** Report on Improving the Child Labor Coordination and Monitoring System, 2018.
- ILO:** Resolution concerning statistics of child labor, 2008.
- ILO:** World Report on Child Labor: Economic Vulnerability, Social Protection and the Fight against Child Labor, 2013.
- ILO:** Good Practices. Combating Child Labor in the World, 2015.
- ILO:** Combating Child Labor: A Handbook for Labor Inspectors. 1st Ed. 2003.
- ILO:** Global Estimates of Modern Slavery: Forced Labor and Forced Marriage, Geneva, 2017.
- ILO:** Global Estimates of Child Labor: Results and Trends, 2012-2016, Geneva, 2017.
- ILO:** Mainstreaming Child Labor Concerns into Education Sector Plans and Programmes, International Programme on the Elimination of Child Labor (IPEC), Geneva, 2011.
- ILO:** Modern Policy and Legislative Responses to Child Labor, 2007.
- ILO:** Trade Unions and Child Labor: A Tool for Action, 2016.
- ILO-INS:** 2017 National Survey on Child Labor in Tunisia, Geneva, 2018.
- Burkina Faso:** Labor Inspection Training on Child Labor, [https:// www.verite.org › uploads › 2019/06 › Burkina-LI-Curriculum-FRENCH](https://www.verite.org/uploads/2019/06/Burkina-LI-Curriculum-FRENCH), 2018.
- INLTP:** Annual Activity Report 2018, 23/01/2019.

IOM: Baseline Study on Trafficking in Persons in Tunisia, 2013.

IOM: Handbook on the Law on the Prevention and Fight Against Trafficking In Persons in Tunisia. 2017.

ILO: Training Manual to Fight Trafficking in Children for labor, sexual, and other forms of exploitation, International Programme on the Elimination of Child Labor (IPEC), Geneva, 2008.

ILO: Implementing the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016: Training guide for policy makers, International Programme on the Elimination of Child Labor (IPEC) - Geneva, 2013.

ILO: Interactive Guide for the Prevention of Child Labor in West Africa, Trainer's Manual Against the Worst Forms of Child Labor, including Trafficking. International Programme on the Elimination of Child Labor (IPEC)- Geneva, 2013.

UNICEF: Guide on the Division of Roles between Stakeholders for the benefit of Vulnerable Populations, 2011.

Appendices

Appendix 1: ILO instruments

Minimum Age Convention and Recommendation, 1973 Adoption: Geneva, 58th Session ILC (June 26, 1973)

CONVENTION 138

Preamble

The General Conference of the International Labor Organisation, Having been convened at Geneva by the Governing Body of the International Labor Office, and having met in its Fifty-eighth Session on 6 June 1973, and Having decided upon the adoption of certain proposals with regard to minimum age for admission to employment, which is the fourth item on the agenda of the session, and Noting the terms of the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965, and Considering that the time has come to establish a general instrument on the subject, which would gradually replace the existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labor, and Having determined that these proposals shall take the form of an international Convention, adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-three the following Convention, which may be cited as the Minimum Age Convention, 1973:

Article 1

Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labor and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

Article 2

1. Each Member which ratifies this Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory; subject to Articles 4 to 8 of this Convention, no one under that age shall be admitted to employment or work in any occupation.

2. Each Member which has ratified this Convention may subsequently notify the Director-General of the International Labor Office, by further declarations, that it specifies a minimum age higher than that previously specified.

3. The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.

4. Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age

of 14 years.

5. Each Member which has specified a minimum age of 14 years in pursuance of the provisions of the preceding paragraph shall include in its reports on the application of this Convention submitted under article 22 of the Constitution of the International Labor Organisation a statement--

(a) (a) that its reason for doing so subsists; or
(b) (b) that it renounces its right to avail itself of the provisions in question as from a stated date.

Article 3

1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.

2. The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.

3. Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.

Article 4

1. In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.

2. Each Member which ratifies this Convention shall list in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labor Organisation any categories which may have been excluded in pursuance of paragraph 1 of this Article, giving the reasons for such exclusion, and shall state in subsequent reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of such categories.

3. Employment or work covered by Article 3 of this Convention shall not be excluded from the application of the Convention in pursuance of this Article.

Article 5

1. A Member whose economy and administrative facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially limit the scope of application of this Convention.

2. Each Member which avails itself of the provisions of paragraph 1 of this Article shall specify, in a declaration appended to its ratification, the branches of economic activity or types of undertakings to which it will apply the provisions of the Convention.

3. The provisions of the Convention shall be applicable as a minimum to the following: mining and quarrying; manufacturing; construction; electricity, gas and water; sanitary services; transport, storage and communication; and plantations and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.

4. Any Member which has limited the scope of application of this Convention in pursuance of this Article--

(a) shall indicate in its reports under Article 22 of the Constitution of the International Labor Organisation the general position as regards the employment or work of young persons and children in the branches of

activity which are excluded from the scope of application of this Convention and any progress which may have been made towards wider application of the provisions of the Convention;

(b) may at any time formally extend the scope of application by a declaration addressed to the Director-General of the International Labor Office.

Article 6

This Convention does not apply to work done by children and young persons in schools for general, vocational or technical education or in other training institutions, or to work done by persons at least 14 years of age in undertakings, where such work is carried out in accordance with conditions prescribed by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, and is an integral part of--

(a) a course of education or training for which a school or training institution is primarily responsible;

(b) a programme of training mainly or entirely in an undertaking, which programme has been approved by the competent authority; or

(c) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training.

Article 7

1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is--

(a) not likely to be harmful to their health or development; and

(b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

2. National laws or regulations may also permit the employment or work of persons who are at least 15 years of age but have not

yet completed their compulsory schooling on work which meets the requirements set forth in sub-paragraphs (a) and (b) of paragraph 1 of this Article.

3. The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this Article and shall prescribe the number of hours during which and the conditions in which such employment or work may be undertaken.

4. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, a Member which has availed itself of the provisions of paragraph 4 of Article 2 may, for as long as it continues to do so, substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this Article.

Article 8

1. After consultation with the organisations of employers and workers concerned, where such exist, the competent authority may, by permits granted in individual cases, allow exceptions to the prohibition of employment or work provided for in Article 2 of this Convention, for such purposes as participation in artistic performances. The authorizations thus granted shall limit the duration in hours of the employment or work authorized and shall prescribe the conditions thereof.

2. Permits so granted shall limit the number of hours during which and prescribe the conditions in which employment or work is allowed.

Article 9

1. All necessary measures, including the provision of appropriate penalties, shall be taken by the competent authority to ensure the effective enforcement of the provisions of this Convention.

2. National laws or regulations or the competent authority shall define the persons responsible for compliance with the provisions giving effect to the Convention.

3. National laws or regulations or the competent authority shall prescribe the registers or other documents which shall be kept and made available by the employer; such registers or documents shall contain the names and ages or dates of birth, duly certified wherever possible, of persons whom he employs or who work for him and who are less than 18 years of age.

Article 10

1. This Convention revises, on the terms set forth in this Article, the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965.

2. The coming into force of this Convention shall not close the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, or the Minimum Age (Underground Work) Convention, 1965, to further ratification.

3. The Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, and the Minimum Age (Trimmers and Stokers) Convention, 1921, shall be closed to further ratification when all the parties thereto have consented to such closing by ratification of this Convention or by a declaration communicated to the Director-General of the International Labor Office.

4. When the obligations of this Convention are accepted—

(a) by a Member which is a party to the Minimum Age (Industry) Convention (Revised), 1937, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention, communicated to the Director-General of the International Labor Office.

(b) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention, 1932, by a Member which is a party to that Convention, this shall ipso jure involve the immediate denunciation of that Convention,

(c) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, by a Member which is a party to that Convention, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,

(d) in respect of maritime employment, by a Member which is a party to the Minimum Age (Sea) Convention (Revised), 1936, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to maritime employment, this shall ipso jure involve the immediate denunciation of that Convention,

(e) in respect of employment in maritime fishing, by a Member which is a party to the Minimum Age (Fishermen) Convention, 1959, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to employment in maritime fishing, this shall ipso jure involve the immediate denunciation of that Convention,

(f) by a Member which is a party to the Minimum Age (Underground Work) Convention, 1965, and a minimum age of not less than the age specified in pursuance of that Convention is specified in pursuance of Article 2 of this Convention or the

Member specifies that such an age applies to employment underground in mines in virtue of Article 3 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention, if and when this Convention shall have come into force.

5. Acceptance of the obligations of this Convention--

(a) shall involve the denunciation of the Minimum Age (Industry) Convention, 1919, in accordance with Article 12 thereof,

(b) in respect of agriculture shall involve the denunciation of the Minimum Age (Agriculture) Convention, 1921, in accordance with Article 9 thereof,

(c) in respect of maritime employment shall involve the denunciation of the Minimum Age (Sea) Convention, 1920, in accordance with Article 10 thereof, and of the Minimum Age (Trimmers and Stokers) Convention, 1921, in accordance with Article 12 thereof, if and when this Convention shall have come into force.

Article 11

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labor Office for registration.

Article 12

1. This Convention shall be binding only upon those Members of the International Labor Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 13

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the

Director-General of the International Labor Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 14

1. The Director-General of the International Labor Office shall notify all Members of the International Labor Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 15

The Director-General of the International Labor Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 16

At such times as it may consider necessary the Governing Body of the International Labor Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 17

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 18

The English and French versions of the text of this Convention are equally authoritative.

RECOMMENDATION 146

Preamble

The General Conference of the International Labour Organisation, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fifty-eighth Session on 6 June 1973, and

Recognising that the effective abolition of child labour and the progressive raising of the minimum age for admission to employment constitute only one aspect of the protection and advancement of children and young persons, and

Noting the concern of the whole United Nations system with such protection and advancement, and

Having adopted the Minimum Age Convention, 1973, and

Desirous to define further certain elements of policy which are the concern of the International Labour Organisation, and Having decided upon the adoption of certain proposals regarding minimum age

for admission to employment, which is the fourth item on the agenda of the session, and Having determined that these proposals shall take the form of a Recommendation supplementing the Minimum Age Convention, 1973,

adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-three, the following Recommendation, which may be cited as the Minimum Age Recommendation, 1973:

I. National Policy

1. To ensure the success of the national policy provided for in Article 1 of the Minimum Age Convention, 1973, high priority should be given to planning for and meeting the needs of children and youth in national development policies and programmes and to the progressive extension of the inter-related measures necessary to provide the best possible conditions of physical and mental growth for children and young persons.

2. In this connection special attention should be given to such areas of planning and policy as the following:

(a) firm national commitment to full employment, in accordance with the Employment Policy Convention and Recommendation, 1964, and the taking of measures designed to promote employment-oriented development in rural and urban areas;

(b) the progressive extension of other economic and social measures to alleviate poverty wherever it exists and to ensure family living standards and income which are such as to make it unnecessary to have recourse to the economic activity of children;

(c) the development and progressive extension, without any discrimination, of social security and family welfare measures aimed at ensuring child maintenance, including children's allowances;

(d) the development and progressive extension of adequate facilities for

education and vocational orientation and training appropriate in form and content to the needs of the children and young persons concerned;

(e) the development and progressive extension of appropriate facilities for the protection and welfare of children and young persons, including employed young persons, and for the promotion of their development.

3. Particular account should as necessary be taken of the needs of children and young persons who do not have families or do not live with their own families and of migrant children and young persons who live and travel with their families. Measures taken to that end should include the provision of fellowships and vocational training.

4. Full-time attendance at school or participation in approved vocational orientation or training programmes should be required and effectively ensured up to an age at least equal to that specified for admission to employment in accordance with Article 2 of the Minimum Age Convention, 1973.

5. (1) Consideration should be given to measures such as preparatory training, not involving hazards, for types of employment or work in respect of which the minimum age prescribed in accordance with Article 3 of the Minimum Age Convention, 1973, is higher than the age of completion of compulsory full-time schooling.

(2) Analogous measures should be envisaged where the professional exigencies of a particular occupation include a minimum age for admission which is higher than the age of completion of compulsory full-time schooling.

II. Minimum Age

6. The minimum age should be fixed at the same level for all sectors of economic activity.

7. (1) Members should take as their objective the progressive raising to 16 years of the minimum age for admission to employment or work specified in pursuance of Article 2 of the Minimum Age Convention, 1973.

(2) Where the minimum age for

employment or work covered by Article 2 of the Minimum Age Convention, 1973, is still below 15 years, urgent steps should be taken to raise it to that level.

8. Where it is not immediately feasible to fix a minimum age for all employment in agriculture and in related activities in rural areas, a minimum age should be fixed at least for employment on plantations and in the other agricultural undertakings referred to in Article 5, paragraph 3, of the Minimum Age Convention, 1973.

III. Hazardous Employment or Work

9. Where the minimum age for admission to types of employment or work which are likely to jeopardise the health, safety or morals of young persons is still below 18 years, immediate steps should be taken to raise it to that level.

10.(1) In determining the types of employment or work to which Article 3 of the Minimum Age Convention, 1973, applies, full account should be taken of relevant international labour standards, such as those concerning dangerous substances, agents or processes (including ionising radiations), the lifting of heavy weights and underground work.

(2) The list of the types of employment or work in question should be re-examined periodically and revised as necessary, particularly in the light of advancing scientific and technological knowledge.

11. Where, by reference to Article 5 of the Minimum Age Convention, 1973, a minimum age is not immediately fixed for certain branches of economic activity or types of undertakings, appropriate minimum age provisions should be made applicable therein to types of employment or work presenting hazards for young persons.

IV. Conditions of Employment

12 (1) Measures should be taken to ensure that the conditions in which children and young persons under the age of 18 years are employed or work reach and are maintained

at a satisfactory standard. These conditions should be supervised closely.

(2) Measures should likewise be taken to safeguard and supervise the conditions in which children and young persons undergo vocational orientation and training within undertakings, training institutions and schools for vocational or technical education and to formulate standards for their protection and development.

13. (1) In connection with the application of the preceding Paragraph, as well as in giving effect to Article 7, paragraph 3, of the Minimum Age Convention, 1973, special attention should be given to--

(a) the provision of fair remuneration and its protection, bearing in mind the principle of equal pay for equal work;

(b) the strict limitation of the hours spent at work in a day and in a week, and the prohibition of overtime, so as to allow enough time for education and training (including the time needed for homework related thereto), for rest during the day and for leisure activities;

(c) the granting, without possibility of exception save in genuine emergency, of a minimum consecutive period of 12 hours' night rest, and of customary weekly rest days;

(d) the granting of an annual holiday with pay of at least four weeks and, in any case, not shorter than that granted to adults;

(e) coverage by social security schemes, including employment injury, medical care and sickness benefit schemes, whatever the conditions of employment or work may be;

(f) the maintenance of satisfactory standards of safety and health and appropriate instruction and supervision.

(2) Subparagraph (1) of this Paragraph applies to young seafarers in so far as they are not covered in respect of the matters dealt with therein by international labour Conventions or Recommendations specifically concerned with maritime employment.

V. Enforcement

14.(1) Measures to ensure the effective application of the Minimum Age

Convention, 1973, and of this Recommendation should include—

(a) the strengthening as necessary of labour inspection and related services, for instance by the special training of inspectors to detect abuses in the employment or work of children and young persons and to correct such abuses; and

(b) the strengthening of services for the improvement and inspection of training in undertakings.

(2) Emphasis should be placed on the role which can be played by inspectors in supplying information and advice on effective means of complying with relevant provisions as well as in securing their enforcement.

(3) Labour inspection and inspection of training in undertakings should be closely co-ordinated to provide the greatest economic efficiency and, generally, the labour administration services should work in close co-operation with the services responsible for the education, training, welfare and guidance of children and young persons.

15. Special attention should be paid--

(a) to the enforcement of provisions concerning employment in hazardous types of employment or work; and

(b) in so far as education or training is compulsory, to the prevention of the employment or work of children and young persons during the hours when instruction is available.

16. The following measures should be taken to facilitate the verification of ages:

(a) the public authorities should maintain an effective system of birth registration, which should include the issue of birth certificates;

(b) employers should be required to keep and to make available to the competent authority registers or other documents indicating the names and ages or dates of birth, duly certified wherever possible, not only of children and young persons employed by them but also of those receiving vocational orientation or training in their undertakings;

(c) children and young persons working in the streets, in outside stalls, in public places, in itinerant occupations or in other circumstances which make the checking of employers' records impracticable should be issued licences or other documents indicating their eligibility for such work.

Worst Forms of Child Labor Convention and Recommendation, 1999

Adoption: Geneva, 87th ILC Session (17 June 1999)

AGREEMENT 182

Preamble

The General Conference of the International Labour Organization, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999, and

Considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as the main priority for national and international action, including international cooperation and assistance, to complement the Convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain fundamental instruments on child labour, and

Considering that the effective elimination of the worst forms of child labour requires immediate and comprehensive action, taking into account the importance of free basic education and the need to remove the children concerned from all such work and to provide for their rehabilitation and social integration while addressing the needs of their families, and

Recalling the resolution concerning the elimination of child labour adopted by the International Labour Conference at its 83rd Session in 1996, and

Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education, and

Recalling the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989, and

Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its 86th Session in 1998, and

Recalling that some of the worst forms of child labour are covered by other international instruments, in particular the Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, and

Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention, which may be cited as the Worst Forms of Child Labour Convention, 1999.

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term child shall apply to all persons under the age of 18. .

Article 3

For the purposes of this Convention, the term the worst forms of child labour comprises:

(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.

2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.

3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5

Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.

2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.

2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

(a) prevent the engagement of children in the worst forms of child labour;

(b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;

(c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;

(d) identify and reach out to children at special risk; and

(e) take account of the special situation of girls.

3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

Article 8

Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

Article 9

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.

2. It shall come into force 12 months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and acts of denunciation communicated by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the second ratification, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention shall come into force.

Article 13

The Director-General of the International Labor Office shall communicate to the Secretary-General of the United Nations for registration, in accordance with Article 102 of the Charter of the United Nations, full particulars of all ratifications and acts of denunciation registered by him in

accordance with the foregoing articles.

Article 14

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides --

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16

The English and French versions of the text of this Convention are equally authoritative.

RECOMMENDATION 190

Preamble

The General Conference of the International Labour Organization, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Eighty-seventh Session on 1 June 1999, and Having adopted the Worst Forms of Child Labour Convention, 1999, and Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and Having determined that these proposals shall take the form of a Recommendation supplementing the Worst Forms of Child Labour Convention, 1999; adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Recommendation, which may be cited as the Worst Forms of Child Labour Recommendation, 1999.

1. The provisions of this Recommendation complement and should be applied in conjunction with the Worst Forms of Child Labor Convention, 1999 (hereinafter referred to as 'the Convention').

i. Programmes of action

2. The programmes of action referred to in Article 6 of the Convention should be developed and implemented as a matter of urgency, in consultation with relevant government institutions and employers' and workers' organizations, taking into account the views of children directly affected by the worst forms of child labor as well as the views of their families and, where appropriate, the community,

those of other interested groups committed to the objectives of the convention and this recommendation. These programmes should aim, inter alia, at :

- (a)** identify and denounce the worst forms of child labor;
- (b)** prevent or remove children from the worst forms of child labor, protect them from retaliation, and ensure their rehabilitation and social integration through measures that take into account their educational, physical and psychological needs;
- (c)** pay particular attention:
 - (i)** to younger children;
 - (ii)** to female children;
 - (iii)** the problem of working in situations that are out of sight, where girls are particularly at risk;
 - (iv)** to other groups of children who are especially vulnerable or have special needs;
- (d)** Identify, reach out to and work with communities in which children are particularly at risk;
- (e)** inform, educate and mobilize public opinion and interested groups, including children and their families.

ii. Hazardous work

3. In determining the types of work referred to in Article 3(d) of the Convention and their location, consideration should be given, inter alia, to

- (a)** work that exposes children to physical, psychological or sexual abuse;
- (b)** work that takes place underground, underwater, at dangerous heights or in confined spaces;
- (c)** work with dangerous machinery, equipment or tools,

or that involve handling or carrying heavy loads;

(d) work in an unhealthy environment that may, for example, expose children to hazardous substances, agents or processes, or to conditions of temperature, noise or vibration detrimental to their health;

(e) work which is carried out under particularly difficult conditions, e.g. for long hours or at night, or where the child is unjustifiably kept on the employer's premises.

4. With respect to the types of work referred to in Article 3(d) of the Convention and in paragraph 3 above, national laws or regulations or the competent authority may, after consultation with the employers' and workers' organisations concerned, authorise employment or work from the age of 16 years, provided that the health, safety and morals of such children are fully protected and that they have received special education or vocational training appropriate to the branch of work in which they are to be employed.

III. Implementation

5. (1) Detailed information and statistical data on the nature and extent of child labor should be compiled and maintained with a view to establishing priorities for national action to abolish child labor and, in particular, to prohibit and eliminate its worst forms as a matter of urgency.

(2) Wherever possible, such information and statistical data should include data disaggregated by sex, age group, occupation, industry, occupational status, school attendance and geographical location. The importance of an effective system of birth registration, including the issuance of birth certificates, should be

taken into consideration.

(3) Relevant data should be compiled and maintained on violations of national provisions concerning the prohibition and elimination of the worst forms of child labor.

6. The compilation and processing of the information and data referred to in paragraph 5 above should be carried out with due regard to the right to privacy.

7. The information compiled in accordance with paragraph 5 above should be regularly communicated to the International Labor Office.

8. Members should establish or designate appropriate national mechanisms to monitor the application of national provisions aimed at the prohibition and elimination of the worst forms of child labor, after consultation with employers' and workers' organizations.

9. Members should ensure that the competent authorities responsible for implementing national provisions aimed at prohibiting and eliminating the worst forms of child labor cooperate with each other and coordinate their activities.

10. National legislation or the competent authority should determine who will be held responsible for failure to comply with national provisions concerning the prohibition and elimination of the worst forms of child labor.

11. Members should, to the extent consistent with national law, cooperate in international efforts to prohibit and eliminate the worst forms of child labor as a matter of urgency by

(a) gathering and exchanging information on criminal offences, including those involving inter-national networks;

(b) seeking out and prosecuting those involved in the sale and trafficking of children or in the use, recruitment or

offering children for illicit activities, prostitution or the production of pornographic material or pornographic performances;

(c) keeping a register of the perpetrators of such infractions.

12. Members should provide that the worst forms of child labor listed below are criminal offences:

(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, recruitment or offer of a

(c) To prevent the use of children for illicit activities, including the production and trafficking of drugs as defined in the relevant international conventions, or for activities that involve the illegal carrying or use of firearms or other weapons.

13. Members should ensure that sanctions, including where appropriate criminal sanctions, are applied for violations of national provisions aimed at the prohibition and elimination of the types of work referred to in Article 3(d) of the Convention.

14. Where appropriate, Members should also urgently provide for other administrative, civil or penal means to ensure the effective enforcement of national provisions aimed at the prohibition and elimination of the worst forms of child labor, such as specific monitoring of enterprises that have resorted to the worst forms of child labor and, in the case of persistent violations, the temporary or permanent withdrawal of their operating permit.

15. Other measures to prohibit and eliminate the worst forms of child labor could include

(a) inform, sensitize and mobilize the general public, including national and local political leaders, parliamentarians and the judiciary;

(b) Involve and train employers' and workers' organizations and civic organizations;

(c) provide appropriate training to interested government officials, particularly inspectors and law enforcement officials, as well as other relevant professionals;

(d) to permit any Member to prosecute in its territory its nationals who commit offences against the provisions of its national legislation concerning the prohibition and immediate elimination of the worst forms of child labor, even when such offences are committed outside its territory;

(e) simplify judicial and administrative procedures and ensure that they are expeditious;

(f) encourage companies to develop policies to promote the objectives of the Convention;

(g) Identify and disseminate best practices on the elimination of child labor;

(h) to make legal and other provisions relating to child labor known in the various languages and dialects;

(i) provide special complaint procedures and provisions to protect those who legitimately report violations of the provisions of the convention from discrimination and retaliation, and establish hotlines or help centres and ombudsmen;

(j) (b) to adopt appropriate measures to improve the educational infrastructure and the training of teachers in order to meet the needs of both boys and girls;

(k) to the extent possible, take into account in the national action programmes the need

(i) to promote the employment and vocational training of parents and adult family members of children working under the conditions covered by the agreement;

(ii) to raise awareness among parents of the problem of children working in these conditions.

16. Enhanced international cooperation and/or assistance among Members for the prohibition and effective elimination of the worst forms of child labor should complement national efforts and could, where appropriate, be developed and implemented in consultation with employers' and workers' organizations. Such international cooperation and/or assistance should include:

- (a) mobilization of resources for national or international programmes;
- (b) mutual assistance in legal matters;
- (c) technical assistance, including information exchange;
- (d) measures to support economic and social development, poverty eradication programmes and universal education.

Domestic Workers Convention and Recommendation, 2011
Adoption: Geneva, 100th ILC session (16 June 2011)

CONVENTION 189

Preamble

The General Conference of the International Labour Organization, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 100th Session on 1 June 2011, and

Mindful of the commitment of the International Labour Organization to promote decent work for all through the achievement of the goals of the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Declaration on Social Justice for a Fair Globalization, and Recognizing the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability, and substantial income transfers within and between countries, and

Considering that domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights, and

Considering also that in developing countries with historically scarce opportunities for formal employment, domestic workers constitute a significant proportion of the national workforce and remain among the most marginalized, and

Recalling that international labour Conventions and Recommendations apply to all workers, including domestic workers, unless otherwise provided, and

Noting the particular relevance for domestic workers of the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Workers with Family Responsibilities Convention, 1981 (No. 156), the Private Employment Agencies Convention, 1997 (No. 181), and the Employment Relationship Recommendation, 2006 (No. 198), as well as of the ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration (2006), and

Recognizing the special conditions under which domestic work is carried out that make it desirable to supplement the general standards with standards specific to domestic workers so as to enable them to enjoy their rights fully, and

Recalling other relevant international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Convention against Transnational Organized Crime, and in particular its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and its Protocol against the Smuggling of Migrants by Land, Sea and Air, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and

Having decided upon the adoption of certain proposals concerning decent work

for domestic workers, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this sixteenth day of June of the year two thousand and eleven the following Convention, which may be cited as the Domestic Workers Convention, 2011.

Article 1

For the purposes of this Agreement:

(a) Domestic work" refers to work done in or for one or more households;

(b) The term domestic worker refers to any female or male person performing domestic work in an employment relationship;

(c) a person who performs domestic work only occasionally or sporadically without making it his or her profession is not a domestic worker.

Article 2

1. The convention applies to all domestic workers.

2. A Member which ratifies this Convention may, after consultation with the most representative organizations of employers and workers and, where they exist, with representative organizations of domestic workers and of employers of domestic workers, exclude the whole or part of its scope of application:

(a) categories of workers who otherwise enjoy at least equivalent protection;

(b) limited categories of workers in respect of whom there are particular problems of significant importance.

3. Each Member availing itself of the possibility provided for in the preceding paragraph shall, in its first report on the application of the Convention under Article 22 of the Constitution of the International Labor Organisation, indicate any particular category of workers so excluded and give the reasons for such exclusion and, in its subsequent reports, specify any measures which may have been taken with a view to extending the application of the Convention to the workers concerned.

Article 3

1. Each Member shall take measures to ensure the effective promotion and protection of the human rights of all domestic workers as provided for in this Convention.

2. Each Member shall take the measures set out in this Convention with respect to domestic workers to respect, promote and fulfil the fundamental principles and rights at work, namely

(a) freedom of association and the effective recognition of the right to collective bargaining;

(b) the elimination of all forms of forced or compulsory labor;

(c) the effective abolition of child labor;

(d) the elimination of discrimination in employment and occupation.

3. In taking measures to ensure that domestic workers and employers of domestic workers enjoy freedom of association and the effective enjoyment of the right to collective bargaining, Members shall protect the right of domestic workers and employers of domestic workers to form their own organizations, federations and confederations and, subject to compliance with their constitutions, to join organizations, federations and confederations of their own choosing.

Article 4

1. Each Member shall set a minimum age for domestic workers which shall be consistent with the provisions of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labor Convention, 1999 (No. 182), and shall not be lower than that provided for in national legislation applicable to all workers.

2. Each Member shall take measures to ensure that work performed by domestic workers under the age of 18 years and over the minimum age for admission to the employment does not deprive them of compulsory schooling or jeopardize their chances of further education or vocational training.

Article 5

Each Member shall take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence.

Article 6

Each Member shall take measures to ensure that domestic workers, like all workers, enjoy fair conditions of employment and decent working conditions and, where they are housed in the household, decent living conditions that respect their privacy.

Article 7

Each Member shall take measures to ensure that domestic workers are informed of their terms and conditions of employment in an appropriate, verifiable and easily understandable manner, preferably, where possible, by means of a written contract in accordance with national law or collective agreements, in particular with respect to:

(a) the name and address of the employer and the worker;

- (b) the address of the usual place(s) of work;
- (c) the date of commencement of employment and, if the contract is for a fixed term, its duration;
- (d) the type of work to be done;
- (e) the remuneration, the method of calculation and the periodicity of payments;
- (f) normal working hours;
- (g) paid annual leave and daily and weekly rest periods;
- (h) the provision of food and accommodation, where appropriate;
- (i) the trial period, if any;
- (j) the conditions of repatriation, if applicable;
- (k) the conditions for termination of the employment relationship, including any notice period to be observed by the employer or the employee.

Article 8

1. National laws or regulations shall provide that migrant domestic workers who are recruited in one country to perform domestic work in another country shall be given a written offer of employment or contract of employment enforceable in the country where the work is to be performed, setting out the terms and conditions of employment referred to in article 7, prior to crossing national borders to perform the domestic work to which the offer or contract applies.

2. The preceding paragraph shall not apply to workers who enjoy freedom of movement for the purpose of employment under bilateral, regional or multilateral agreements or in the context of regional economic integration areas.

3. Members shall take measures to cooperate with each other to ensure the effective application of the provisions of this Convention to migrant domestic workers.

4. Each Member shall, by legislation or other measures, determine the conditions under which migrant domestic workers are entitled to repatriation after expiry or termination of the contract of employment by which they were recruited.

Article 9

Each Member shall take measures to ensure that domestic workers:

- (a) are free to reach an agreement with their employer or potential employer on whether or not to house in the household;
- (b) who are accommodated in the household are not obliged to stay in the household or with household members during daily or weekly rest periods or annual holidays;
- (c) have the right to keep their travel and identity documents in their possession.

Article 10

1. Each Member shall take measures to ensure equality of treatment between domestic workers and all workers in respect of normal hours of work, compensation for overtime, daily and weekly rest periods and paid annual holidays, in accordance with national laws or regulations or collective agreements, taking into account the particular characteristics of domestic work.

2. The weekly rest period must be at least 24 consecutive hours.

3. Periods during which domestic workers are not free to use their time and remain at the disposal of the household in the event that the household makes use of them shall be regarded as working time to the extent determined by national laws or regulations, collective agreements or any other means consistent with national practice.

Article 11

Each Member shall take measures to ensure that domestic workers benefit from the minimum wage scheme, where such a scheme exists, and that remuneration is fixed without discrimination on the basis of sex.

Article 12

1. Domestic workers shall be paid directly in cash at regular intervals and at least once a month. Unless the method of payment is provided for by national law or collective agreement, payment may be made by transfer

by bank or postal cheque, by payment order, or other legal means of monetary payment, when the workers concerned consent.

2. National laws or regulations, collective agreements or arbitration awards may provide for the payment of a limited percentage of the remuneration of domestic workers in the form of payments in kind which are not less favourable than those generally applicable to other categories of workers, provided that measures are taken to ensure that such payments in kind are accepted by the worker, are for his personal use and benefit, and that the monetary value attributed to them is fair and reasonable.

Article 13

1. Every domestic worker has the right to a safe and healthy working environment. Each Member shall take effective measures, in accordance with national law and practice, with due regard to the particular characteristics of domestic work, to ensure the occupational safety and health of domestic workers.

2. The measures referred to in the preceding paragraph may be applied progressively in consultation with the most representative employers' and workers' organisations and, where they exist, with the representative workers' organisations and employers of domestic workers.

Article 14

1. Each Member shall take appropriate measures, in accordance with national laws and regulations and with due regard for the specific characteristics of domestic work, to ensure that domestic workers enjoy conditions that are not less favourable than those applicable to workers generally in respect of social security protection, including with respect to maternity.

2. The measures referred to in the preceding paragraph may be applied progressively in consultation with the most representative organizations of employers and workers and, where they exist, with representative organizations of domestic workers and employers of domestic workers.

Article 15

1. In order to ensure that domestic workers, including migrant domestic workers, recruited or placed by private employment agencies are effectively protected against abusive practices, each Member shall:

(a) determine the conditions under which private employment agencies operate when recruiting or placing domestic workers, in accordance with national law and practice;

(b) ensure that there are appropriate mechanisms and procedures in place to investigate complaints and allegations of abuse and fraudulent practices regarding the activities of private employment agencies in relation to domestic workers;

(c) adopt all necessary and appropriate measures, within its jurisdiction and, where appropriate, in collaboration with other Members, to provide adequate protection for and prevent abuses of domestic workers recruited or placed in its territory by private employment agencies. These shall include laws or regulations that specify the respective obligations of the private employment agency and the household towards the domestic worker and provide for penalties, including prohibition of those private employment agencies that engage in fraudulent practices and abuses;

(d) consider, where domestic workers are recruited in one country for work in another, concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment; and

(e) take measures to ensure that fees charged by private employment agencies are not deducted from the remuneration of domestic workers.

2. In order to give effect to each of the provisions of this Article, each Member shall consult the most representative organizations of employers and workers and, where they exist, the representative organizations of domestic workers and of employers of domestic workers.

Article 16

Each Member shall take measures to ensure, in accordance with national law and practice, that all domestic workers, either individually or through a representative, have effective access to the courts or other dispute settlement mechanisms on terms no less favourable than those provided for all workers.

Article 17

1. Each Member shall establish effective and accessible complaint mechanisms and means to ensure compliance with national legislation for the protection of domestic workers.

2. Each Member shall establish and implement labor inspection, enforcement and sanctions, taking due account of the particular characteristics of domestic work, in accordance with national legislation.

3. To the extent that this is compatible with national law, such measures should include the conditions under which access to the household home may be permitted, with due regard to privacy.

Article 18

Each Member shall implement the provisions of this Convention, in consultation with the most representative employers' and workers' organizations, by means of legislation and collective agreements or additional measures in accordance with national practice, extending or adapting existing measures to domestic workers, or by developing specific measures for them, as appropriate.

Article 19

This Convention shall not affect more favourable provisions applicable to domestic workers under other international labor Conventions.

Article 20

Formal ratifications of this Convention shall be communicated to the Director-General of the International Labor Office for registration.

Article 21

1. This Convention shall be binding only upon those Members of the International Labor Organisation whose ratifications have been registered by the Director-General of the International Labor Office.

2. It shall enter into force twelve months after the ratifications of two Members have been registered by the Director-General.

3. Thereafter, this Convention shall enter into force for each Member twelve months after the date of registration of its ratification.

Article 22

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within one year after the expiry of the period of ten years referred to in the preceding paragraph, avail itself of the right of denunciation provided for in this Article, shall be bound for a further period of ten years and thereafter may denounce this Convention in the first year of each further period of ten years in accordance with the provisions of this Article.

Article 23

1. The Director-General of the International Labor Office shall notify all Members of the International Labor Organisation of the registration of all ratifications and denunciations communicated to him by Members of the Organisation.

2. When notifying the Members of the Organization of the registration of the second ratification that has been communicated, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 24

The Director-General of the International Labor Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with Article 102 of the Charter of the United Nations, full particulars of all ratifications and denunciations registered.

Article 25

The Governing Body of the International Labor Office shall, whenever it considers it necessary, present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 26

1. In the event of the adoption by the Conference of a new Convention revising this Convention, and unless the new Convention provides otherwise

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 22, provided that the new revising Convention has come into force;

(b) As from the date of entry into force of the new revising Convention, this Convention shall cease to be open to ratification by Members.

Article 27

The English and French versions of the text of this Convention are equally authoritative.

RECOMMENDATION 201

Preamble

The General Conference of the International Labor Organization, Having been convened at Geneva by the Governing Body of the International Labor Office, and having met in its Hundredth Session on 1 June 2011;

Having adopted the Domestic Workers Convention, 2011; Having decided to adopt various proposals on decent work for domestic workers, which is the fourth item on the agenda of the session;

Having decided that these proposals would take the form of a Recommendation supplementing the Domestic Workers Convention, 2011,

adopts this sixteenth day of June of the year two thousand and eleven the following recommendation, which shall be known as the Recommendation on domestic workers, 2011.

1. The provisions of this Recommendation supplement those of the Domestic Workers Convention, 2011 ("the Convention"), and should be considered in conjunction with them.

2. In taking measures to ensure that domestic workers enjoy freedom of association and the effective recognition of the right to collective bargaining, Members should:

(a) identify and eliminate any legislative or administrative restrictions or other obstacles to the right of domestic workers to establish their own organizations or to join the workers' organizations of their own choosing and to the right of organizations of domestic workers to join workers' organizations, federations and confederations;

(b) give consideration to taking or supporting measures to strengthen the capacity of workers' and employers' organizations, organizations representing domestic workers and those of employers of domestic workers, to promote effectively the interests of their members, provided that at all times the independence and autonomy, within the law, of such organizations are protected.

3. In taking steps to eliminate discrimination in employment and occupation, the Members should, inter alia, in accordance with international labor standards:

(a) make sure that arrangements for work-related medical testing respect the principle of the confidentiality of personal data and the privacy of domestic workers, and are consistent with the ILO code of practice "Protection of workers' personal data" (1997), and other relevant international data protection standards;

(b) prevent any discrimination related to such testing; and

(c) ensure that no domestic worker is required to undertake HIV or pregnancy testing, or to disclose HIV or pregnancy status.

4. Members giving consideration to medical testing for domestic workers should consider:

(a) making public health information available to members of the households and domestic workers on the primary health and disease concerns that give rise to any needs for medical testing in each national context;

(b) making information available to members of the households and domestic workers on voluntary medical testing, medical treatment, and good health and hygiene practices, consistent with public health initiatives for the community generally; and

(c) distributing information on best practices for work-related medical testing, appropriately adapted to reflect the special nature of domestic work

5.(1) Taking into account the provisions of the Worst Forms of Child Labour Convention, 1999 (No. 182), and Recommendation (No. 190), Members should identify types of domestic work that, by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children, and should also prohibit and eliminate such child labour.

(2) In regulating the working and living conditions of domestic workers, Members should pay particular attention to the needs

of those below the age of 18 years and above the minimum age of employment, as defined by national law, and take measures to protect them, including:

(a) strictly limiting their working hours to ensure that they have sufficient time for rest, education and training, leisure activities and family contact;

(b) by prohibiting night work;

(c) establishing restrictions on work that is excessively demanding, either physically or psychologically;

(d) establishing or strengthening mechanisms to monitor their living and working conditions.

6.(1) Members should provide appropriate assistance, where necessary, to ensure that domestic workers understand their conditions of employment.

(2) Further to the particulars listed in Article 7 of the Convention, the terms and conditions of employment should also include:

(a) a job description;

(b) sick leave and, if applicable, any other personal leave;

(c) the rate of pay or compensation for overtime and standby consistent with Article 10(3) of the Convention;

(d) any other payments to which the domestic worker is entitled;

(e) any payments in kind and their monetary value;

(f) details of any accommodation provided; and

(g) any authorized deductions from the worker's remuneration.

(3) Members should consider establishing a model contract of employment for domestic work, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

(4) The model contract should at all times be made available free of charge to domestic workers, employers, representative organizations and the general public.

7. Members should consider establishing mechanisms to protect domestic workers from abuse, harassment and violence, such as:

(a) establishing accessible complaint mechanisms for domestic workers to report cases of abuse, harassment and violence;

(b) ensuring that all complaints of abuse, harassment and violence are investigated, and prosecuted, as appropriate; and

(c) establishing programmes for the relocation from the household and rehabilitation of domestic workers subjected to abuse, harassment and violence, including the provision of temporary accommodation and health care.

8. (1) Hours of work, including overtime and periods of standby consistent with Article 10(3) of the Convention, should be accurately recorded, and this information should be freely accessible to the domestic worker.

(2) Members should consider developing practical guidance in this respect, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

9 (1) With regard to periods during which domestic workers cannot freely dispose of their time and remain at the disposal of the household in case they are called upon by the household (periods of availability), Members should, to the extent provided for by national laws or regulations or by collective agreements, regulate these periods:

a) the maximum number of hours of availability per week, month or year that may be required of the domestic worker and how they might be calculated;

b) the compensatory rest period to which a domestic worker is entitled if the normal period of rest is interrupted by standby; and

c) the rate at which standby hours should be remunerated.

(2) With respect to dentists who normally work at night, and taking into account the constraints of night work, Members should consider measures comparable to those specified in subparagraph 9 (1).

10. Members should take measures to ensure that disabled workers are entitled to adequate rest periods during the working day to allow them to take their meals and breaks.

11(1) The weekly rest period should be at least 24 consecutive hours.

(2) The fixed day of weekly rest should be determined by agreement between the parties, in accordance with national legislation or collective agreements, taking into account the work requirements and the cultural, religious and social exigences of the domestic worker.

(3) Where national laws or collective agreements provide for a weekly rest period of up to seven days for all workers, this period should not exceed 14 days for domestic workers.

12. National legislation or collective agreements should define the grounds on which domestic workers may be required to work during the daily or weekly rest period and provide for appropriate compensatory rest, independently of any financial compensation.

13. The period during which domestic workers accompany household members on holiday should not be considered as part of their annual paid leave.

14. Where a fixed percentage of the remuneration is to be paid in kind, Members should consider:

- a) to fix the maximum percentage of the remuneration which may be paid in kind so as not to reduce unduly the remuneration necessary for the maintenance of domestic workers and their families;
- b) calculate the monetary value of the payments in kind by reference to objective criteria such as market value, cost price or the price set by the public authorities, as appropriate;
- c) limit in-kind payments to those that are clearly for the domestic worker's personal use and benefit, such as food and shelter;
- d) ensure that, if a domestic worker is required to reside in accommodation provided by the household, no deduction is made from his or her remuneration for such accommodation unless he or she consents;
- e) ensure that goods directly related to the performance of domestic work such as uniforms, tools or protective equipment, as well as their cleaning and maintenance, are not considered as payment in kind and that their cost is not deducted from the domestic worker's remuneration.

15(1) Domestic workers should, with each payment of wages, be given an easily understandable written statement of the total remuneration due to them and the precise amount and reason for any deductions.

(2) Upon termination of the undertaking, any amount due should be paid without delay.

16. Members should take measures to ensure that domestic workers enjoy conditions no less favourable than those enjoyed by all workers with respect to the protection of their claims in the event of the insolvency or death of the employer.

17. When provided, accommodation and food should include, taking into account national conditions, the following:

- a) a separate, private, properly furnished and ventilated room with a lock and key that should be given to the domestic worker;
- b) access to sanitary facilities convenient, communal or private;
- c) adequate lighting and, where appropriate, heating and air conditioning, depending on the conditions in the household;
- d) good quality and quantity of meals sufficient, adapted, where appropriate and reasonable, to the cultural and religious requirements of the domestic worker concerned.

18. In the event of dismissal for reasons other than serious misconduct, domestic workers housed in the household should be given reasonable notice and, during that notice period, a reasonable amount of time off to look for a new job and a new home.

19. Members should, in consultation with the most representative organizations of employers and workers and, where they exist, with the representative organizations of domestic workers and of employers of domestic workers, take measures to, inter alia

- a) protect domestic workers by eliminating or minimizing, so far as is reasonably and practically practicable, risks and hazards associated with the work, in order to prevent accidents, illness and death and to promote occupational safety and health in the home as the workplace;
- b) establish a sufficient and appropriate inspection system, in accordance with Article 17 of the Convention, and adequate sanctions for violations of occupational safety and health legislation;
- c) establish procedures for the collection and publication of statistics on accidents and illnesses related to domestic work, as well as other statistics considered to contribute to the prevention of risks and accidents in the context of safety and health at work;

d) providing advice on occupational safety and health, including ergonomic aspects and protective equipment;

e) develop training programmes and disseminate guidance on occupational safety and health requirements specific to domestic work.

20.(1) Members should consider, in accordance with national law, ways of facilitating the payment of social security contributions, including for domestic workers with more than one employer, for example through a simplified payment system.

(2) Members should consider entering into bilateral, regional or multilateral agreements to ensure equality of treatment in social security matters for the migrant domestic workers to whom they apply, as well as access to, entitlement to and portability of social security benefits.

(3) The monetary value of payments in kind should be duly taken into account for social security purposes, in particular as regards the employer's contribution and the benefit entitlements of domestic workers.

21.(1) Members should consider additional measures to ensure the effective protection of domestic workers and, in particular, migrant domestic workers, such as

a) Establish a national telephone helpline, with a referral service, for domestic workers who need help;

(b) consistent with Article 17 of the Convention, providing for a system of pre-placement visits to households in which migrant domestic workers are to be employed;

(c) developing a network of emergency housing;

(d) raising employers' awareness of their obligations by providing information on good practices in the employment of domestic workers, employment and immigration law obligations regarding migrant domestic workers, enforcement arrangements and sanctions in cases of violation, and assistance services available

to domestic workers and their employers;

(e) securing access of domestic workers to complaint mechanisms and their ability to pursue legal civil and criminal remedies, both during and after employment, irrespective of departure from the country concerned; and

(f) providing for a public outreach service to inform domestic workers, in languages understood by them, of their rights, relevant laws and regulations, available complaint mechanisms and legal remedies, concerning both employment and immigration law, and legal protection against crimes such as violence, trafficking in persons and deprivation of liberty, and to provide any other pertinent information they may require.

(2) Members that are countries of origin of migrant domestic workers should assist in the effective protection of the rights of these workers, by informing them of their rights before departure, establishing legal assistance funds, social services and specialized consular services and through any other appropriate measures.

22. Members should, after consulting with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, consider specifying by means of laws, regulations or other measures, the conditions under which migrant domestic workers are entitled to repatriation at no cost to themselves on the expiry or termination of the employment contract for which they were recruited.

23. Members should promote good practices by private employment agencies in relation to domestic workers, including migrant domestic workers, taking into account the principles and approaches in the Private Employment Agencies Convention, 1997 (No. 181), and the Private Employment Agencies Recommendation, 1997 (No. 188).

24. In so far as compatible with national law and practice concerning respect for privacy, Members may consider conditions under which labour inspectors or other officials entrusted with enforcing provisions applicable to domestic work should be allowed to enter the premises in which the work is carried out.

25. (1) Members should, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, establish policies and programmes, so as to:

(a) encourage the continuing development of the competencies and qualifications of domestic workers, including literacy training as appropriate, in order to enhance their professional development and employment opportunities;

(b) address the work–life balance needs of domestic workers; and

(c) ensure that the concerns and rights of domestic workers are taken into account in the context of more general efforts to reconcile work and family responsibilities.

(2) Members should, after consulting with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, develop appropriate indicators and measurement systems in order to strengthen the capacity of national statistical offices to effectively collect data necessary to support effective policymaking regarding domestic work.

26. (1) Members should consider cooperating with each other to ensure the effective application of the Domestic Workers Convention, 2011, and this Recommendation, to migrant domestic workers.

(2) Members should cooperate at bilateral, regional and global levels for the purpose of enhancing the protection of domestic workers, especially in matters concerning the prevention of forced labour and trafficking in persons, the access to social security, the monitoring of the activities of

private employment agencies recruiting persons to work as domestic workers in another country, the dissemination of good practices and the collection of statistics on domestic work.

(3) Members should take appropriate steps to assist one another in giving effect to the provisions of the Convention through enhanced international cooperation or assistance, or both, including support for social and economic development, poverty eradication programmes and universal education.

(4) In the context of diplomatic immunity, Members should consider:

(a) adopting policies and codes of conduct for diplomatic personnel aimed at preventing violations of domestic workers' rights; and

(b) cooperating with each other at bilateral, regional and multilateral levels to address and prevent abusive practices towards domestic workers.

Appendix 2: The provisions of the Labor Code concerning child labor

Topic	Articles	Provisions	Sanctions
Minimum working age for children	53 54 56 58	<ul style="list-style-type: none"> The minimum age of employment is 16 years, subject to the special provisions of this code; The employment of children under the age of 16 IS permitted in establishments WHERE only members of the family are employed; In non-industrial and non-agricultural sectors, children aged 13 may be employed in light work; No one who is under 18 years of age can be employed in any type of work that is likely, by its nature or the circumstances in which it is performed, to endanger the health, safety or morals of children. The employment of children 16 years or older in hazardous work may be authorized by the labor inspectorate. 	<p>A fine of 24 to 60 dinars</p> <p>In the event of a repeat offence, the penalty shall be doubled.</p> <p>This fine will be imposed for each worker employed in conditions contrary to the law, but the total fine may not exceed five thousand dinars.</p>
Working hours	63-256	<ul style="list-style-type: none"> No child under the age of 18 shall be required to work additional hours beyond the normal hours of work to which he or she is subject, nor shall any child under the age of 16 be engaged in light work for more than two hours per day on either school days or holidays, nor shall he or she be required to spend more than a total of seven hours per day in school and light work; 	<p>A fine of 24 to 60 dinars. In the event of a repeat offence, the penalty shall be doubled. This fine will be imposed for each worker employed in conditions contrary to the law, but the total fine may not exceed five thousand dinars.</p>

Public holidays with pay	56 111	The employment of children in light work on weekly rest days and holidays is prohibited. Children under the age of 18 should not be employed in establishments WHERE work cannot be interrupted on paid public holidays, including for workplace cleaning purposes.	A fine of 24 to 60 dinars
Paid annual leave	113	The duration of the leave is increased for employees under eighteen years of age on 31 December of each year to two days per month of work. These employees are entitled, if they so request, to the maximum leave determined above, regardless of their seniority in the company. They may not claim any compensation for paid leave for the days of rest they claim in addition to those they have acquired for work performed during the reference period.	
Children's participation in shows - live performances or filming	57 65 67	<ul style="list-style-type: none"> • With specific authorization from the head of the Labor Inspectorate for children under 16 years of age: The maximum duration of actual work is set at 2 hours per day, and that of attendance is set at four hours per day. (Order of the Minister of Social Affairs of 19 January 2000, setting the conditions for granting individual employment authorizations to enable children to appear in public performances or to participate in film work). Night work : • Children under 14 years of age should not be employed at night for a period of at least 14 consecutive hours, which must include the interval between 8 p.m. and 8 a.m. • With specific time-limited authorizations from the head of the Labor Inspectorate, children over 14 and under 18 may be allowed to appear as performers in the evening in public shows or to participate as actors in film shoots at night. • No authorization is granted when such appearance or participation presents a danger to the life, health or morals of the child. In addition, the period of employment may not exceed midnight and the child must have at least 14 consecutive hours of rest. 	A fine of 24 to 60 dinars. In the event of a repeat offence, the penalty shall be doubled. This fine will be imposed for each worker employed in conditions contrary to the law, but the total fine may not exceed five thousand dinars.

<p>Employment of children in agricultural activities</p>	<p>55 74 123</p>	<ul style="list-style-type: none"> The minimum age for work is lowered to 13 years for children engaging in light agricultural work Night work: Children under 18 years of age must be given a period of night rest of not less than: <ol style="list-style-type: none"> 12 consecutive hours for children under 16 years of age, 10 consecutive hours for children aged 16 to 18, provided that they are given compensatory rest during the day. Children under the age of eighteen shall not be employed for any work between 10:00 p.m. and 5:00 a.m. Paid annual leave: The duration of leave is increased to 2 days per month of service for workers under 18 years of age on 31 December of each year, but the total leave CANNOT exceed 30 days, of which 24 are working days. 	<p>A fine of 24 to 60 dinars. In the event of a repeat offence, the penalty shall be doubled. This fine will be imposed for each worker employed in conditions contrary to the law, but the total fine may not exceed five thousand dinars.</p>
<p>Obligation to keep records of work performed by children</p>	<p>59</p>	<ul style="list-style-type: none"> Every employer shall keep a register showing the names and dates of birth of all persons employed under the age of 18 years, the nature of their work, the number of hours they work, their rest periods and their certificate of fitness for work, which need not include medical directions. 	<p>A fine of 12 to 30 dinars In the event of a repeat offence, the penalty shall be doubled. This fine will be imposed for each worker employed in conditions contrary to the law, but the total fine may not exceed five thousand dinars.</p>
<p>The requirement for a suitable medical examination</p>	<p>61 62</p>	<ul style="list-style-type: none"> Children under the age of 18 may not be employed in any activities until a thorough medical examination is conducted (free of charge) by an occupational physician, justifying their ability to perform the work in question Children's fitness for employment must be medically verified (during each Semester) until the age of 18. 	<p>A fine of 24 to 60 dinars. In the event of a repeat offence, the penalty shall be doubled. This fine will be imposed for each worker employed in conditions contrary to the law, but the total fine may not exceed five thousand dinars.</p>

		The Labor Inspectorate and the Labor Medical Inspectorate may require special renewals of the medical examination.	
Night work for children	65 66 67	<ul style="list-style-type: none"> • Children under 14 years of age shall not be employed at night for a period of at least 14 consecutive hours, which shall include the interval between between 8pm and 8am. • Children over the age of 14 and under the age of 18 shall not be employed at night for a period of at least 12 consecutive hours which shall include the interval between 10 p.m. and 6 a.m. • Children over 16 and under 18 years of age may be employed at night in the following cases: <ul style="list-style-type: none"> a) in case of <i>force majeure</i>, b) for children employed in bakeries, when their professional training requires it, the period between 9 p.m. and 4 a.m. is substituted for the period between 10 p.m. and 6 a.m. (c) when required as part of their training in industries or occupations requiring continuous work, the head of the labor inspectorate may grant specific time-limited authorizations for the employment of children, provided that they are given a rest period of at least 13 consecutive hours between two work periods. 	<p>A fine of 24 to 60 dinars.</p> <p>In the event of a repeat offence, the penalty shall be doubled. This fine will be imposed for each worker employed in conditions contrary to the law, but the total fine may not exceed five thousand dinars.</p>

Appendix 3: Sample Training Program

Day 1			
Module	Lesson	Time	Activity
		08.30 – 9.00	Welcome to participants
Module 1: Child Labor: Conceptual Framework		09.00 – 09.15	<ul style="list-style-type: none"> • Official opening • Objectives and Review of the Agenda • Introduction of the participants • List of expectations
	Lesson 1: Understandi ng the concepts	09.15 -10.30	<ul style="list-style-type: none"> • Exercise 1. Grasping key concepts • Feedback and discussions • Presentation/Summary
		10.30 – 11.00	Coffee break
	Lesson 2: What is Child Labor		<ul style="list-style-type: none"> • Exercise 2. What is and what is not child labour? • Feedback and discussions • Presentation/Summary • Exercise 3: Case study: what is and is not child labour • Restitution and discussions
		13.00 - 14.00	Lunch break
	Lesson 3: Dangerous Work vs. Light Work	14.00 – 15.30	<ul style="list-style-type: none"> • Exercise 4: Distinguish between dangerous work and light work • Feedback and discussions • Presentation/Summary
		15.30 – 16.00	Coffee break
	Lesson 4: Typology of child labour	16.00 – 17.30	<ul style="list-style-type: none"> • Exercise 7: Identifying children's rights through a set of pictures • Feedback and discussions

Day 2			
Module	Lesson	Time	Activity
		08.45 – 9.00	Review of the activities of Day 1 – Agenda of the day
Module 1: Child Labor: Conceptual Framework	Lesson 5: Causes and Consequences of Child Labor	09.00 -10.30	<ul style="list-style-type: none"> • Exercise 6: Case Studies • Feedback and discussions • Presentation/Summary
		10.30 – 11.00	Coffee break
	Lesson 1: International Standards and instruments	11.00 -13.00	<ul style="list-style-type: none"> • Exercise 7: Identifying children's rights through a set of pictures rights • Feedback and discussions • Exercise 8: How does national legislation compare to international instruments? • Feedback and discussions • Presentation/Summary
		13.00 -14.00	Lunch break
Module 2: Child labor: International and national normative framework	Lesson 2: National laws governing child labor	14.00 – 15.30	<p>Exercise 9: Analyzing strengths and weaknesses of child labor legislation in Tunisia</p> <ul style="list-style-type: none"> • Feedback and discussions
		15.30 - 16.00	Coffee break
	Lesson 2: National laws governing child labor	16.00 – 17.30	<ul style="list-style-type: none"> • Presentation / Summary

Day 3			
Module	Lesson	Time	Activity
		08.45 – 9.00	Review of Day 2 activities – Agenda of the day
Module 3: Child labor : Policy frameworks , strategies and action plans	Lesson 1:	09.00 -10.30	<ul style="list-style-type: none"> • Exercise 10: Identifying policy responses to child labor • Feedback and discussions • Presentation/Summary
		10.30 – 11.00	Coffee break
	Lesson 1: The Intervention Process	11.00 -13.00	<ul style="list-style-type: none"> • Exercise 11: Potential benefits of eliminating child labor • Feedback and discussions • Presentation/Summary
		13.00 -14.00	Lunch break
Module 4: Child labor: A strategy for action	Lesson 1: The Intervention Process	14.00 – 15.30	<ul style="list-style-type: none"> • Exercise 12: What role do you play in the fight against child labor? • Feedback and discussions • Presentation/Summary
		15.30 - 16.00	Coffee break
	Lesson 2: Stakeholder responses to child labor	16.00 – 17.30	<ul style="list-style-type: none"> • Exercise 13: Stakeholder mapping to encourage coordination and collaboration • Feedback and discussions • Presentation / Summary

Appendix 4: Sample Training Workshop Evaluation Form

Questions for participants.					
Men					
Women					
Date					
Location					
Please provide a score for each of the questions listed below, with 1 being the minimum and 5 the maximum. On this scale, 3 is the average score. If you feel that a question does not apply to you or if you do not have the information to answer it, leave the space blank.					
Did you obtain enough information prior to attending this workshop to meet your training needs?	1	2	3	4	5
Was the content of the workshop appropriate and relevant to its objectives?	1	2	3	4	5
In general, were the training methods appropriate?	1	2	3	4	5
Did being in this group make it easier for you to learn?	1	2	3	4	5
Were the materials used during the workshop adequate?	1	2	3	4	5
Do you think the administrative support was effective?	1	2	3	4	5
How much do you think you will use what you have learned in your current job?	1	2	3	4	5
How much will your institution/organization benefit from your participation in this workshop?	1	2	3	4	5
Are you satisfied with the overall quality of the workshop?	1	2	3	4	5
To what extent have you increased your knowledge of child labor?	1	2	3	4	5
1 = not at all; 2 = very little; 3 = somewhat yes; 4 = yes; 5 = yes, completely					

What suggestions or comments would you give to the facilitators (please include their name if it applies to a particular person) to improve their contribution?

What knowledge did you gain in this workshop that would contribute to your efforts to combat child labor?

Are there any activities that you would propose for similar future trainings?

Additional comments or suggestions:



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Organization

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LABOR IN TUNISIA