



2016 Trafficking in Persons Report - Tunisia

Publisher [United States Department of State](#)

Publication Date 30 June 2016

Cite as United States Department of State, *2016 Trafficking in Persons Report - Tunisia*, 30 June 2016, available at: <http://www.refworld.org/docid/577f959415.html> [accessed 25 October 2016]

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

TUNISIA: Tier 2 Watch List

Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. According to a baseline study published in 2013, Tunisian youth are subjected to various forms of trafficking. According to the study, some Tunisian girls, mainly from the northwest, working as domestic servants for wealthy families in Tunis and major coastal cities experience restrictions on movement, physical and psychological violence, and sexual abuse. International organizations report an increased presence of street children and rural children working to support their families in Tunisia since the 2011 revolution; according to the baseline study, these children are vulnerable to forced labor or sex trafficking. Tunisian women have reportedly been forced into prostitution under false promises of work both within the country and elsewhere in the region, such as Lebanon, United Arab Emirates, and Jordan. Civil society organizations report an increase in women, primarily from West Africa, subjected to domestic servitude in private homes in Tunis, Sfax, Sousse, and Gabes. Migrants fleeing unrest in neighboring countries continue to be vulnerable to trafficking in Tunisia. Security officials reported in 2014 that organized gangs force street children to serve as thieves and beggars and to transport drugs.

The Government of Tunisia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Tunisia is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Tunisia was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards. As in the previous reporting period, Parliament did not pass draft anti-trafficking legislation, and due to the lack of legal framework, the government did not provide a clear mandate for officials to address human trafficking crimes effectively. The government reported investigating and prosecuting potential trafficking crimes, but without the details of the cases it was unclear how many – if any – traffickers were adequately punished. The government did not fully implement victim identification guidelines or the national victim referral mechanism; therefore, some trafficking victims remained unidentified and vulnerable to punishment for unlawful acts committed as a direct result of being subjected to human trafficking. Nevertheless, authorities identified and provided protection services to some trafficking victims in government-

operated centers for vulnerable groups. Although the government's inter-ministerial anti-trafficking committees remained active during the reporting period, political, economic, and security challenges in Tunisia prevented the government from dedicating resources and attention to human trafficking issues.

RECOMMENDATIONS FOR TUNISIA:

Enact anti-trafficking legislation that prohibits and adequately punishes all forms of human trafficking consistent with the 2000 UN TIP Protocol; in the absence of a law, use existing criminal statutes to prosecute trafficking offenses and convict and punish offenders with imprisonment; implement formal procedures to identify trafficking victims among vulnerable groups, such as street children, undocumented migrants, domestic workers, and persons in prostitution, and train officials on their use; fully implement the national victim referral mechanism to ensure all trafficking victims are referred to appropriate protection services, and train law enforcement and judicial authorities on appropriately referring victims to care; provide adequate protection services to all trafficking victims distinct from other vulnerable groups, including adequate shelter and rehabilitative services, and ensure staff at government-operated centers are trained to provide trafficking victims with specialized care; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution and immigration violations; and increase anti-trafficking trainings for all officials.

PROSECUTION

The government demonstrated limited anti-trafficking law enforcement efforts and did not yet enact draft anti-trafficking legislation introduced to Parliament in May 2014. The absence of a law greatly hindered law enforcement efforts, including data collection and case management, and contributed to the government's inability to differentiate human trafficking from other crimes. In various disparate statutes, the penal code prohibits some forms of human trafficking but prescribes penalties that are not sufficiently stringent or commensurate with penalties prescribed for other serious crimes, such as rape. The penalties prescribed for rape range from five years' imprisonment to the death penalty. The criminal code prescribes one to three years' imprisonment for forced prostitution of an adult, which are not commensurate or sufficiently stringent. The criminal code prescribes three to five years' imprisonment for sex trafficking of a child, which are commensurate and sufficiently stringent. The penal code prescribes only one to two years' imprisonment for forced child begging and penalties of up to 10 years' imprisonment for capturing or detaining a person for forced labor. As in the previous reporting period, the government did not report data on prosecutions and convictions of human traffickers due to the lack of a legal anti-trafficking framework. However, in 2015, the Ministry of Interior reported investigating more than 500 cases involving sexual exploitation of women and 41 cases involving children in forced begging, a significantly higher number of investigations than the 25 potential trafficking cases in 2014. The Ministry of Justice reported data on prosecutions of other crimes during calendar year 2014, such as begging, prostitution, kidnapping, and rape, but without additional details, none of these cases appeared to involve human trafficking crimes. The ministry also reported prosecuting 81 labor code violations in 2015, but it did not report if any of these cases involved human trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government provided training sessions during the reporting period for judicial and law enforcement officials and other relevant ministries.

PROTECTION

The government made limited efforts to identify and provide protection services to trafficking victims, while unidentified victims remained vulnerable to punishment for unlawful acts

committed as a direct result of being subjected to human trafficking. In 2015, the government identified and assisted three Tunisian trafficking victims exploited abroad, and it provided assistance to 20 victims identified by an international organization subjected to trafficking in Tunisia. Despite these efforts, this demonstrates a decline in comparison to 59 victims the government identified in 2014. Although some law enforcement, immigration, and social service officials received training to identify trafficking victims among high-risk populations, the government lacked formal victim identification procedures and did not implement systematic policies and procedures to protect unidentified victims from being punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as women in prostitution, child sex trafficking victims, or illegal immigrants. An international organization reported in 2015 that police detained a sex trafficking victim on prostitution violations but later released the victim without charge; the government did not provide the victim with protection services. The government maintained a national victim referral mechanism for officials to refer trafficking victims to government-operated social centers or NGO-run shelters; however, it was unclear how many victims officials referred to protection services during the reporting period.

The government did not dedicate a budget specifically for the provision of protection services to trafficking victims; however, the Ministry of Social Affairs (MSA) reportedly provided more than \$250,000 to civil society organizations for the provision of social services to vulnerable populations, including trafficking victims. Three MSA-operated centers for vulnerable populations in Tunis, Sousse, and Sfax continued to be available to victims of all forms of trafficking. The center in Tunis held a dedicated office for male and female trafficking victims with a trained social worker and offered medical and psychological exams; in 2015, this center assisted 11 child victims of sexual exploitation and seven child victims of forced begging. MSA also continued to operate centers for vulnerable populations, including trafficking victims, victims of domestic violence and sexual assault, asylum-seekers, unaccompanied minors, and the homeless. The centers provided food and lodging, clothing, legal aid, medical care, education for child victims, and psychological services; however, it was unclear how many trafficking victims received services in these centers during the reporting period. The government reportedly offered temporary residency status and repatriation services – in coordination with international organizations – to foreign trafficking victims, although it did not report how many victims received these services in the reporting period; trafficking victims were not allowed to seek legal employment while under temporary residency status. The government did not have policies in place to encourage victims to participate in the prosecution of their traffickers, nor did it offer foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution.

PREVENTION

The government improved efforts to prevent trafficking. The inter-ministerial anti-trafficking working group met four times in 2015 to coordinate anti-trafficking policy, with representation from civil society and international organizations. In May 2015, the Ministry of Justice formed a national interim committee on human trafficking, which included trafficking focal points from relevant ministries; the committee also met four times during the reporting period to update the national anti-trafficking action plan, finalize language in the draft anti-trafficking legislation, and coordinate anti-trafficking efforts among relevant ministries. During the reporting period, the government implemented parts of its draft national anti-trafficking action plan related to victim assistance and prevention activities; however, it did not implement law enforcement or judicial activities in the plan because it did not have a legal anti-trafficking framework to support them. The government conducted multiple anti-trafficking public awareness campaigns during the reporting period. The government reported efforts to reduce the demand for forced labor. To prevent fraudulent labor recruitment practices, the Ministry of Professional Training and Employment ordered 26 unauthorized recruitment bureaus to register formally with the ministry; it

also brought procedures against 15 recruitment agencies for failing to comply with labor regulations. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism. The government provided anti-trafficking training for its diplomatic personnel.

Search Refworld

by keyword
and / or country

[Advanced Search](#) | [Search Tips](#)

Countries

- [Tunisia](#)

Topics

- [Forced labour](#)
- [Prostitution / Commercial sex work](#)
- [Trafficking in persons](#)