

Alternative report to combined fourth to sixth periodic reports on the implementation of the Convention on the Rights of the Child, focusing on:

« Sexual Exploitation of Children in Tunisia »

for the review of the implementation of the Convention on the Rights of the Child in Tunisia

Submitted by

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and
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Association Tunisienne des Droits de l'Enfant (ATUDE) / DCI-Tunisia is an association, having special consultative status with ECOSOC and with the African League for Human Rights and Peoples. It is also a founding member of the Maghreb Collective for the Rights of the Child and a founding member of the African Collective on the Rights of the Child. In 2013, the Tunisian Association of Rights of the Child (ATUDE) became the representative of Defence for Children International (DCI) in Tunisia (DCI-Tunisia). This movement was created in 1979, headquartered in Geneva, and represented in more than 40 countries around the world. ATUDE aims to contribute to the popularization and dissemination of the culture of children's rights, contributes to the design and implementation of child rights protection mechanisms. It also supports children in difficulty and in danger. It supports the State's efforts for social and professional reintegration of children in conflict with the law after they leave rehabilitation centres for juvenile delinquents and organizes seminars to develop legislation and child protection mechanism.

ECPAT International is a global network of civil society organisations working for the eradication of all forms of sexual exploitation of children. For the past 29 years, ECPAT has acted as the international watchdog, monitoring States' response to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 109 network members operating in 96 countries.

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Context of this supplementary report

1. This report is meant to complement the combined fourth to sixth periodic reports submitted by the Government of Tunisia (hereinafter "GoT") on the Convention on the Rights of the Child (hereinafter "CRC") in May 2019.¹ This report contains recommendations to end the sexual exploitation of children (hereinafter SEC") in Tunisia.
2. The content of this submission is based on the Association Tunisienne des Droits de l'Enfant (ATUDE)/DCI-Tunisia's work experiences and ECPAT International's desk research.
3. Its scope is limited to **SEC** and its different manifestations, including exploitation of children in prostitution,² online child sexual exploitation (**OCSE**), child sexual abuse materials (**CSAM**),³ trafficking of children for sexual purposes and sexual exploitation of children in the context of travel and tourism (**SECTT**)⁴ and child, early and forced marriage (**CEFM**).

Status and developments of sexual exploitation of children in Tunisia

4. Tunisia has recovered from its 2010/2011 revolution of the Tunisian people and has made considerable progress through its democratic transition.⁵ Tunisia is classified as a country in the Middle East and North African region⁶ and is a state of 11,403,000 inhabitants,⁷ where children represent more than 28% of the total population.⁸
5. In Tunisia, sexual violence in the family and in childcare centres is an undeniable reality, which creates difficulties for living together in society. The judicial system is considered not to be repressive enough and victims are not adequately monitored. The definition of sexual violence, particularly against children in Tunisia, is too general and imprecise. Tunisian society is based on a patriarchal mentality. Legislation and protection mechanisms are not adequate to protect children from sexual violence.⁹ Sexual violence remains a "taboo" subject in Tunisia and the reality of cultural barriers makes it difficult to discuss sexual issues.¹⁰ It has been shown that sexual abuse among young children significantly increases vulnerability to sexual exploitation during adolescence.¹¹ In addition, child protection specialists from the Tunisian Ministry of Women, Family and Children have identified 709 potential victims of human trafficking among the 10,000 cases of child abuse they received in 2018.¹²
6. According to an online newspaper article, the Ministry of Women, Family and Children reported in 2017 that 1,087 cases of sexual exploitation of children were reported in Tunisia. Following this, the Ministry of Women, Family and Children led a campaign to raise awareness among parents and children on the dangers of the Internet.¹³ According to another journalistic source, in January 2019, the Ministry of the Interior announced the closure of a Koranic school enrolling 42 children after accusations of child exploitation and sexual abuse.¹⁴ An investigation is still ongoing.¹⁵ According to the US Department of State's report on trafficking in persons, the GoT did not make any efforts to reduce the demand for sexual exploitation following the closure of 11 associations that operated unauthorized Koranic schools in six different provinces.¹⁶
7. The **sexual exploitation of children in prostitution** is also present. According to several press articles, a humanitarian worker allegedly abused and raped 41 Tunisian children. He was

sentenced by French courts in 2016. However, the Tunisian authorities refused to cooperate and collaborate in the identification of victims. Children do not dare reveal the crimes they are victims of due to social factors such as shame or taboo.^{17,18,19} Furthermore, children may not be considered victims as such.²⁰ Reportedly, many sexually exploited girls are reported to have been convicted of prostitution for having had sex, for example, in exchange for a meal.²¹

8. In 2018, Tunisia counted more than 126 mobiles phones for every 100 people,²² 55.5% of the population used the Internet²³ and about 55% of the population had a Facebook account in December 2017.²⁴ In addition, connectivity is growing rapidly and with it the risk of children being exposed to online sexual exploitation. The increasing use of mobile phones and the proliferation of Internet access, although conducive to innovation and development, present potential and growing new vulnerabilities to the sexual exploitation of children in the online environment. The misuse of available technologies offers perpetrators new ways to groom and exploit children. In addition, the anonymity of the Internet facilitates the exchange and dissemination of child sexual abuse materials (CSAM).²⁵ In 2018, the Presidency of the Republic and the Geneva Centre for the Democratic Control of Armed Forces (DCAF) convened a round table on the Law and Protection of Children Online in Tunisia. Representatives of the Ministries of Family, Justice, Social Affairs, Communication Technologies and the Digital Economy participated in this round table where the themes of the sexual exploitation of children and the viewing of pornography by children were on the agenda.²⁶ However, with regard to the **online child sexual exploitation**, no recent data is available on the scale or scope of this problem.
9. **Trafficking of children for sexual purposes** - Trafficking of children for sexual purposes appears to be the main manifestation of SEC in Tunisia, which is a country of origin and destination for child vulnerable to trafficking for sexual purposes.²⁷ This tends to occur mainly in the context of domestic servitude.²⁸ The sale of children for domestic servitude is also one of the main problems Tunisia is facing.²⁹ The majority of domestic workers are girls under 18 years old and can be sexually assaulted in this context.³⁰ It seems that this phenomenon mainly affects girls from poor families and from the countryside.³¹ Regarding trafficking of children for sexual purposes, in general, Tunisian children are victims both in Tunisia and abroad.³² According to the International Organization for Migration (IOM) and the GoT's reports, girls victims were 15 to 18 and came from rural areas, while boys victims were 10 to 12 and generally left their families. Young girls were exploited on the street or in cars. Recruitment was done through family or acquaintances. The clients were Tunisian or foreign and were 40 years old or older.³³ Young girls were also exploited by several people in apartments, for example in the neighbourhood of Ennassr, in Tunis, as referred to by official sources and taxi drivers.³⁴ In 2017, the GoT observed an increase in child victims of sexual abuse and exploitation.³⁵ From April 2018 to May 2019, the Ministry of the Interior reported that it had opened a total of 199 judicial investigations into alleged crimes of trafficking of children, including prostitution, forced labour, forced begging and forced crime.³⁶ However, these investigations are not specifically about cases of sexual exploitation of children.
10. Although there is no database on cases of sexual exploitation of children in travel and tourism in Tunisia, according to a media report, it would seem that the cities of Hammamet and Sousse are well-known destinations, where we see very young people, whose age has not been mentioned, keeping company with adult men.³⁷ According to the IOM and GoT's report, in Sousse, girls aged from 15 to 18 were exploited in private homes and hotels.³⁸ The customers were Tunisian or

European. The Ministry of Interior has stated that Western women also travel to Tunisia to exploit young Tunisian men.³⁹

11. The phenomenon of "*jihad ennukah*" or sexual jihad also seems to be present in Tunisia. Tunisian girls are reportedly sent out of the country for prostitution. Indeed, they would have sexual relations with jihadists.^{40,41} Members of cells specialized in the recruitment of these young girls were arrested in 2017 and 2018.^{42,43}
12. As for **child, early and forced marriages**, according to UNICEF's assessment in a study conducted between 2010 and 2016, 2% of girls were married before the age of 18.⁴⁴ Child marriages, therefore, remain very rare in Tunisia, although a few cases have been reported in recent years by the media. For example, in 2017, a judge authorized the marriage of a 17 years-old girl to a 39 years-old man⁴⁵ and a 13 years-old child was married to her 20 years-old brother-in-law because she was pregnant following a rape.⁴⁶ Tunisian legislation still had an exception that provided that the judge could authorize child marriage on serious grounds, but the Tunisian legislature has repealed this provision (see paragraph 37).
13. At the end of 2015, the GoT adopted the 2030 Agenda for Sustainable Development. This framework for action commits the GoT to eliminate all forms of violence against children, including sexual abuse and exploitation.⁴⁷ It is therefore timely and appropriate for Tunisia to strengthen its efforts to put an end to SEC. However, although the United Nations system has produced the 2017 sustainable development objectives (SDOs) report, which is based on Tunisia's national statistics as of October 2017, this report did not mention any forms of SEC.⁴⁸ The GoT has not yet submitted its voluntary national review, but is expected to in 2019.⁴⁹

General measures of implementation

Policy and overall strategy

14. While sexual violence against children is a concern at all levels in Tunisia, there is no multidimensional action or legal system encompassing the notion of 'child victim'.⁵⁰
15. In 2010, the Committee on the Rights of the Child recommended that the GoT establish a system for the collection and analysis of data on the sexual exploitation and abuse of children and the punishment and sentencing of perpetrators.⁵¹ However, to date, the GoT still does not have such a system.⁵²
16. Besides, Tunisia does not currently have a specific national action plan against SEC.
17. In addition, the National Action Plan to Combat Trafficking in Human Beings 2015-2017 expired in 2017.⁵³ In 2018, UNODC provided technical assistance to the National Committee against Trafficking in Persons in the development of a National Strategy and Action Plan to Prevent and Combat Trafficking in Persons.⁵⁴ According to US TIP's report, the GoT has finalized, adopted and made public its national strategy to combat trafficking in human beings for the period 2018-2023.⁵⁵ Reportedly, the GoT has developed a supplementary plan describing the individual steps for implementing this strategy.⁵⁶ However, at the time of writing this report, this plan was not available for review.

18. There is a National Plan of Action Against Child Labour 2015-2020, which aims at raising awareness, building the capacity of stakeholders and fostering action led by NGOs and civil society.⁵⁷ However, it appears that this plan does not target SEC.⁵⁸

Coordination to end SEC in Tunisia

19. The GoT does not have a specific body to coordinate efforts against SEC.
20. In its report submitted to the Committee on the Rights of the Child, the GoT stressed that the Ministry of Women, Family, Children and the Elderly, in cooperation with the Council of Europe, has launched a national programme for the protection of children against all forms of exploitation and sexual violence, aiming at raising awareness of the seriousness of this phenomenon and at strengthening the capacities of actors on the ground, including through the creation of a network of professionals against the exploitation and sexual abuses of children.⁵⁹
21. A partnership framework agreement was concluded in June 2016 with the NGOs "Femmes et Entrepreneuriat" and ATUDE/DCI-Tunisia to establish an integrated programme to generally combat sexual violence against children with a particular focus on girls and to inform victims in this regard.⁶⁰
22. The GoT has also cooperated with INTERPOL offices in the region to improve the exchange of information regarding potential cases of human trafficking.⁶¹
23. The Anti-Trafficking in Persons Authority was established in Tunisia in 2017. Created by a law adopted by the Tunisian Parliament in August 2016, this body prohibits all forms of exploitation, aims in particular to protect migrant children and targets networks seeking to exploit children.⁶² It is led and funded by the Ministry of Justice and is composed of representatives from 12 ministries and civil society experts.⁶³ In 2017, the President of the trafficking body Raoudha Laabidi indicated that the first challenge would be to create a database and establish statistics in order to know the extent of the phenomenon and to be able to put in place a strategy to combat trafficking in persons.⁶⁴ To date, no official statistical data seems to have been published.
24. Each court throughout the country now has a prosecutor and an investigating judge who are responsible for supervising human trafficking cases and conducting anti-trafficking training programmes for judicial personnel. The Ministry of Justice monitors and updates statistics on human trafficking cases brought to court through a specialized office. This office is also empowered to conduct research on the application of the anti-trafficking law and to advise the Minister of Justice on policies relating to the application of this law.⁶⁵

Prevention of the sale of children, child prostitution and child pornography (art. 9 (para. 1 and 2) OPSC)

25. In order to **prevent the sexual exploitation of children**, it is essential to carry out campaigns to raise public awareness of the problem and to generate a movement in which society is engaged in the prevention of cases of the sexual exploitation of children.

26. As Hatem Kotrane, former member of the Committee on the Rights of the Child and Professor at the Faculty of Legal, Political and Social Sciences of Tunis, underlined in 2016, training must be a priority on the agenda of the Ministry of Women, Family and Children through the Observatory for information, documentation and studies on the protection of the rights of the child, and with its main partners from other departments and civil society.⁶⁶
27. The comparative study of Tunisian legislation conducted by the magistrate and researcher Lazhar Jouili also demonstrates that it is necessary to treat victims of SEC with special attention and that for this reason prosecutors, judges, lawyers should be trained on a child rights-based approach.⁶⁷
28. In 2017, the Council of Europe organized a "Work and reflection workshop to adjust judicial practices in Tunisia to the needs of child victims of sexual violence". This allowed participants from government, public institutions, justice, civil society to share good practices.⁶⁸
29. In 2018, judges from 14 Tunisian governorates received training on human trafficking, including the protection of the rights of victims and the questioning of alleged victims in order to avoid re-victimization of victims.⁶⁹
30. In 2010, the Committee on the Rights of the Child recommended that the GoT conduct anti-trafficking awareness raising activities, including media campaigns, and establish a free telephone hotline to report cases of trafficking of children and to support victims.⁷⁰ The GoT has partially followed these recommendations. In fact, in 2019, the GoT reported that in order to fight against sexual exploitation, several awareness-raising activities have been organized by the Ministry of Women, Family and Children, the Independent High Commission for audio-visual media, the Union of Journalists and Press Institutions in co-operation with the Council of Europe.⁷¹ The US Government's report on trafficking in persons confirms that the GoT has conducted numerous anti-trafficking awareness and information campaigns, sometimes in partnership with civil society organizations.⁷² In addition, there is a free of charge number available to listen to victims of human trafficking and collect their complaints.⁷³ However, this service is not intended for victims of other forms of SEC. The Ministry of Women, Family and Children also has a helpline for all child victims of violence.⁷⁴ Previously, ATUDE / DCI-Tunisia provided a helpline but it is no longer functional, due to financial constraints.⁷⁵

Prohibition on the sale of children, child prostitution and child pornography (arts. 3, 4 (2) and (3) and 5-7 OPSC)

Existing criminal laws and regulations

31. Tunisia is the first non-European country to have signed the Council of Europe's Lanzarote Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.⁷⁶ However, neither the Criminal Code nor the Code of Criminal Procedure specifically takes into account the child victim.
32. The Convention on the Rights of the Child is annexed to the Child Protection Code, in particular article 34, which stipulates that Tunisia must undertake to protect children against all forms of sexual exploitation and must prevent children from being induced or coerced into engaging in illegal sexual activity and from being exploited for the purpose of prostitution.⁷⁷ Article 25 of the

Child Protection Code defines the sexual exploitation of children as the subjection of a girl or boy to acts of prostitution, whether in return for payment or free of charge, directly or indirectly.⁷⁸ Article 231 of the Criminal Code prohibits the prostitution of women without specifying whether it is only adult women or all women. There seems to be no provision to protect sexually exploited girls from being arrested on the basis of this provision. Article 232 of the Criminal Code punishes pimps and article 233 provides for a specific penalty for anyone who exploits a child.⁷⁹ However, article 233 of the Criminal Code does not provide sufficient penalties for cases where a child is sexually exploited. Indeed, this is considered a crime, punishable by a prison sentence of three to five years. Law No. 2017-58 of 11 August 2017, on the elimination of violence against women (law on the elimination of VAW),⁸⁰ introduces article 227 bis (New),⁸¹ which punishes anyone who sexually harasses a girl or boy between the ages of 16 and 18, even if consent has been established. Article 228 (new paragraph 2) doubles⁸² the penalty if the victim is a child. Article 234 of the Criminal Code punishes the crime of encouraging the debauchery of a child or its facilitation, but the term "debauchery" is not defined.

33. Article 34 of the Convention on the Rights of the Child, incorporated into the Tunisian Child Protection Code,⁸³ provides that children must not be exploited for the production of pornographic performances or materials. Article 7 of Organic Law No. 2016-61 of 3 August 2016, on preventing and combating trafficking in persons (law on preventing and combating TIP),⁸⁴ prohibits exploitation for the purpose of pornographic scenes, through the production or possession or distribution by any means, of pornographic scenes or materials. However, child sexual abuse materials (CSAM) are not defined by law and the dissemination, import, export, offering and selling of CSAM are not specifically prohibited. Tunisia has been invited by the Council of Europe to accede to the Budapest Convention on Cybercrime, but Tunisia has still not ratified the Convention.⁸⁵
34. Online grooming of children for sexual purposes does not appear to be prohibited in Tunisia, although Article 23 of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Lanzarote Convention contains a provision on this subject.⁸⁶
35. The law on preventing and combating TIP⁸⁷ defines trafficking in persons and children in accordance with the definition provided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.⁸⁸
36. Tunisian law does not contain any provisions criminalizing the sexual exploitation of children in travel and tourism (SECTT). Article 235 of the Criminal Code provides that the penalties provided for procuring, encouraging or facilitating debauchery apply even if the offences have been committed in different countries. This article can be used in the fight against the "jihad ennukah" or SECTT. However, specific legal provisions to criminalise these acts should be adopted in order to avoid a gap that could hinder the prosecution of child sex offenders.
37. In 2007, the GoT abolished the law on child marriage.⁸⁹ Indeed, the legal age of marriage is 18 for girls and boys,⁹⁰ whereas the former article 5 of the Personal Status Code provided that girls could marry at 17 while the age of majority was set at 20. In 2010, the Committee on the Rights of the Child recommended to the GoT to amend article 227 bis of the Criminal Code,⁹¹ which allows men accused of raping a girl under 20 to escape prosecution by marrying the victim. The

law on the elimination of VAW⁹² repealed article 227 bis of the Criminal Code. However, article 6 of the Personal Status Code⁹³ still provides for an exception that makes the marriage of a child subject to the consent of his or her guardian and mother. Article 5 of law on preventing and combating TIP,⁹⁴ prohibits the forced marriage of women, but not boys, and is not specific to children.

Liability of legal persons

38. Article 20 of the law on preventing and combating TIP,⁹⁵ provides that legal persons may be prosecuted in the event of a commission of trafficking in human beings. Article 20 specifies that legal persons are prosecuted if the act of trafficking was committed for the benefit of the legal person or if the legal person received benefits or income from it, or if it is established that it supported a related trafficking activity.

Extraterritorial jurisdiction and extradition

39. Article 27 of the law on preventing and combating TIP,⁹⁶ provides that Tunisian courts have jurisdiction over offences of trafficking in human beings committed outside the country if the offence was committed by a Tunisian citizen or against a Tunisian victim, or if the victim, even a foreign or stateless person, has his or her place of ordinary residence in Tunisia. However, this only applies to the offences of trafficking in human beings.
40. Article 305 of the Code of Criminal Procedure⁹⁷ provides that any Tunisian citizen who has committed a crime or offence outside Tunisian territory may be prosecuted and tried by Tunisian courts, unless the law of the place where the act was committed does not punish that act or if the act has already been punished by foreign courts. Article 307 bis of the same Code⁹⁸ provides that Tunisian courts have jurisdiction to try anyone who has committed a crime or felony against a Tunisian victim abroad.
41. Article 29 law on preventing and combating TIP⁹⁹ provides that the offences of trafficking in persons are extraditable. Article 30 of the same law¹⁰⁰ provides that if it has nevertheless been decided not to extradite the person, the Tunisian courts must try the person being prosecuted.
42. Article 311 of the Code of Criminal Procedure¹⁰¹ provides that in order to grant extradition, the offence for which the request is made must be punishable under Tunisian law. Article 312 of the Code of Criminal Procedure¹⁰² provides that Tunisian citizens are not extraditable and that extradition is refused if the crimes or offences have been committed in Tunisia.

Protection of the rights of child victims (art .8 and 9 (3) and (4) OPSC)

Measures adopted to protect the rights and interests of child victims

43. The law on the elimination of VAW, which entered into force on 16 February 2018, contains a number of provisions relating to child victims.¹⁰³ This obliges the State to commit itself and protect children against all forms of violence, especially sexual violence.
44. However, according to a report of the African Child Policy Forum, Tunisia does not have specific judicial systems for child victims and witnesses. While some members of the judiciary have been trained, there is no institutionalized procedure for the interrogation of child victims and witnesses of crimes. This can lead to double victimization of the child victim and does not

encourage children to talk about what is happening to them. Specialized services for victims exist but only in cities.¹⁰⁴ There is no clear pattern of care for the child victim at either the legislative or institutional level.¹⁰⁵ In addition, there does not seem to be adequate psychological care for child victims.¹⁰⁶ Administrative procedures are difficult and appointment times are very long. Psychologists and psychiatrists are not specifically trained to work with these victims.¹⁰⁷ Medical staff do not have the necessary resources and are not prepared to deal with child victims either.

45. According to the US TIP report, the GoT has redoubled its efforts to identify victims of trafficking and refer them to care services.¹⁰⁸ The GoT reportedly continued to work in cooperation with international organizations and civil society groups to train key law enforcement officials and magistrates in the investigation and prosecution of human trafficking and victim identification techniques.¹⁰⁹
46. In January 2018, the Anti-Trafficking in Persons Unit set up a toll-free number for victims and witnesses of human trafficking. This number is used to receive complaints and listen to victims.¹¹⁰ However, to date, there is no data to indicate the effectiveness of this system.
47. With regard to reparations, an adequate system of reparations should be created, defining the type of reparation, its amount and the modalities of management by experts and specialists, taking into account the age of the child and the gravity of the aggression. Associations defending the rights of the child may not bring a civil action and the State shall not bear the costs of legal proceedings or reparation.¹¹¹

Rehabilitation and reintegration of victims

48. According to the project to prevent and combat sexual violence against children, social workers are not always qualified to understand the extent of the trauma experienced by child victims of sexual violence and have very little awareness of this issue. Moreover, the reports they provide do not always meet the expectations of the judge in charge of the case and do not help the latter to make a decision that takes into account the child's best interests. Moreover, centres can also accommodate populations of different ages and situations. The often-limited host capacity of these centres, the mix of genders and the weakness of supervision make these centres a new source of problems.¹¹²
49. The Ministry of the Interior assisted and provided accommodation for 50 child victims of trafficking and 30 foreign victims.¹¹³
50. The Ministry of Social Affairs manages centres for vulnerable populations. Three of these centres in Tunis, Sousse and Sfax have designated areas specifically for victims of all forms of trafficking. A hospital run by the Ministry of Health in Tunis has a unit with qualified staff that deals with victims of violence, including sexual exploitation, and provides psychosocial support, medical documentation and legal expertise. 79 government-run youth centres throughout the country provide psycho-educational services to at-risk children aged six to 18, including child victims of trafficking. In April 2018, the Ministry of Women, Family and Children inaugurated one of these centres near Tunis as the first centre exclusively for child victims of trafficking, which assisted 42 victims referred by the special unit for victims. Despite this, civil society reported that services for trafficked children, in particular reintegration and long-term resettlement services, were limited throughout the country.¹¹⁴

51. While a professional integration programme implemented by the “Centre de Défense et d'Intégration Sociale”, set up as part of the project to support the improvement of the justice system for children in Tunisia, implemented by UNICEF and funded by the European Union, exists for children in conflict with the law, such a reintegration programme does not seem to exist for SEC victims.¹¹⁵
52. The Observatory on the Rights of the Child is currently carrying out a study on the evaluation of monitoring systems for child victims of violence in Tunisia. It aims, in particular, to diagnose monitoring mechanisms to establish the appropriate legal framework and infrastructure, favourable reception conditions, an effective human framework and to evaluate the performance of institutions involved in violence against children.¹¹⁶

International cooperation (art. 10 OPSC)

53. The United Nations Resident Coordinator in Tunisia, at the opening of the international symposium "Trafficking in persons in Tunisia: current situation and national referral mechanism", stated that he would continue to support cooperation between all national and international actors, the Special Rapporteur and South-South cooperation mechanisms.¹¹⁷
54. In order to combat trafficking in human beings, the GoT collaborates with the Council of Europe, which has organised a training of trainers against trafficking.¹¹⁸

Recommendations

General measures of implementation

1. Draft and submit its initial report on the implementation of the Optional Protocol to the Convention on the Rights on the sale of children, child prostitution and child pornography;
2. Establish a system for collecting and analysing data on sexual exploitation and abuse of children and on the conviction of perpetrators;
3. Create a National Action Plan against the Sexual Exploitation of Children;
4. Finalize and adopt the National Action Plan against Trafficking in Human Beings;
5. Provide for a coordinating body to combat the sexual exploitation of children;
6. Strengthen coordination and collaboration between the various government departments, agencies and non-governmental organizations working in the areas covered by the Optional Protocol to the Convention on the Rights on the sale of children, child prostitution and child pornography;
7. Mobilize sufficient resources to provide systematic and targeted training on the provisions of the Optional Protocol to the Convention on the Rights on the sale of children, child prostitution and child pornography to public officials and all relevant professionals, in particular members of the judiciary.

Prevention

8. Raise public awareness of all offences covered by the Optional Protocol to the Convention on the Rights on the sale of children, child prostitution and child pornography and the penalties for these crimes, and coordinate, support, monitor and evaluate awareness-raising activities;
9. Establish assessment, awareness and prevention programmes on the sexual exploitation of children;

10. Promote social standards of child protection through community development projects and the media, including social networks to allow children to express their voice;
11. Ensure that, the voice of the child is heard and taken into account in all legal and social procedures affecting the child, as well as systematically involve children and young people in the participation and monitoring of local implementation of policies and programmes relating to children's rights;
12. Engage the private sector, including Internet service providers, to block child sexual abuse and exploitation material on the Internet and avoid its dissemination;
13. Continue to develop and support awareness-raising campaigns on the sexual exploitation of children, particularly among parents and communities, in order to promote the reporting of cases of sexual exploitation of children to the relevant services;
14. Develop awareness campaigns with the tourism sector and the general population on the prevention of sexual exploitation of children in travel and tourism.

Prohibition

15. Include a provision to protect child victims of sexual exploitation from being arrested;
16. Provide sufficiently appropriate penalties that take into account the seriousness of acts of sexual exploitation of children;
17. Include a legal definition of child sexual abuse materials and prohibit their dissemination, import, export, offering and sale;
18. Include a provision on online grooming;
19. Prohibit the sexual exploitation of children in travel and tourism;
20. Prohibit child marriage and repeal article 6 of the Personal Status Code;
21. Adopt a law punishing early marriage and amend the Personal Status Code accordingly;
22. Provide the necessary human, technical and financial resources to implement and enforce existing laws, including through the training of justice sector actors;
23. Amend the provisions of the Code of Criminal Procedure relating to extraterritoriality and extradition so that the principle of double criminality is removed.

Protection

24. Provide special protection procedures for victims of sexual exploitation;
25. Provide for the provision of full legal assistance to all victims of sexual exploitation;
26. Ensure that reporting mechanisms are accessible to all children;
27. Ensure that police services have the resources and skills to identify, investigate and respond and can use child-friendly methods when dealing with child victims and witnesses;
28. Ensure that child victims of sexual exploitation are not treated as criminals;
29. Explicitly provide in legislation access to remedies for all sexually exploited children; Take measures to ensure that all child victims of sexual exploitation have access to adequate procedures to seek, without discrimination, compensation from those legally responsible;
30. Provide appropriate recovery and reintegration services to all victims of sexual exploitation.

International cooperation

31. Strengthen existing international police and judicial cooperation through multilateral, regional and bilateral arrangements, in particular, with countries that are neighbours or recipients of child trafficking.

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- ¹ Committee on the Rights of the Child. (2019). [Combined fourth to sixth periodic reports submitted by Tunisia under article 44 of the Convention, to be submitted in 2017](#), 29 May 2019, CRC/C/TUN/4-6, 155, [translated from Arabic].
- ² ECPAT prefers the term ‘*exploitation of children in prostitution*’ instead of ‘*child prostitution*’ in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), “[Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016](#)”, Bangkok: ECPAT, 29.
- ³ ECPAT prefers the term ‘child sexual exploitation material’ or ‘child sexual abuse material’ over the often in legal context still used ‘child pornography’ in line with the recently widely adopted Terminology Guidelines. *Ibid.*, 39.
- ⁴ *Ibid.*, 54.
- ⁵ PNUD. (n.d). [A propos de la Tunisie](#).
- ⁶ UNICEF. (2017, December). [The State of The World’s Children 2017](#), 150. New York: UNICEF.
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