



protecting children everywhere

Child Sex Tourism in Tunisia

1. Background

There is little documented evidence of child sex tourism in Tunisia largely because the subject of sex is regarded as a taboo. Additionally, human rights organisations highlight that the repression of human rights activists and the lack of freedom of expression makes monitoring and sharing information about these issues difficult. The stigma and severe social consequences faced by anyone, including children, having experienced sexual abuse makes reporting of the crime and seeking assistance by victims rare.

However, some research done on the issue shows that children in the country are vulnerable to commercial sexual exploitation, affecting both girls and boys. Studies have ascertained this through children brought to hospitals and those imprisoned (an estimated 78%) after being recovered from brothels or sexual abuse on city streets. The ages of the children recovered ranged from that of infants to 15 years old.

Experts suggest that the main cause of this vulnerability lies in the poverty of families and the large numbers of street children roaming city streets and beach resorts. Many children are also exploited within the informal labour sector, including domestic work and are thus exposed to potential abuse. Concern has been expressed about the fact that the legislation allows children under 18 years to be employed, albeit within strict guidelines.

The United States State Department Trafficking Report designates Tunisia as a special case because of a lack of information differentiating illegal immigrants from possible trafficking victims. Although Tunisia is recognised as a transit and destination country for child trafficking there is no documentation to ascertain the extent of the problem or to differentiate trafficking victims from illegal immigrants.

Tunisia Legislation

The Government in 1992 ratified the Convention on the Rights of the Child, and in 2002 ratified the Optional Protocol on the Sexual Exploitation of Children. Within the domestic Penal Code there are provisions that address child sexual exploitation, including the “procurement and incitement to moral corruption and vice”. The sentences and fines are harsher when the victim is a minor of either sex, ranging from three to five years. Another piece of legislation called the Decree of April 1942 regulates prostitution in Tunisia and explicitly prohibits the prostitution of minors, especially those aged 13 to 16 years. In addition a Code for the Child of 1995 also legislates for the protection of children from sexual exploitation in various situations, including the sex industry, organised crime or child begging. Laws against trafficking in persons also exist, but appear to be rarely enforced with few Government initiatives against it.

UK Legislation

While British tourists who commit sexual offences in Tunisia can be prosecuted in that country, they can also be prosecuted in the UK for crimes committed while abroad. Under the UK Sexual Offences Act, 2003, article 72, persons can be prosecuted for a crime that is viewed as a criminal offence in both countries. Therefore, if tourists sexually abuse a child in Tunisia, they can be tried in the UK as

both countries legislate against this offence. This Act is intended to cover crimes that may be committed by the traveller against either a travelling child companion or a child living in the country, but in which the crime is not detected until returning to the UK.

Additionally, the Sexual Offences (Conspiracy and Incitement) Act, 1996, allows for the prosecution of those who conspire to commit a sexual offence outside the UK, or incite someone else to commit the offence. Therefore if one person either helps or pushes another to commit the offence, they too can be prosecuted in the UK.

2. Who are the children and aspects of vulnerability?

Poverty and street children: According to the UNDP there is more urban as opposed to rural poverty in the country because of the larger urban population. However, Government programmes have helped to reduce this and together with ensuring a high rate of primary education also reduced the exposure of children to potential risks.

However, some agencies note a trend of children dropping out of school due to reasons of family poverty, abuse or obligations to help support their families. They take up informal street work, including as street vendors selling goods and cleaning car windscreens etc. Some of the children work to be able to attend school and continue with their education. This leads to them missing out on further education and also leaves them susceptible to various forms of exploitation.

Family breakdown and violence: Reports indicate that many of the children recovered from situations of abuse have come from broken and violent families. Half the cases of such children have found evidence of physical and psychological abuse within the family, with a few cases of sexual abuse.

Child prostitution: Due to the taboo nature of the subject there is little evidence of children in organised prostitution. However, individual and unorganised commercial sexual exploitation of children does exist and some cases of the internal trafficking of children have been reported within the country.

Child labour: In 2000, UNICEF estimated that 2.1 percent of children from age 5 to 15 years were working in Tunisia. Many more boys were working and were being exploited in rural agriculture and as urban street vendors. Girls were more likely to be working as domestic help and sending their earnings to their families. Under Tunisian law children under 16 years are not allowed to work, however, in the agricultural sector 13 year old children can work provided employers follow strict guidelines ensuring children continue with their education, and are not allowed to do dangerous or heavy work.

3. Who are the abusers?

There is little concrete information about the characteristics of those involved in child sex tourism in Tunisia. This is largely because of the lack of monitoring and awareness of the issue. What little is known points to the fact that most of the foreign sex tourists act individually since there does not appear to be an organised network that they can easily gain access to.

However, nongovernmental organisations express concern about the vulnerability of children and the increasing numbers of foreign tourists to the country. The lack of awareness and monitoring makes the children more not less vulnerable to being abused because child sex abusers know they can avoid detection.

4. How is the travel industry involved?

Tunisia has seen a steady increase in tourism and economic growth over the last few years. It is one of the few African countries untouched by conflict and political instability that characterises the rest of the region. This growth in tourism also raises concerns about the state of protection measures for children and whether these are being implemented with a full awareness of the dangers of child sex

tourism. Current information indicates that there is little awareness of this issue within agencies tasked with child protection and upholding children's rights.

The Government through the Ministry for Children, Youth and Sports has set up monitoring mechanisms for information and the study on the protection of child rights. There is also a National Institute for the Protection of Children and a Youth and Children Centre created by legislation passed in 1999. The Youth and Children Centre, in particular, houses orphaned children and those experiencing "social difficulties" within the ages of 6 and 18 years. While there they have access to education and vocational training. However, there is no specific provision made for children who are victims of commercial sexual exploitation.