



Convention on the Rights of the Child

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Committee on the Rights of the Child Eighty-seventh session

Summary record of the 2521st meeting*

Held via videoconference on Thursday, 27 May 2021, at noon Central European Summer Time

Chair: Ms. Otani

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* No summary record was issued for the 2520th meeting.

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The meeting was called to order at noon.

Consideration of reports of States parties (continued)

Combined fourth to sixth periodic reports of Tunisia (continued) (CRC/C/TUN/4-6; CRC/C/TUN/Q/4-6 and CRC/C/TUN/RQ/4-6)

1. *At the invitation of the Chair, the delegation of Tunisia joined the meeting.*
2. **Ms. Zargouni** (Tunisia) said that the Children's Parliament had a budget of 24,000 dinars and consisted of five representatives from each governorate, for a total of 120 members, 65 per cent of whom were girls. The representatives were between the ages of 11 and 16 and had to be enrolled in school in order to take part.
3. A recent session had been presided over by a child with special needs who was now candidate for the Arab Parliament for Children. The latest topic of discussion, in March 2021, had been equal opportunities and non-discrimination from a gender perspective. At the end of each session, the Children's Parliament submitted a report to the Assembly of the Representatives of the People. The Observatory for Information, Training, Documentation and Research Related to the Protection of Children's Rights had published a guide to increasing the representation of children in municipal and local councils, with the ultimate goal of giving councils an incentive to give consideration to the best interests of the child in all their development plans and strategies.
4. **Ms. Ayari** (Tunisia) said that the Ministry for Women, Family, Children and Older Persons coordinated the efforts of all State bodies that dealt with children's issues, including the Ministry of Justice, the Ministry of Education and the Ministry of the Interior, and was taking steps to ensure that the High Council for Children, which would be responsible for developing child protection strategies, related action plans and follow-up indicators, could begin its work. In the interim, national and regional committees had been established to monitor children's issues, and the Ministry of Justice had set up a children's affairs office to improve coordination and cooperation.
5. Child protection officials received reports of violence or threats against children and were empowered to intervene in the children's best interests, including by removing them from abusive or exploitative situations, in keeping with domestic law, the Convention and the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime. They also ensured that the children for whom they were responsible received medical and psychosocial support during and after interviews.
6. **Ms. Bouzaouache** (Tunisia) said that the National Authority for the Prevention of Human Trafficking was responsible for looking into all reports of sexual, economic and other forms of exploitation, including for the purpose of organ trafficking, and that the national mechanism for the prevention of torture examined cases of torture and ill-treatment of children in places of detention.
7. **Ms. Mzoughi** (Tunisia) said that, as the State now recognized that imprisonment was not in the best interests of the child, criminal procedures specific to juvenile offenders had been introduced, and officials specialized in juvenile justice could order either custodial or alternative measures. Alternative measures included release under the responsibility of the parents, a guardian or a trusted person and referral to family court for placement in a vocational training centre, a medical facility or a rehabilitation centre. The goal of those measures, which were compatible with international instruments, was to promote the reintegration of juvenile offenders and ensure that they did not reoffend.
8. Specific provision was made for cases involving a combination of juvenile and adult offenders, which were heard by an investigating judge or public prosecutor, and for cases involving minors and members of the military, which were heard in the civilian justice system. A minor implicated in a serious offence could be placed in a correctional facility. The new procedures allowed for appeals.
9. **Ms. Jaouadi** (Tunisia) said that the Child Protection Code and Organic Act No. 58 of 2017 on Combating Violence against Women dealt with the treatment of child victims and children in conflict with the law, including the need for social workers or psychologists to be

present at interviews with children, who could not be questioned more than once. Such specialists attended approximately 80 per cent of interviews. Psychologists could also be called in by child protection officials, social services and hospitals.

10. Pursuant to Organic Act No. 58, 130 specialized units, each with one subunit for women and another for children, had been set up to investigate cases of violence. With the support of the United Nations Development Programme, 80 of the units had been equipped to record interviews with children. Furthermore, over 100 hours of basic and in-service training courses had been developed, covering techniques for interviewing children and cooperation with civil society on the management of cases of violence. Train-the-trainer modules had also been developed. The necessary support system for child victims and witnesses had been put in place starting in 2011.

11. **Ms. Ouerghi** (Tunisia) said that, in emergency situations, hospitals cared for child victims, who were then referred to specialists where necessary. Cases of violence had to be reported to the competent authorities.

12. Following the 2011 revolution, a non-governmental organization had supported the creation of a forensic unit in a public hospital in Tunis where victims of violence, including sexual assault, could receive medical and psychological care. The unit also helped collect evidence for potential legal action.

13. Child victims were seen by a psychiatrist before undergoing a forensic examination and had weekly follow-up sessions for six months. Sixty per cent of the 1,000 cases of violence handled by the forensic unit in 2018 had involved violence against children. In the other governorates, forensic doctors had received training in dealing with child victims of violence with the support of the United Nations Population Fund.

14. A centre in Ben Arous Governorate provided medical and psychological care to child victims of violence, as well as the necessary referrals to providers of other types of support. It had dealt with over 100 cases a year in recent years, including 160 in 2020. The centre had also begun providing training to health-care providers, social workers and law enforcement personnel who worked with women and children who were victims of violence. Nevertheless, more had to be done to ensure that services were provided to child victims in all the country's governorates.

15. **Ms. Mhedhebi** (Tunisia) said that, since the country's previous appearance before the Committee, in 2010, the Criminal Code had been amended to better reflect the seriousness of corporal punishment of children, which was now an offence, regardless of how light the punishment was or who inflicted it. The practice was also banned under the Child Protection Code and Organic Act No. 58 of 2017. However, challenges remained in eliminating the practice, as it had a cultural component, which took time to change. Tunisia had been set to host an international conference on violence against children, but the event had been cancelled owing to the coronavirus disease (COVID-19) pandemic.

16. **Mr. Nsiri** (Tunisia) said that over 13,000 cases of corporal punishment had been reported in the period 2019–2020, fewer than in the period 2015–2016. An inclusive education strategy had been adopted to combat violence, intolerance and bullying in schools, with a focus on prevention, alternative forms of discipline and stronger relationships among schools, parents and students. Efforts were being made to provide children exhibiting behavioural problems with guidance and psychological support.

17. **Mr. Khalifa** (Tunisia) said that children with disabilities were not separated from their families on the grounds of their disability. Children who had no family or were born out of wedlock received medical, paramedical and psychological care at a centre attached to the Ministry of Social Affairs. Children with disabilities accounted for 60 of the 114 children in the centre's care. Children under 2 years of age who lacked family support were cared for in residential units run by associations, with material and financial assistance provided by the Government. In 2020, 464 children had received care at the centre, while 373 had received care in residential units; 487 children had been adopted or reintegrated into a family environment.

18. In-kind aid and financial assistance were provided to children born out of wedlock. One-time payments had been made during the pandemic to children lacking family support, and financial support had also been provided to adoptive or foster families.

19. **Ms. Ayari** (Tunisia) said that, in 2012, in line with the Committee's recommendations (CRC/C/TUN/CO/3), the Government had launched a family reintegration programme for children who had been placed in institutions because of their families' dire financial circumstances. Since then, 200 children a year had been reunited with their families, which received regular financial and material support. The Government had sought to monitor the children's situation but had been unable to do so in remote and mountainous regions because of the country's financial crisis and a lack of human resources and transportation. Each year, some 10,600 children lived part of the time in institutions and part of the time with their families.

20. The Ministry for Women, Family, Children and Older Persons had worked to teach parents and guardians dialogue-based, non-violent child-rearing methods and to help them improve their finances. The family development strategy it had launched had a budget that had risen from 720,000 dinars in 2018 to 800,000 in 2021. Loans totalling several million dinars would be made as part of a project to help single-parent households headed by women set up microenterprises.

21. **Mr. Nsiri** (Tunisia) said that, in 2011, the school integration programme for persons with disabilities that had been launched in 2003 had been expanded to cover students with special needs, a group that included children with disabilities, gifted children, children with autism and children with learning difficulties. From 2016 to 2020, 6,614 children with disabilities, a third of whom had been girls, had been integrated into schools. The Government had provided the necessary infrastructure in the schools that they attended, developed educational plans to meet the needs of children with disabilities and recruited educators to work with them.

22. **Mr. Khalifa** (Tunisia) said that, according to the latest census, persons with disabilities made up 2.3 per cent of the country's population. According to data from the Ministry of Social Affairs, 4,500 children with disabilities had disability cards. It was difficult to assess the quality of those data, however, as they were based on voluntary declarations. The Ministry had received \$4 million in aid from the United States to institute a national disability card system and had introduced biometric cards for persons with disabilities. The data that were collected would thus be more reliable.

23. **Ms. Jaouadi** (Tunisia) said that the Government was in the process of creating regional committees to monitor the implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. As part of the process, the Government had rolled out programmes to raise families' awareness of child sexual abuse and set up a network of experts working to stop child sexual abuse and exploitation. It had also set up monitoring committees and, in cooperation with other stakeholders, a specialized centre for the counselling and reintegration of child victims of abuse. In addition, the Government was training experts to work on the ground and had held workshops to reach out to the media.

24. **Mr. Gudbrandsson** (Coordinator, Country Task Force) said that he wished to know whether the Government had considered teaching parents positive parenting strategies as an alternative to corporal punishment.

25. **Ms. Ayoubi Idrissi**, congratulating Tunisia for having been the first country in the Middle East and North Africa to ban corporal punishment, said that she nonetheless wished to know whether corporal punishment had been made a criminal offence under the ban and, if so, whether parents who, for example, hit their children to discipline them were subject to criminal penalties. She was also curious to know how foster families were chosen and whether schools made confidential complaint and reporting mechanisms available to their students, including students with special needs.

26. **Mr. Jaffé** asked whether the Government regularly ran programmes for parents and families on the prevention of corporal punishment. It would be interesting to know how long

the judicial officers who handled cases of sexual abuse stayed in their posts and whether those posts were sought after or simply filled by persons assigned to them.

27. **Ms. Todorova** said that she wished to know what the Government was doing to address the killings by public officials of stray animals, which, according to reports, often took place in front of and with the involvement of children.

28. **Ms. Sidikou** (Country Task Force) asked whether the Government had adopted the action plan of the strategy for the deinstitutionalization of children in vulnerable situations, which would improve the coordination of measures to help children born out of wedlock and single mothers.

29. **The Chair** (Country Task Force) said that she wished to know whether children with disabilities had been given the opportunity to share their views during the process of amending the Act No. 83 of 2005 on the Promotion and Protection of Persons with Disabilities.

30. **Ms. Ayari** (Tunisia) said that, thanks to increases in staffing levels, the entity charged with helping child victims of rights violations, which had had fewer than 30 counsellors before 2017, could now serve all the country's governorates. The entity worked with all stakeholders to protect children from violence, mistreatment, sexual exploitation and trafficking.

31. With assistance from the Council of Europe and the United Nations Children's Fund (UNICEF), the Government was carrying out a series of programmes to raise awareness of violence against children and encourage reporting. Over the previous year, with a view to facilitating communication and reporting, a road map had been prepared that included all the entities that could take action to protect children.

32. The Ministry for Women, Family, Children and Older Persons had developed an ad hoc programme on positive parenting and was partnering with the private sector to promote such parenting. It was also preparing an audiovisual training programme to be broadcast on national television and developing a strategy to protect children from digital violence. More than 240 volunteer peer-to-peer coaches had been given the training they would need to give families in their communities training in positive parenting. As a result, more than 12,000 parents – in governorates all over the country – had received such training. In addition, the Government planned to extend the period of parental leave for both parents so that fathers could play a supportive role after the birth of a child.

33. Single mothers received services under the deinstitutionalization programme. They enjoyed the same rights and benefits as mothers in traditional households, and there were programmes to empower them in their work and family lives.

34. **Ms. Mzoughi** (Tunisia) said that, until 2010, acts of violence committed by parents against their children had not been considered a criminal offence. However, article 319 of the Criminal Code had been amended, and as a result anyone with parental authority who inflicted physical punishment on a child was now subject to criminal penalties. In addition, under Organic Act No. 58 of 2017, in cases of violence against children, a parental relationship between the perpetrator and the victim was considered an aggravating factor. Corporal punishment was criminalized in both family and school settings. A comprehensive parenting programme had been introduced to promote alternatives.

35. **Mr. Nsiri** (Tunisia) said that there were four mechanisms available to children to lodge complaints or report abuse. Schoolchildren could report any difficulties they were experiencing to one of the offices set up to provide listening and guidance services. There was also a service run by psychiatrists in schools to provide direct support in exceptional cases. Through the educational support mechanism, teachers could provide direct assistance and guidance to their students. Lastly, there was a relatively new group support mechanism for educational institutions through which serious cases, particularly those involving sexual abuse, could be reported. All cases were dealt with in the strictest confidence.

36. **Mr. Khalifa** (Tunisia) said that, pursuant to the recommendation by the Committee on the Rights of Persons with Disabilities, a national steering committee, made up of representatives of the relevant ministries and organizations of persons with disabilities, had

been set up to review Act No. 83 of 2005 on the Promotion and Protection of Persons with Disabilities and bring it into line with the Convention on the Rights of Persons with Disabilities. Persons with disabilities, including children, had been consulted, and their views duly taken into account. A number of draft amendments to article 1 of the Act had been prepared, including proposals to make the changes necessary to ensuring that psychosocial disabilities were considered disabilities and that discrimination on grounds of disability was expressly prohibited. The steering committee would issue its final report in the coming months.

37. **Ms. Jaouadi** (Tunisia) said that the police had stray street dogs put down at the request of the municipal authorities but always ensured that they were put down in the middle of the night. Requests to control the population of stray dogs were also received from members of the public. Some municipalities, particularly in the greater Tunis area, had stopped putting down stray animals.

38. Approximately 95 per cent of the judicial officers specialized in handling cases of violence against women had been in their posts since 2017. In accordance with Organic Act No. 58 of 2017, there were also specialized judges who dealt with violence against women. Unless they were transferred elsewhere by the Ministry of the Interior for disciplinary reasons, such specialists very rarely changed posts. There were 16 specialized trainers in law enforcement agencies to train law enforcement officials on how to deal with cases of violence against women and children.

39. **Ms. Zargouni** (Tunisia) said that a nationwide programme was in place to round up and vaccinate stray dogs and place them in shelters. Each stray was given a number so that it could be identified and tracked. Those efforts had resulted in a decrease in the number of strays that had to be put down.

40. The judges specialized in hearing cases of violence against women and children received ongoing training and therefore remained specialized even if they were transferred to another region or assigned other duties. The National Authority to Combat Trafficking in Persons had endeavoured to train as many officials, police officers and judges as possible.

41. **The Chair** said that she would welcome information on any plans to address the disparities in the quality and cost of health-care services and medicines available in the public and private sectors. In view of worrying reports that the number of suicides among children in Tunisia had increased in recent years, she would like to know whether any studies had been conducted into the causes of that trend, what suicide prevention measures were in place and whether the pandemic and its impact on children's mental health had given rise to an increase in suicide attempts.

42. In the light of the Committee's general comment No. 25 (2021), she wished to know about the findings of the 2014 study that had considered the health effects of the consumption of technological and communications devices and services on children and adolescents.

43. She would like to know what measures the Government had taken to ensure that sexual and reproductive health information and services were available and accessible to all adolescents, including those not attending school. She also wished to know about the outcome of the three-year pilot project launched in schools in 2013 to combat drug use and addiction.

44. She would be grateful for information on the opportunities given to children to participate in the development of policies and programmes related to climate change and how that issue was incorporated into the school curriculum.

45. She would be interested to know how the various social welfare schemes were coordinated to achieve the aim of combating poverty and reducing inequality. Similarly, she wished to know whether the Government evaluated the extent to which the family support allowance actually covered the cost of children's basic needs.

46. She wondered whether the disparity in the quality of education in the public and private sectors had a discriminatory impact on children whose families could not afford to send them to private schools and, if so, whether there were any plans to remedy that situation. In general, she wished to know whether any measures had been taken to improve the quality

of education. She would be interested to hear whether sanitation and hygiene conditions affected school attendance and, if so, what was being done to improve those conditions. Lastly, she would like to know what efforts had been made to deal with corporal punishment and bullying in school and whether students in primary or secondary schools learned about human rights as part of their programmes of study.

47. **Mr. Pedernera Reyna** (Country Task Force) said that he would welcome information on the status of the bill on asylum, the adoption of which appeared to have been delayed by a lack of political consensus. He wondered what procedures were in place for children to apply for asylum.

48. The delegation might comment on worrying reports that migrants were pressured into participating in the assisted voluntary return programme and then considered returnees, when in fact they had been subjected to a forced return. He wished to know what was being done to put an end to spontaneous deportation and apply the principle of non-refoulement, why the Special Rapporteur on the human rights of migrants had not been allowed to visit the internment centres for migrants and whether there were any minors in those centres. He would be interested to hear about capacity-building efforts to support the authorities in applying a human rights-based approach to migration, taking account of the best interests of the child.

49. He would like to know what was being done to address the persistent discrimination against Amazigh children and to protect their culture and language. He also wished to know what was being done to establish a minimum age for admission to the labour force, in line with international standards, what measures were being taken to prevent young children from being employed as domestic workers and what was being done to lower school dropout rates.

50. He would welcome information on any plans that had been made to address the lack of material and human resources with which to help children in street situations. He would be grateful for details on the content and status of implementation of the 2018–2023 National Strategy to Prevent and Combat Trafficking in Persons. Further information on awareness-raising activities for persons working with victims of trafficking and access to justice and reparation for victims would also be welcome.

51. In connection with minors in conflict with the law, he asked what the process to bring legislation on juvenile justice into line with international standards and increase the age of criminal responsibility involved, what efforts had been made to professionalize juvenile justice services and what measures had been taken to promote alternatives to imprisonment.

52. With regard to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, he would be interested to hear about efforts to repatriate Tunisian children born to parents who were members of Islamic State in Iraq and the Levant (ISIL) and help them reintegrate into society. He would also like to know of any measures to investigate and prosecute offences covered by the Optional Protocol, do away with the requirement of double criminality for extraterritorial jurisdiction, address the causes of radicalization and prevent the recruitment of children by extremist groups.

The meeting rose at 1.55 p.m.