



Child Rights References in the Universal Periodic Review

Summary:

A compilation of extracts featuring child-rights issues from the reports submitted to the first Universal Periodic Review. There are extracts from the 'National Report', the 'Compilation of UN Information' and the 'Summary of Stakeholder's Information'. Also included is the 'Final Report' and 'Conclusions and Recommendations' from the Review.

Tunisia – 1st Session – 2008

Date of consideration: Tuesday 8 April 2008 - 10.00 a.m. - 1.00 p.m.

National Report

2. The report was prepared following wide-ranging consultations at the national level with all stakeholders: all ministries involved in human rights issues of various kinds, the High Committee on Human Rights and Fundamental Freedoms, and civil society associations and non-governmental organizations (NGOs) representing, among others, workers (General Union of Tunisian Workers), the judiciary (Tunisian Magistrates Association), lawyers (Tunisian Bar Association), journalists (Tunisian Journalists Union), human rights defenders, including those working with women's rights and the rights of children and persons with disabilities (e.g., Tunisian Red Crescent, Association for the Reintegration of Released Prisoners, National Union of Tunisian Women, Association of Democratic Women, Tunisian Mothers Association, Centre for Research, Studies, Documentation and Information on Women, Tunisian Association for Children's Rights, Tunisian Union of Social Solidarity, Tunisian National Blind Association), as well as parliamentarians from both the majority and the opposition, and university teachers.

12. As part of the follow-up to recommendations made by the Committee on the Rights of the Child after consideration of Tunisia's second periodic report (see CRC/C/15/Add.181, paras. 10-11) a bill is being drafted on the withdrawal of declarations and reservations entered by Tunisia on ratification of the Convention on the Rights of the Child. In this way Tunisia renews its total commitment to implementation of all children's rights recognized by the Convention and its two Optional Protocols, which have also been ratified by Tunisia.

14. Many other legislative measures have been adopted in recent years to ensure closer compatibility of domestic law with the provisions of international instruments ratified by Tunisia. The main ones - on strengthening press freedom, judicial guarantees and the independence of the judiciary, the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and the consolidation of the rights of women, children and persons with disabilities - will be described in part II of this report, in the sections dealing with the status of the various categories of human rights.

16. As part of its follow-up to recommendations made by the Committee on the Rights of the Child after consideration of Tunisia's second periodic report (see CRC/C/15/Add.181, paras. 20-21), Tunisia passed Act No. 2007-32 of 14 May 2007 amending certain provisions of the Personal Status Code, which established the same minimum age of marriage for girls and for boys, setting it at 18 for both sexes. This Act further strengthens the legislative protection for children, which had been specially strengthened in 2006 by the passage of Act No. 2006-10 of 6 March 2006 amending the Personal Status Code, which gave grandparents the right of access to their grandchildren.

20. In opinion No. 02-2006 concerning a bill supplementing the Personal Status Code and adding new article 66 bis, which establishes grandparents' right of access to their grandchildren, the Constitutional Council pointed out in its considerations *inter alia* that "the United Nations Convention on the Rights of the Child of 20 November 1989, which has been ratified by the Republic of Tunisia, gives precedence to children's best interests and children's right to preserve their family ties and lays down rights and obligations not only for parents, but also, where applicable, for members of the extended family"; and that "the fact of granting grandparents the right of access after the death of one of the parents, taking account of the best interests of the child, is likely to strengthen family ties and is thus one of the components of family protection as this is provided for by the Constitution and the principles accepted by the Republic of Tunisia, and embodied in the United Nations Convention on the Rights of the Child". Hence the Constitutional Council concluded that the bill was in conformity with the Constitution.

21. The incorporation of international instruments into the internal legal order has given rise to numerous debates in Tunisian courts. Contrary to the traditional position - namely that the provisions of international conventions that have been ratified and approved create obligations only for the States parties, the courts have decided in several cases that international instruments, including human rights instruments, may be directly invoked before the domestic courts:

27. As part of its follow-up to recommendations made by the Committee on the Rights of the Child after consideration of Tunisia's second periodic report (CRC/C/15/Add.181, paras. 12-16), Tunisia has undertaken to improve the coordination of policy and action in this area:

- A new observation and monitoring mechanism has been set up in the form of an annual report on the situation of children in Tunisia, to be submitted to the first meeting of the Council of Ministers every year to enable it to assess the situation of Tunisia's children, decide on action to be taken, suggest any adjustments needed and propose programmes to promote children's rights and their status in law and in practice.
- The work of the High Council for Children has been enhanced and coordination tightened between national policies and the various bodies working with children, by the establishment in 2006 of a commission of the High Council responsible for reporting to the Council on, inter alia, programmes implemented and results achieved.

29. The number of NGOs has grown steadily especially since the reform of the 1992 Associations Act which abolished the system of prior authorization. NGOs cover virtually all sectors of social life, including development (564), welfare and relief (433), human rights, women's rights, children's rights and consumer rights (109). Human rights NGOs are given special encouragement. The Tunisian authorities strive to reinforce the partnership with the NGO community and especially those working in the field of human rights.

31. With regard to cooperation with international NGOs, by providing such NGOs with an appropriate legal framework, Tunisia tries to establish regular partnerships in order to develop lasting cooperation. Thus Tunisia hosts the head offices or local sections of El Taller, Enda, Terre des Hommes, Amnesty International, Handicap International, the Arab Institute for Human Rights, the Ligue internationale des journalistes pour l'Afrique (International League of Journalists for Africa), the Collectif maghrébin pour les droits de l'enfant (Maghreb Child Rights Collective), and the Friedrich Ebert and Konrad Adenauer foundations, among others. In addition, Tunisia maintains a dialogue with Amnesty International, Human Rights Watch, the World Organization Against Torture and the International Freedom of Expression Exchange, and remains open to dialogue with all NGOs working in the area of human rights.

43. In accordance with the objectives laid down in international human rights instruments, human rights education has been introduced as widely as possible while appropriate programmes for the revision of all school curricula, including all textbooks without exception, have been implemented at the various levels of primary and secondary education. Human rights education has also been extended to all higher education bachelor's or master's degrees, in the form of compulsory cross-cutting modules.

44. Efforts in this regard have been aimed, in particular, at rooting out all forms of indoctrination from curricula and restoring the core mission of schools and the various educational institutions in accordance with the 1991 Act on the education system, namely:

- "To prepare young people for a life that leaves no room for any form of discrimination or segregation based on sex, social origin, race or religion"
- "To offer pupils the right to develop their personality and help them to achieve their own maturity in such a way that they become educated in the values of tolerance and moderation".

These strategic guidelines were reaffirmed and strengthened in 2002 in the context of the education system reform aimed at enabling schools to provide education based on the promotion of human rights, the rejection of discrimination, extremism and all forms of fanaticism.

45. By way of illustration, Tunisian religious instruction manuals, in particular those intended for upper secondary school pupils, place emphasis, inter alia, on the following themes: "the need to avoid religious conflict", "knowledge as a bulwark against fanaticism", "education as a factor of freedom and harmonization of religion and modernity", "education as the enemy of dictatorship", "the Age of Enlightenment in Europe", "the importance of consultation, tolerance and dialogue".

51. This process has been carried forward through other reform such as that introduced by Act No. 93-74 of 12 July 1993 amending and supplementing the Personal Status Code, which empowered mothers to exercise guardianship over their children, in a further step towards gender equality and the elimination of all forms of discrimination against women in Tunisia. The Act of 12 July 1993 also established the Alimony and Maintenance Payments Guarantee Fund. By setting up this Fund, Tunisia also places itself at the forefront of those States that promptly implemented the provisions of the Convention on the Rights of the Child, in particular, article 27, paragraph 4.

53. Notwithstanding the statements of regressive movements at home and abroad, Tunisia intends to continue to promote women's rights, which are thus at the heart of sustainable development and reflect renewed political commitment at the highest levels of the State. This report highlights, for instance, women's breakthrough in education, in terms of both access to the education system and performance. The gaps between girls and boys have totally disappeared, and indeed girls are overtaking boys with regard to success and promotion rates in primary education and in many subjects in secondary and higher education, and also with regard to school dropout rates. Thus, in the academic year 2006/07, girls accounted for 55 per cent of secondary education pupils and 59 per cent of higher education students.

56. As early as 1998, the United Nations Development Programme (UNDP) Poverty Report provided a good overview of the situation in a paragraph on the Tunisian experience entitled: "Tunisia: a long record of success". More recently, the draft country programme document for the Republic of Tunisia, published by the UNDP Executive Board at its session held at the United Nations Office at Geneva from 12 to 23 June 2006 reported as follows (DP/CP/TUN/1, para. 1):

“Primary education for all children is on the way to becoming a reality, and the goal of eliminating gender disparity at all levels of education was reached in 2000, with girls representing the majority of students in both secondary and higher education”

57. The human development indices for 2007 demonstrate the State’s commitment in this area:

- Reduction in the infant and under-five mortality rate which declined from 51.4 per thousand live births in 1984 to 31.8 per thousand (1994), to 24.26 per thousand (1998), to 20 per thousand in 2006, which represents a significant step towards achieving the strategic objective of bringing the rate down to 15 per thousand by the end of 2009

65. Tunisia has consistently endeavoured to guarantee everyone’s right to the highest attainable standard of health, in accordance with the objectives laid down in the 1959 Constitution and the country’s commitments under the International Covenant on Economic, Social and Cultural Rights. In addition to the indicators presented above, the following data show the State’s commitment in this area:

- The national child vaccination rate remains unchanged, with a rate above 95 per cent for all vaccines and minimum disparity between urban and rural regions, and a rate of more than 90 per cent in all the governorates for the third dose of tetanus vaccine, poliomyelitis vaccination, the third dose of hepatitis B vaccine and the first dose of measles vaccine.

68. Tunisia’s policy of compulsory, comprehensive, free education has achieved the following results:

- Further increase in the enrolment rate of 6-year-olds to above 99 per cent - the rate recorded since the 1997/98 school year - and to 97.1 per cent among children aged 6 to 11. As to the 6-16 and 12-18 age groups, the rates in 2005/06 were 90.3 per cent and 75.1 per cent respectively, with clearly equal opportunities for boys and girls
- Continuing improvement in trends in the success rate and in the reduction in failure and dropout rates in the first cycle of basic education, as a result of educational and regulatory reforms and measures to prevent school failure and early dropout; as well as universal implementation of the skills-based approach, introduction of the cycle system, provision of necessary educational resources and improvement of teaching conditions
- Improvement in basic amenities and in supply of drinking water and electricity to schools (coverage of 88.1 per cent and 99.5 per cent respectively in 2005/06), although disparities remain between urban areas (coverage of 99.5 per cent and 100 per cent respectively) and rural areas (80.6 per cent and 99.1 per cent respectively)
- Continuing modernization of the education system and adaptation to technological change by equipping 1,000 new schools with computers and Internet connection, thus covering 50.5 per cent of all primary schools
- Strengthening of the social activities programme through social units in primary and upper secondary schools, with a total of 2,025 units in 2006

70. To that end, large-scale national programmes are being implemented to promote equality of opportunity. Under the Primary School Integration Programme for Children with Disabilities, the following results have been recorded:

- The number of pupils with disabilities in normal schools has increased, and there are now 4,060 pupils distributed as follows: 3,141 in lower primary school, 478 in upper primary school and 441 in secondary school
- The number of integration schools has grown, bringing to 217 the total number of these schools at the beginning of the 2006/07 school year; they are located in all governorates and receive about 990 pupils with disabilities who need support and assistance services
- The school integration programme for persons with disabilities has been consolidated by establishing a preparatory class in all inclusive schools, developing the network of inclusive schools and using virtual schools
- The number of preparatory classes has increased and there were 82 such classes during the 2006/07 school year

Compilation of UN Information

2. In 2002, the Committee on the Rights of the Child (CRC) welcomed the withdrawal of the reservation with regard to article 40, paragraph 2 (b) (v), and the declaration in which Tunisia declared that “its undertaking to implement the provisions of this Convention shall be limited by the means at its disposal”. It noted the statement by the delegation that consideration will be given to withdrawing the remaining reservations, but remained concerned about the extent of reservations and declarations. In particular, CRC reiterated that the reservation relating to the application of article 2 appeared to be incompatible with the object and purpose of the Convention. In this respect, CRC encouraged Tunisia to consider reviewing its reservations and declarations to the Convention with a view to withdrawing them, in particular the reservation relating to article 2.9

3. Also, in 2002, CEDAW urged Tunisia to sign and ratify OP-CEDAW.¹⁰ In 2003, the Committee on the Elimination of Racial Discrimination (CERD) noted that Tunisia has not made the declaration provided for in article 14 of ICERD and urged it to consider the possibility of doing so.¹¹ CRC also welcomed the ratification of the ILO Minimum Age Convention, 1973 (No. 138) and the ILO Convention on the Worst Forms of Child Labour, 1999 (No. 182). It further encouraged Tunisia to ratify CRC-OP-SC and CRC-OP-AC,¹² which was consequently done (see chart above).

7. In 2002, CEDAW commended Tunisia for its progressive development of its national machinery through the reconstitution of the Ministry for Women and Family Affairs as a full ministry.²³ In 2002, CRC welcomed the enhancement of the status of the National Council for Children by converting it into a Higher Council²⁴ and in 2003, CERD welcomed the establishment of a national commission for human rights education.²⁵ CERD also noted that insufficient information was provided in the report and in the oral replies on the effective functioning of the human rights bodies and mechanisms in Tunisia, particularly the Higher Committee of Human Rights and Fundamental Freedoms and the Administrative Mediator. While noting the information provided by the delegation that the institution of the Administrative Mediator was further strengthened by a law introduced in February 2002, CERD requested that in its next periodic report, Tunisia provide additional information on the role, responsibilities, functioning

and achievements of these institutions, as well as on measures taken to ensure their independence.²⁶ CRC welcomed the creation of the “Information, Training, Documentation and Study Observatory” in February 2002 and the appointment of delegates who play an important role in the protection of children and in receiving complaints. CRC also noted the need to establish a monitoring mechanism of an independent nature.²⁷

8. In 2003, CEDAW commended the measures taken to improve women’s health, including through the provision of reproductive health services and reduction of maternal and child mortality rates.²⁸ The latter point was also noted in a 2004 report on the Millennium Development Goals and a 2006 UNDP report.²⁹ CEDAW also noted the measures taken to increase women’s political participation³⁰ and urged Tunisia to take measures to increase the representation of women in high-level decision-making.³¹ It also urged Tunisia to adopt appropriate measures to ensure women’s equal access to paid employment³² and requested it to include in its next report measures taken to prevent and combat trafficking in women and girls.³³ It further noted that governmental action, in particular the Ninth National Development Plan, is placed within the context of the implementation of the Beijing Platform for Action.³⁴ It recommended the intensification of education and training programmes on the Convention to enhance the knowledge of judges, lawyers and law enforcement personnel.³⁵

9. With respect to children with disabilities, in 2002, CRC urged Tunisia to review its existing policies and practices, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities.³⁶ CRC also noted the adoption of a series of new laws regarding children born out of wedlock and with regard to the joint responsibility of the spouses, as well as policy measures to ensure maintenance following divorce, measures for the protection of children deprived of a family environment, and various other steps taken to improve the implementation of the Convention.³⁷ In this respect, CEDAW requested Tunisia to include in its next report information on the situation of single women with children born out of wedlock, including the measures taken to ensure that their are protected.³⁸

11. In 2002, CRC regretted that some of its concerns and recommendations had been insufficiently addressed.⁴¹ In addition, in 2003, CERD noted that in its report, Tunisia did not provide sufficient information on the extent to which individuals concretely enjoy the protection afforded by the Convention.⁴²

14. In 2002, CRC was deeply concerned that the principle of non-discrimination is not fully implemented in practice with respect to certain groups.⁵² It recommended that Tunisia make concerted efforts at all levels to address discrimination and to enhance efforts to close gaps in the enjoyment of rights between different regions and between urban and rural communities.⁵³ In 2003, CERD noted that Tunisia did not provide information on the Berber population and on measures taken for the protection and promotion of their culture and language and requested concrete information on their situation as well as increased attention be given to the situation of Berbers as a specific component of the Tunisian population.⁵⁴

15. While noting the positive measures taken to bring the different age requirements into full compliance with the Convention, CRC expressed concern at the disparity in the minimum age of marriage for boys and girls, particularly that the age for girl is set at 17 years, although noting with appreciation that it was raised from 15 years.⁵⁵ CRC thus recommended that this disparity be rectified.⁵⁶

19. In 2002, CRC, while welcoming the adoption of legal provisions in the area of juvenile justice, was concerned at reports of detention and ill-treatment of children, as well as detention of juveniles with adults which has allegedly resulted in sexual abuse or other ill-treatment.⁶⁷ CRC recommended that Tunisia ensure the full implementation of the legislation governing the juvenile justice system and that deprivation of liberty is used only as a measure of last resort, that children have access to legal aid and independent and effective complaints mechanisms and that persons under 18 not be detained with adults.⁶⁸

20. Also, while welcoming Tunisia’s strict criminal legislation regarding sexual abuse and exploitation of children, CRC expressed concern at reports indicating its existence in Tunisia, both in the home and on the street.⁶⁹ CRC thus recommended that Tunisia undertake studies with a view to determining the extent of sexual exploitation of children and implement appropriate policies and programmes for its prevention and for the rehabilitation, recovery and reintegration of child victims.⁷⁰

21. While noting laws banning all forms of corporal punishment and practices injuring the dignity of children, CRC expressed concern that corporal punishment is only a crime if it is prejudicial to the health of the child and that violence as a means of discipline in the home and at school continues to be acceptable in Tunisia.⁷¹ CRC urged Tunisia to take all legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse, against children in the family, in the schools and in institutions and to design policies, programmes and public education campaigns on the negative consequences of ill-treatment of children.⁷²

27. In 2002, CRC remained extremely concerned at allegations of violations of the right of the child not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment appearing in a number of reports brought to the attention of the Committee, particularly in relation to children of human rights defenders and political opponents.⁸⁵ CRC strongly recommended that Tunisia enforce, or, when appropriate, review existing legislation and investigate in an effective way reported cases of torture and ill-treatment of children.⁸⁶ CRC also had concerns regarding the implementation of the rights of the child to freedom of expression, including the freedom to receive information, and to freedom of association and peaceful assembly. The Committee recommended that Tunisia ensure the full practical implementation of those rights as well as the right to freedom of thought, conscience and religion.⁸⁷

31. In 2002, CEDAW was concerned at the low level of women’s labour force participation, including in the private sector, and urged Tunisia to adopt appropriate measures to ensure women’s equal access to paid employment.⁹⁴ In 2002, CRC commended the amendment to the Labour Code raising the minimum age for admission to employment to 16 years, which is the age for completion of compulsory education.⁹⁵ The Committee welcomed the various measures taken by Tunisia to address child labour and recommended that it take all necessary measures to effectively prevent and combat child labour.⁹⁶

32. CRC noted the sustained commitment by Tunisia to implement its primary health policies and the ensuing achievements in the area of health care. While noting the delegation's statement that a plan has been formulated to address the issue of persisting regional and urban/rural disparities in the availability and the quality of maternal and child health-care services, the Committee nevertheless remained concerned at the persistence of this problem as well as at challenges regarding the provision of health services dealing with the specific needs of adolescents.⁹⁷ CRC encouraged Tunisia to allocate appropriate resources and develop policies and programme to improve and protect the health situation of children and, in that regard, to seek technical assistance from, among others, the World Health Organization (WHO) and UNICEF.⁹⁸ Furthermore, a 2007 WHO report noted that the health care system in Tunisia is efficient and effective despite modest resources. Maternal and child health have greatly improved in Tunisia but regional disparities persist. Although non-communicable diseases are increasing, communicable diseases have declined and the number of HIV/AIDS cases has been stable since 1990. The report indicated that harmonization and coordination of international aid for health development remains a challenge for Tunisia.⁹⁹

33. In 2002, CEDAW and CRC welcomed and commended the efforts and progress achieved by Tunisia in making basic education a priority and in facilitating access to education.¹⁰⁰ This was also noted in a 2007 UNESCO report¹⁰¹ and the 2004 national report on the Millennium Development Goals.¹⁰² CRC was concerned at the disparity in the illiteracy rate between urban and rural areas and recommended that Tunisia areas adopt effective measures to reduce illiteracy rates.¹⁰³ CEDAW welcomed the reduction of female illiteracy.¹⁰⁴ This point was also noted in the 2007 UNESCO report.¹⁰⁵ CRC further welcomed the extensive legislation regarding children with disabilities and their rights to appropriate education, rehabilitation and training and urged Tunisia to undertake greater effort in that regard.¹⁰⁶

36. CEDAW, concerned at the lack of legal remedies or court decisions in which women have obtained redress, recommended the intensification of education and training programmes on the Convention to enhance the knowledge of judges, lawyers and law enforcement personnel.¹¹⁶ In 2002, CRC, while noting with appreciation the efforts undertaken to publicize widely the principles and provisions of the Convention, reiterated its recommendation to pursue efforts aiming at creating awareness of all aspects of the Convention and to continue training relevant professional groups working for and with children.¹¹⁷ CRC also recommended the training of teachers, law enforcement officials, care workers, judges and health professionals in the management of ill-treatment cases.¹¹⁸

37. In its pledges and commitments, Tunisia indicated that it had adopted a number of measures aimed at strengthening the rule of law and ensuring fundamental rights and freedoms, the promotion of democracy and the rights of women to ensure gender equality within Tunisian society.¹¹⁹ In the context of the Millennium Development Goals, Tunisia is among the countries with a strong development potential and efforts are being deployed by the public authorities to improve economic performance and social well-being.¹²⁰ Furthermore, the adoption of new legislation on education has enabled Tunisia to increase the quality of education and also to respond to persistent problems of early school dropout and pupils' poor performance.¹²¹ Tunisia has set up a number of structures whose main role is to elaborate policies for the promotion of women, ensure the reduction of disparities and provide them with education, training and access to the labour market.¹²²

38. Following a common country assessment in 2001, a United Nations Development Assistance Framework for 2007-2011 was designed to focus on a partnership and mobilize additional funds with a number of United Nations agencies, funds and programmes¹²³ in specific areas, including equal access to essential and quality social services and promotion of human rights; the protection of children and adolescents and their participation and integration in the development process; employment; and integrating Tunisia into a globalized economy. UNFPA also noted its capacity-building programmes and activities in Tunisia.¹²⁴

Summary of stakeholders' information

2. With regard to the Convention on the Rights of the Child, the Tunisian Child Rights Association (ATDE)³ indicated that Tunisian law, in accordance with the Convention, guarantees children various rights including the right to medical care, the right to education and the right to freely express their opinion. It further indicated that protection and monitoring mechanisms exist and suggested it would be wise to continue strengthening the monitoring mechanisms, in particular by developing a database on the situation of children in Tunisia, including cases of violations of their rights, and to make the database available to all relevant stakeholders.⁴

7. In its contribution, the Amazigh World Congress (CMA)¹⁰ expressed concern at the fact that legislation and institutional practice try to promote the Arab-Islamic identity exclusively and that, in its view, Tunisia simply denies the very existence of hundreds of thousands of Tunisian Amazighs, who comprise an indigenous non-Arabic population with its own identity (language, traditions, culture, etc). Similar concerns were raised by Tamazgha,¹¹ which further indicated that the Berber language is not taught in the Tunisian educational system and that textbooks do not cover the Berbers' history or civilization. Tamazgha further added that the Berber culture is not one of the targets for cultural development, promotion and support projects.

8. Concerns were also expressed by CMA¹² at the fact that, as Amazigh society and culture are invisible, Amazigh children go through an education system that falsifies their history, conflicts with their personal beliefs, suppresses their freedom of conscience and despises their culture. CMA notes that the Amazigh do not have the right to form social or cultural associations; Amazigh given names are banned, there is no news in the Amazigh language in the written press or the State broadcast media in Tunisia; no Amazigh cultural activity receives State funding; and Amazigh groups in Tunisia have no right to cultural expression in their own language. Similar concerns were echoed by Tamazgha.¹³ Furthermore, according to CMA,¹⁴ the system of police surveillance and "preventive" institutional violence (threats, intimidation) act as effective deterrents, and Amazighs in Tunisia dare not even say openly and without fear that they are Amazighs and they even stop themselves speaking their language in public. They are not even safe from police threats, but at the price of silence and the repression of their identity.

15. The issue of prohibition of corporal punishment was addressed by the Global Initiative to End All Corporal Punishment of Children

(GIECP) in its contribution which urged Tunisia to introduce such prohibition in its national law.³⁹

35. The Tunisian Mothers' Association¹³⁷ indicated, in its contribution, that the mechanisms as designed and implemented by the Government prove to have a positive impact on the development that characterizes women's presence in the ladder of educational level subsequently, in the labour market's as well as in the decision making field. Furthermore, the Tunisian Mothers' Association¹³⁸ also welcomed the fact that Tunisian women's place was deeply consolidated by the humanitarian revolutionary decision taken on 7th November 2007, which endowed the imprisoned pregnant and the breast-feeding mothers with the right to spend the period of punishment in special institutions so as to provide them as well as their children with protection and full human dignity.

Final Report

- In 2008, Tunisia submitted eight reports to United Nations bodies, including the third periodic report on the implementation of the Convention on the Rights of the Child (CRC) and the initial report on the implementation of the Optional Protocol to the Convention on the Rights of the Child, concerning the involvement of children in armed conflicts.

- Tunisia also withdrew its reservations annexed to the law concerning ratification of CRC, given the evolution of Tunisian legislation and the enactment of new laws promoting the rights of the child.

- The Minister also highlighted progress made in the field of education of girls, in particular in primary and secondary school.

- With regard to its compliance with the CRC, the Minister noted that Tunisia seeks to ensure that every child fully enjoys life. He highlighted in that regard that the Committee on the Rights of the Child noted with appreciation the progress made toward the promotion and protection of the rights of the child. He further recalled that girls and boys are now allowed to marry at the same age (18) and that Tunisia is considering lifting its reservation to CRC.

- With regard to a question raised by Italy, the Minister recalled Tunisia's intention to withdraw its reservations to CRC. As concerns violence against children, the Minister recalled that it exists in all societies as it exists in Tunisia. He indicated that there is a mechanism within the Ministry of Women and Children and that an annual report is currently being drafted in cooperation with civil society which is expected to be presented to the Parliament. In addition to that report, judges and child judges are in a position to take all necessary provisions to protect women and children and to ensure that appropriate follow-up is carried out.

(ii) Interactive Dialogue and responses by the State under Review

- Bangladesh noted that Tunisia had made remarkable progress in maintaining a high standard for education at all level.

- Sudan asked the Working Group to praise the political steps taken by Tunisia on a voluntary and definitive basis, including its consideration of withdrawing its reservation to the CRC.

- Nigeria commended Tunisia on its commitment to the promotion and protection of human rights and the progress it has made in advancing the rights of children.

- Egypt noted the progress achieved and thanked the delegation for its hard work. It highlighted Tunisia's efforts in women's rights and children's rights and sought more details on promoting human rights in these areas in order to encourage a social renaissance, and noted significant progress with regard to education free of charge and was interested in education opportunities to enhance a human rights culture in Tunisia.

- Ethiopia noted that human freedom is impressive, notably in the area of education, which positively affected the lives of children and women.

- The Holy See requested Tunisia to provide further information on the education in school and society to mutual respect and understanding.

- With regard to the rights of the child, the delegation of Tunisia indicated that the Child Protection Code contains relevant provisions in that respect and to assist the family.

Conclusion and Recommendations

There were no recommendations made relating to children's rights.