

A light pink outline map of Tunisia is centered on the page. The text is overlaid on the map.

**Tunisia**  
**country study**  
**2021**

**FAIR**  
**WEAR**

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# List of abbreviations

ATFD	Association Tunisienne des Femmes Démocrates (Tunisian Association of Democratic Women)
CBA	Collective Bargaining Agreement
CBAW	Collective Bargaining Agreement Wage
CCC	Company Consultative Committee
CEPEX	Centre de Promotion de l'Exportation (Exportation Promotion Centre)
CETTEX	Centre Technique du Textile (Textile Technical Centre)
CNSS	Caisse Nationale de Sécurité Sociale (Social Security National Fund)
CSOs	Civil Society Organisations
FENATEX	Fédération Nationale du Textile (National Federation of Textile)
FTDES	Forum Tunisien des Droits Economiques et Sociaux (Tunisian Forum for Economic and Social Rights)
FTTH	Fédération Tunisienne du Textile et de l'Habillement
FTHCC	Fédération du Textile, Habillement, Cuir et Chaussures
CONNECT	Confédération des Entreprises Citoyennes de Tunisie
GDLIC	General Direction of Labour Inspection and Conciliation
INS	Institut National de Statistiques (National Institute of Statistics)
IMF	International Monetary Fund
LMW	Legal Minimum Wage
LC	Labour Code
OHS	Occupational Health and Safety
UGTT	Union Générale des Travailleurs Tunisiens (General Union of Tunisian Workers)
UNDP	United Nations Development Programme
UNFT	Union Nationale de le Femme Tunisienne
UTICA	Union Tunisienne de L'Industrie, Commerce et L'Artisanat (Tunisian Employers' Union of Manufacturing, Business and Handicrafts)
WEP	Workplace Education Programme

# Introduction

Tunisia is situated in Northern Africa between Algeria and Libya and borders the Mediterranean Sea. Because of its strategic location, Tunisia had been colonised by many different cultures (the Phoenicians, the Carthaginians, Romans, Vandals, Byzantines, various Arab and Berber kingdoms, and the Ottomans). In 1956 the country gained its independence, with its first president, Habib Bourguiba, ruling the country for 31 years. In November 1987, Bourguiba was removed from office and replaced by Zine el Abidine Ben Ali in a bloodless coup. On 14 January 2011 (the Jasmine Revolution), Ben Ali dismissed the government, fled the country, and a "national unity government" was formed. Elections for the new Constituent Assembly were held in October 2011 and elected human rights activist Moncef Marzouki as interim president. The Assembly drafted a new constitution.

Since the Jasmine Revolution in 2011, Tunisia has witnessed profound changes in its politics. Despite the success of Tunisia's consensual democracy, the post-revolution period has presented the country with important socio-economic challenges. Over the course of the past ten years, there had been a tremendous increase in the number of NGOs and CSOs starting activities in diverse fields. Young and educated talent continued to flee the country, mostly to France, Germany, and Italy. In the past two years, most people have turned away from politics and public media. Tunisia's government remains under pressure to boost economic growth to mitigate chronic socio-economic challenges, especially high levels of youth unemployment, which have persisted since the 2011 revolution. Terrorist attacks against the tourism sector and worker strikes in the phosphate sector slowed economic growth from 2015 to 2017. Tunis, the capital city, is seeking increased foreign investment and working with the IMF through an Extended Fund Facility agreement to fix fiscal deficiencies.

Tunisia's democracy road is challenging and, according to statistics, monetary poverty has increased to almost 20%. That is the inevitable consequence of the country's wealth declining from \$44.8 billion in 2008 to just below \$40 billion in 2019 and a forecast \$35.2 billion in 2020. GDP per capita has declined by a fifth since 2011, sitting at just over \$4,000 today and is forecast by the IMF to fall below \$3,000. Tunisia has stopped investing but still spends money (it does not earn) on consumption. In the 1980s, investment used to make for more than 30% of the total GDP. In 2011, the rate fell to a still respectable 25.6%, but in 2019, it shrunk to only 20%. Also, savings have more than halved to 8.9% from what they were a decade earlier. The high inflation rate (7.2% in 2018 and 6.7% in 2019) led to higher prices and a rise in the cost of living.

Following an ill-fated experiment with socialist economic policies in the 1960s, Tunisia focused on bolstering exports, foreign investment, and tourism; all of which have become central to the country's economy. Key exports now include textiles and apparel, food products, petroleum products, chemicals, and phosphates, with about 80% of exports bound for Tunisia's main economic partner, the European Union (EU). While most of the global garment production takes place in low-income countries across Asia, Northern African countries such as, Morocco and Tunisia have established themselves as important players for exports to the EU. The EU markets make up nearly 95% of textile /garment industry exports<sup>1</sup> from Tunisia, whereas

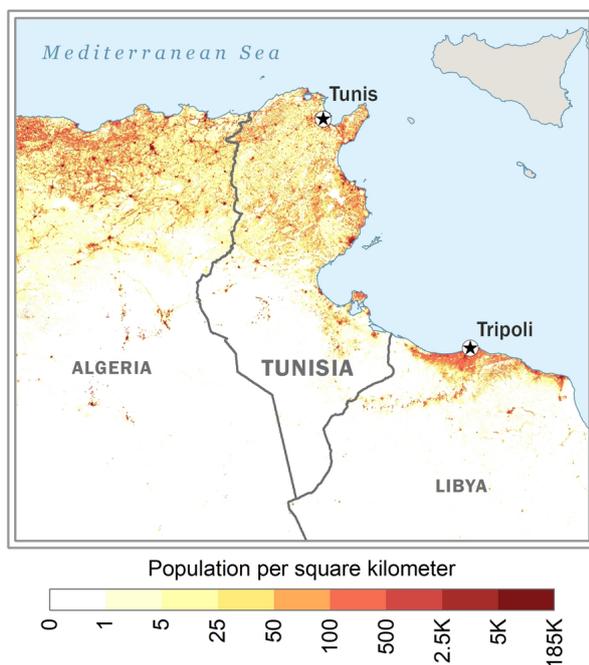
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<sup>1</sup> CONECT, Groupement professionnel textile/habillement (APII, 2016).

imports from the EU represent almost 85% of the total imports. The textile/garment industry is the second largest export sector in Tunisia (21% of Tunisia's total exports) after the electrical industry (28% of Tunisia's total exports). The main garment products sourced from Tunisia are in the following order: outwear (62%), security garments, work clothes and technical textile (11%), hosiery and underwear (8%) and others (19%).

According to studies conducted by APII, about 80% of the total workforce in the textile/garment industry are women and around 85% of whom occupy permanent jobs. Improving workers' working conditions in garment production requires an analysis of the role of various stakeholders, including brands, the government, and workers themselves. The government has the role of developed and imposing top-down regulations. Tunisia's legislation has high ranking on rule of law, but its implementation, effectiveness and obedience has become a bottleneck.

**Figure 1: Population per square kilometre**



Source: CIA<sup>2</sup>

Fair Wear Foundation (FWF) will continue to provide updated information on Tunisia at <https://www.fairwear.org/programmes/countries> and will update this country study periodically in the future.

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<sup>2</sup> "The World Factbook," Central Intelligence Agency, [https://www.cia.gov/the-world-factbook/static/39ab085913747071f58bcf7c95d4279b/TUNISIA\\_Population\\_density.jpg](https://www.cia.gov/the-world-factbook/static/39ab085913747071f58bcf7c95d4279b/TUNISIA_Population_density.jpg)

# Fair Wear in Tunisia

As an NGO, Fair Wear has been investigating major areas of non-compliance in Tunisian textile/garment companies in the following points of interest:

- › Legally binding work relationships
- › Working conditions
- › Freedom of association
- › The right to collective bargaining,
- › Living wages.

Compliance in these areas is designed to reduce the level of turnover, protect workers, enhance social dialogue, and allow trade unions, as well as to increase the level of wages to an amount deemed fair and liveable.

Tunisia has been home to some of Fair Wear's earliest members. In fact, Fair Wear has been active with an audit team in Tunisia since 2004 and Fair Wear conducts approximately ten audits annually. The audit team has remained fairly consistent, allowing Fair Wear to build on both its knowledge of the country and the working conditions within the garment industry.

To date, 26 member companies of Fair Wear source from 76 different Tunisian factories. The types of garments produced in these factories have a broad range, they produce jeans and overalls, shoes, shirts, and knits, and are designed for companies specialising in fashion wear, work attire and outdoor garments.

Fair Wear also offers training sessions for both workers and employers. Given the title of the Workplace Education Programme (WEP), these training sessions take place in the factories themselves and are designed to improve workplace communication and conflict resolution. Fair Wear began offering factory WEP Basic training in Tunisia in 2014 by focusing on local labour laws and factory grievance mechanisms, with the goal of stimulating effective grievance mechanisms within factories.

**Table 1: Core activities by Fair Wear:**

Year	Number of audits	Number of WEP	Number of complaints
2018	14	8	4
2019	14	8	1
2020	9	3	2

# 1. How to read this Country Study

This country study aims to provide a clear and concise picture of the labour laws, labour conditions, and industrial relations within the Tunisian garment industry. The reader can choose what level of detail they wish to read. This study can be used as reference regarding specific laws or compliance with certain parts of the Fair Wear Code of Labour Practices. For a general overview of the situation in Tunisia, the above introduction is the starting point. The Introduction gives a general picture of the level of development, the outlook for the industry in the country, and the major challenges when it comes to implementing the Fair Wear Code of Labour Practices.

- › **Chapter 2, General country information**, Describes the economic, social, political, governance, and general human rights situation using international indicators and comparing them with other garment-producing countries. This section helps provide an overview of the country's business environment and may be of interest to new investors as well as researchers.
- › **Chapter 3: Stakeholders**, Briefly presents the main stakeholders who are active in the garment industry. The focus is on stakeholders who have an actual impact on labour conditions or play an active role in monitoring the situation for workers in the industry. This chapter serves as a reference point for those who want to engage with, or consult, a local stakeholder in order to find further information regarding their activities in the country.
- › **Chapter 4: Garment industry**, Provides an overview of the situation of the country's garment industry, including areas of production, major products, total employment, and social composition of the sector.
- › **Chapter 5: Industrial relations**, Describes the trade union situation in the country, both in general and for the garment industry specifically. This chapter provides essential information on how challenges regarding working conditions in the country are handled through social dialogue.
- › **Chapter 6: Implementation of the Fair Wear Code of Labour Practices**, Assesses the implementation of every part of the Fair Wear Code of Labour Practices through official statistics on compliance (where available), laws and regulations, as well as presenting various stakeholder views on their implementation. The main Fair Wear audit findings over the last two years and examples of complaints received by Fair Wear are also presented for each standard. Auditors and brands can use this section as a reference resource for their monitoring activities.

This country study examines the situation in Tunisia, using statistics from 2019 to 2020 as well as stakeholders' opinions. Where relevant, current information from 2020 has been included. Taking into consideration that this study was written during the COVID-19 outbreak, the impact of the latter on the industry and the country has been taken into consideration whenever relevant. Fair Wear will continue to provide updated information at <https://www.fairwear.org/> and will update this country study periodically in the future.

## 2. General country information

Situated in the epicentre of the Mediterranean southern rim, Tunisia is home to 11.7 million citizens<sup>3</sup>. Aside from its close proximity to Europe, multiple other factors encouraged world leading garment companies to be based in the country. Ninety six percent of Tunisia's garment exports are bound for Europe making it the 5th largest supplier of the continent<sup>4</sup>.

The garment industry is a vital sector in Tunisia's economy. In 2020, there are 1,563 active companies in the sector employing over 160,000 individuals<sup>5</sup>. While the number of companies has notably declined since 2010, the sector still employs 30% of the industrial work force and represents 17.5% of Tunisia's exported products<sup>6</sup>.

Tunisia set itself apart among its neighbours with a modern legal framework. The country has outlawed the practice of slavery since 1846, defended women and children's rights in the progressivist Code of Personal Status of 1956, and lobbied for workers' rights through the General Labour Union (UGTT), established in 1946. The UGTT has played a key role in shaping Tunisia's modern history and developing the current economic and legal environment. UGTT leads the collective bargaining efforts of the garment industry with The Tunisian Federation of Textile and Clothing (FTTH). The FTTH gathers the employers of the garment industry to lobby for the development of the sector and its sustainability in a competitive world market.

### 2.1 ECONOMIC INDICATORS

Tunisia's economic development has been slow through the past decade and has not yet met the public's expectations in a transitioning Tunisia, especially as we recall that Tunisian youth rose in 2011 in demand of employment and social justice. The Gross Domestic Product (GDP)—an indicator of the overall country's economic shape—has stagnated around 1.8% during the period of 2011-2019 and 1% in 2019. In the meantime, Morocco and Turkey—Tunisia's main competitors in the garment industry—recorded a GDP growth of 3.39% and 5.55%, respectively<sup>7</sup>.

This meagre growth rate illustrates the country's struggle to contain high levels of unemployment. By the end of 2019, Tunisia has 618,000 individuals who are not working, willing and able to do so, yet unable to find employment. They represent 15.1% of the labour force, estimated at 4.1 million individuals. This issue is exacerbated for women, for whom unemployment rates reach 23.4%, compared to 13.4% for men<sup>8</sup>. Tunisia's

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3 "Indicateurs Clés," National Institute of Statistics. <http://www.ins.tn/fr/indicateur-cle>

4 "Textile Industry in Tunisia," Kohan Textile Journal, Published July 14, 2019. <https://kohantextilejournal.com/textile-industry-in-tunisia-2/>

5 "Manufacture of Textile and Wearing Apparel," Overview of Tunisian industry. <http://www.tunisieindustrie.nat.tn/en/zoom.asp?action=list&idsect=02>

6 "Commerce Intérieur," National Institute of Statistics, Published July 13, 2020. <http://www.ins.tn/fr/themes/commerce-ext%C3%A9rieur#sub-244>

7 "GDP growth (annual %) - Tunisia, Morocco, Turkey," The World Bank Data, <https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?locations=TN-MA-TR&view=chart>

8 "Emploi," National Institute of Statistics, <http://www.ins.tn/fr/themes/emploi#sub-374>

economy is characterised by a high budget deficit, a high commercial deficit, and a high level of inflation of 6.7% in 2019<sup>9</sup>, causing the depreciation of the national currency, the Tunisian Dinar.

The unemployment statistics are also a major contributor to the rise of the informal economy. The National Institute of Statistics estimates that, in 2019, the informal sector employs 44.8% of the total number of employees, where 2.6% of whom work in the textile, clothing, and shoe industries<sup>10</sup>. While the numbers are high, the manufacturing industries are the most structured and formal among all economic sectors in the country, for they only account for 9.2% of the informal employment<sup>11</sup>.

## 2.2 SOCIAL, POLITICAL & GOVERNANCE INDICATORS

Tunisia stands out as a unique model for democracy in the MENA region. The country ranked 53rd out of 167 countries in the Economist Intelligence Unit's Democracy Index<sup>12</sup>. In October 2019, Kais Saied, a constitutional law professor, was elected president, highlighting the strong anti-establishment sentiment among Tunisians. Despite this notable progress, Tunisia is characterised by political instability, corruption, and a nationwide spread of protests in demand of socio-economic reforms.

Since 2011, eleven governments have been appointed to lead the country by the parliament. This high turnover rate and the heated political disputes led to the absence of a clear strategy and feasible vision to tackle the social and economic problems facing the country. This political instability scared away foreign investors, where Foreign Direct Investment (FDI) decreased from \$1,554 million in 2012 to \$810 million in 2019<sup>13</sup>. Corruption still is a major challenge in the country. In fact, Transparency International ranks Tunisia as the 74th least corrupt country out of 180 nations in the Corruption Perception Index of 2020 scoring particularly low on the subcomponents of Rule of Law and Governance Index<sup>14</sup>.

All these factors contribute to create a vicious circle of a struggling economy and an increase of public anger expressed in street demonstrations. The Tunisian Forum for Social and Economic Rights (FTDES) reported over 9,000 protests and strikes in 2019 alone<sup>15</sup>.

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<sup>9</sup> The Swiss Embassy in Tunis, Rapport économique 2019 Tunisie, Tunis: The Swiss Embassy in Tunis, 2020. Online, <https://www.s-ge.com/sites/default/files/publication/free/rapport-economique-tunisie-eda-2020-07.pdf>

<sup>10</sup> INS, "Some Indicators on Informal Labour in 2019" (press release in Arabic), Tunis: INS, September 2020, p. 2. Online, <http://www.ins.tn/sites/default/files/publication/pdf/Note%20emploi%20informel%202019.pdf>

<sup>11</sup> Ibid, p. 3.

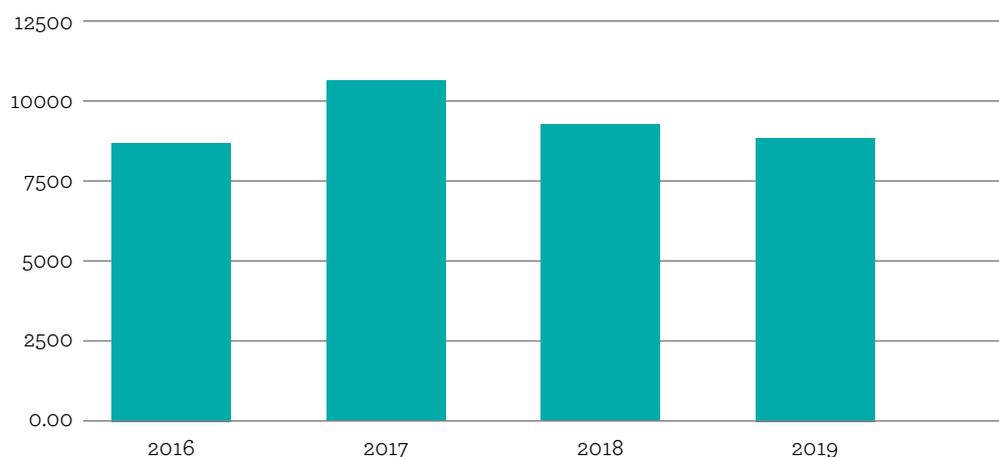
<sup>12</sup> The Economist, "Democracy Index 2020: In Sickness and in Health." <https://www.eiu.com/topic/democracy-index>

<sup>13</sup> The World Bank, "Foreign Direct Investment, Net Inflows (BoP, current US\$) - Tunisia," The World Bank Data, Published April 2, 2018. <https://data.worldbank.org/indicator/BX.KLT.DINV.CD.WD?locations=TN>

<sup>14</sup> Transparency International, "Corruption Perceptions Index 2020," Published January 28, 2021. <https://www.transparency.org/en/cpi#>

<sup>15</sup> Houda Arbi, Najla Arafa, Khalil Chikhaoui, Asma Sahboune and Rim Souïdi, Social Protest Movements in Tunisia: the 2019 Annual Report (in Arabic), Tunis: FTDES, 2019, p. 10. Online, <https://ftdes.net/rapports/mvtssociaux2019.pdf>

**Figure 2: Number of social movements in recent years**



Source: FTDES Annual Report on Social Movements, 2019.

## 2.3 INCOME AND POVERTY

According to the United Nations Development Program, the Human Development Index (HDI) is: ‘a summary measure of averaged achievement in key dimensions of human development: a long and healthy life, being knowledgeable, and [having] a decent standard of living’<sup>16</sup>.

The information gathered to determine each of the three subcomponents provides an alternative means of analysing development; one of which is a country’s people, not the goods that they produce.

Tunisia is classified among the countries with a high Human Development Index with a score of 0.739.

The Gini Coefficient measures the income inequality for different nations. It uses a zero to hundred scale with zero means perfect equality and hundred means perfect inequality. Tunisia scored 32.8 in 2015, a more equal income than Morocco (39.5 in 2013) and Turkey (42.9 in 2015)<sup>17</sup>. The Gini coefficient and the poverty rates are not connected, yet in Tunisia, the latter witnessed a similar improvement, decreasing from 20.5% in 2010 to 15.2% in 2015 at national poverty lines<sup>18</sup>.

Unemployment is a risk factor in increasing poverty. Active people with no financial resources are more likely to be at risk of poverty than working people. In Tunisia, unemployment rates differ from one region to another and so do poverty rates. The 2019 mapping report on poverty by INS shows the correlation between both indicators<sup>19</sup>.

<sup>16</sup> United Nations Development Programme, “Human Development Index (HDI),” Published October 23, 2010. <http://hdr.undp.org/en/content/human-development-index-hdi>

<sup>17</sup> The World Bank, “Gini Index (World Bank Estimate) – Tunisia,” Published October 15, 2018. <https://data.worldbank.org/indicator/SI.POV.GINI?locations=TN>

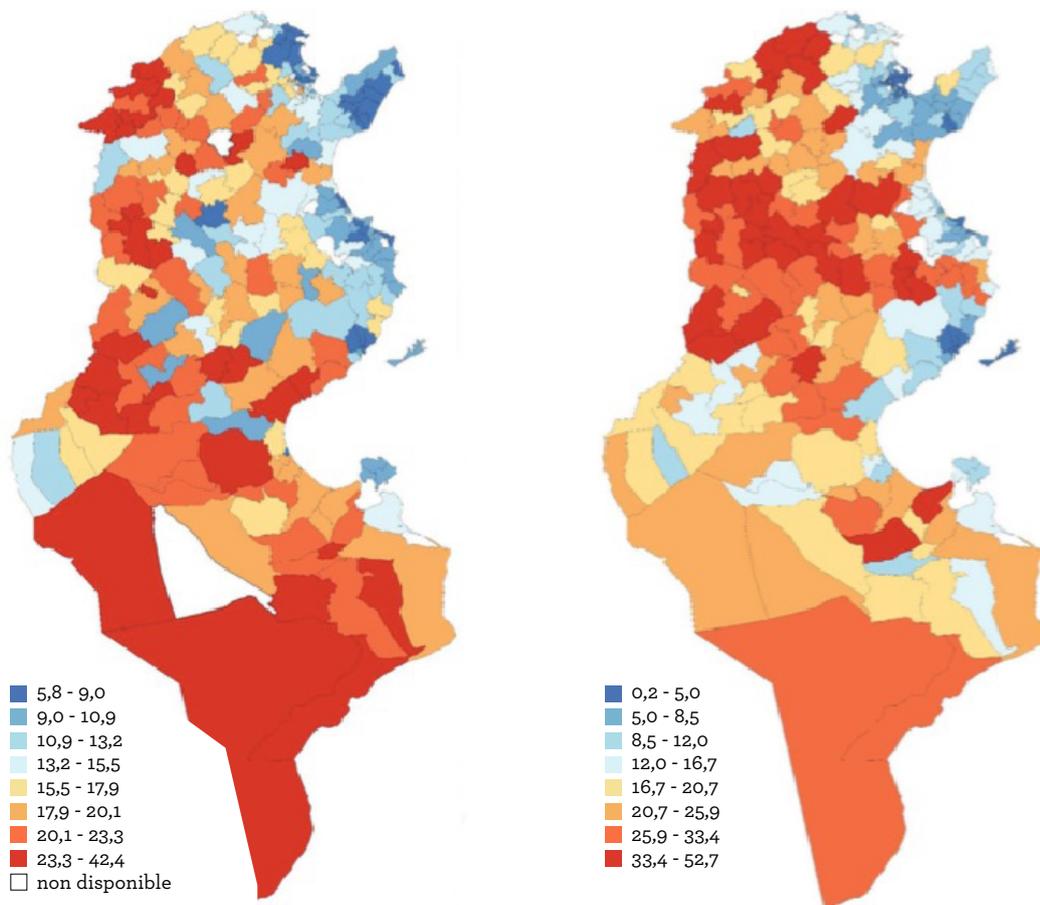
<sup>18</sup> The World Bank, “Poverty Headcount Ratio at National Poverty Lines (% of Population) – Tunisia,” Published December 18, 2019. <https://data.worldbank.org/indicator/SI.POV.NAHC?locations=TN>

<sup>19</sup> INS, Poverty Map in Tunisia (in French), Tunis: INS, September 2020, p. 26. Online, [http://www.ins.tn/sites/default/files/publication/pdf/Carte%20de%20la%20pauvrete%C3%A9%20en%20Tunisie\\_final.pdf](http://www.ins.tn/sites/default/files/publication/pdf/Carte%20de%20la%20pauvrete%C3%A9%20en%20Tunisie_final.pdf)

**Figure 3: Mapping report on poverty**

Taux de chômage par délégation

Taux de pauvreté



Source: INS 2019 mapping report on poverty

Even though Tunisia managed to bring down its poverty rates and alleviate the income inequality, there still is significant work still to be done, especially in the marginalised internal regions of the country.

## 2.4 GENERAL HUMAN RIGHTS SITUATION

The legal framework for Human Rights was marked by significant development throughout the past decade. The government ratified key international treaties. These included; The Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention against Torture; the International Convention against Enforced Disappearance, and the Rome Statute of the International Criminal Court<sup>20</sup>. The rights of victims of human rights violations have increased, but at the same time, in 2014 on social media, Tunisia's trade union leaders were subject to threats.

<sup>20</sup> Amnesty International, "Amnesty International Annual Report 2012 – Tunisia," Published May 24, 2012. <https://www.refworld.org/docid/4fbc3906c.html>

A state of emergency has been in effect in Tunisia since November 2015. This measure gave the Minister of the Interior controversial powers to impose restrictions on freedom of movement. Hundreds of individuals were confined to their governorate of residence. This decision was justified as a measure to prevent Tunisians from travelling to join armed groups. Despite the fact that a number of orders of arrest (134) were contested to the administrative court, in April, the Minister announced that 537 individuals were facing trial for ‘terrorism-related activities’<sup>21</sup>. As this year marks the ten-year anniversary of the revolution, Tunisians are still seeking to accomplish the process of Transitional Justice. The Truth and Dignity Commission unveiled the stories of repression and human rights violations in historic broadcasted public testimonies. The process, however, is still facing a myriad of challenges as legal and political disputes stand in the way of achieving accountability and reconciliation. In December 2015, the country’s parliament adopted Law No.50 in regard to the constitutional court. This court is empowered by the constitution to oversee the conformity of the laws issued by the legislative branch to the constitution’s human rights provisions<sup>22</sup>. However, the deputies are still unable to vote on the members of this institution.

## Decent work

In February 2014, two ILO conventions were ratified in Tunisia. The Tripartite Consultation Convention, 1976 (No.144) and the Collective Bargaining Convention, 1981 (No.154).

In 2017 the ILO, the Government of Tunisia, the UTICA, and the UGTT signed a memorandum of agreement of the Decent Work Country Program (2017-2022). This agreement seeks to become a platform that overcomes the decent work deficits in the country. Tunisia is only second to Mauritania to implement this ILO program<sup>23</sup>.

Tunisia put in place a solid legal and political framework to combat gender discrimination and promote gender equality in the different domains. Multiple articles of the 2014 constitution emphasise the combatting of discrimination. This is particularly the case for articles 21 and 46 which protect women’s acquired rights, parity, and equal chances in elected bodies.

Multiple National NGOs such as the Tunisian Association of Democratic Women (ATFD) and the Tunisian Human Rights League (LTDH), lobbied to translate the articles of the constitution into effective measures and strategies. These efforts resulted in the government publishing in 2016 the decree No.626-2016 that established the Peer Council for Equality and Equivalence of Chances Between Woman and Man<sup>24</sup>, then a

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<sup>21</sup> Amnesty International, “Amnesty International Annual Report 2017/18 – Tunisia,” Published February 22, 2018. <https://www.refworld.org/docid/5a9938493.html>

<sup>22</sup> Human Rights Watch, World Report 2017, United States: Human Rights Watch, 2017, p. 595. [https://www.hrw.org/sites/default/files/world\\_report\\_download/wr2017-web.pdf](https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf)

<sup>23</sup> International Labour Organisation (ILO), “One More Step towards Decent Work in Tunisia,” Published July 21, 2017. [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_565882/lang-en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_565882/lang-en/index.htm)

<sup>24</sup> The Republic of Tunisia, The Official Gazette of the Republic of Tunisia, N° 45, June 3, 2016, p. 519. <http://www.legislation.tn/sites/default/files/fraction-journal-officiel/2016/2016G/045/Tg20166263.pdf>

revolutionary law aiming at the elimination of violence against women, The Organic Law No.2017-58<sup>25</sup>. These NGOs are still working on improving the mechanisms and helping with the necessary financial means to be able to enforce these laws on the ground.

In 2018, Tunisia reached another major milestone when the parliament adopted the law criminalising racism. Tunisia is the first country to enact an anti-racism law in the region. The law established a penal sanction and fine and was recently used in a case of a migrant worker who was the subject of aggression by his supervisor in Sousse<sup>26</sup>. Tunisia is committed to promoting a culture of human rights, equality, tolerance, and acceptance of others. The legal framework, however, is not enough; many NGOs, national organisations and political establishments are actively lobbying for creating effective programmes and raising awareness to guarantee an inclusive environment.

## 2.5 COVID-19 IMPACT

Tunisia witnessed a major political swing during the COVID-19 Pandemic. The resignation of the political government of Ilyes Fekhfek and the appointment of the technocrat government of Hichem Mechichi showed the deep division among politicians. The failure to prioritise the sanitary crisis over the political interests caused a void in leadership that was accompanied by a surge in the number of COVID-19 cases.

Both governments used different strategies in managing the crisis. The first government focused on the sanitary management of the crisis and containing the spread of the virus. It closed the borders and enforced a general lockdown and curfew. It did succeed in having a record low number of cases and deaths, but the economy, however, paid a hefty price. Unemployment rates increased from 15% to 18%<sup>27</sup> by the end of the second trimester. This added 119,000 new job seekers, and the growth rate went from 1.04% in 2019 to a record low of -21.7%<sup>28</sup> in the wake of the general lockdown.

The second government, while trying to remain neutral toward ideological disputes, set the tone from the beginning that its mission is to save the economy and Tunisians had to adapt to a new way of life and live with the virus. The economy improved its indicators by bringing down unemployment to 16.2% and growth rate to -6% in the third trimester of the year<sup>29</sup>. The risk taken with this approach is that the Tunisian health institutions have been subject to neglect for decades. The health system suffered from a fragile infrastructure and significant lack of equipment and human resources to deal with the pandemic. As expected, the spread of virus peaked during the third trimester of the year, overtaking China in the number of cases<sup>30</sup>. The health system is nearing its full capacity.

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<sup>25</sup> National Portal of Legal Information, “Organic Law n° 2017-58 issued on August 11, 2017, Relative to the Elimination of Violence against Women” (in French), published in the Official Gazette of the Republic of Tunisia (OGRT) on August 15, 2017. [http://www.legislation.tn/en/detailtexte/Loi-num-2017-58-du-11-08-2017-jort-2017-065\\_2017065000581](http://www.legislation.tn/en/detailtexte/Loi-num-2017-58-du-11-08-2017-jort-2017-065_2017065000581)

<sup>26</sup> Réalités Online Magazine, “Racist Violence Act in Sousse : the Aggressor Taken to Court” (in French), Published September 24, 2020. <https://www.realites.com.tn/2020/09/agression-raciste-a-sousse-lagresseur-devant-la-justice/>

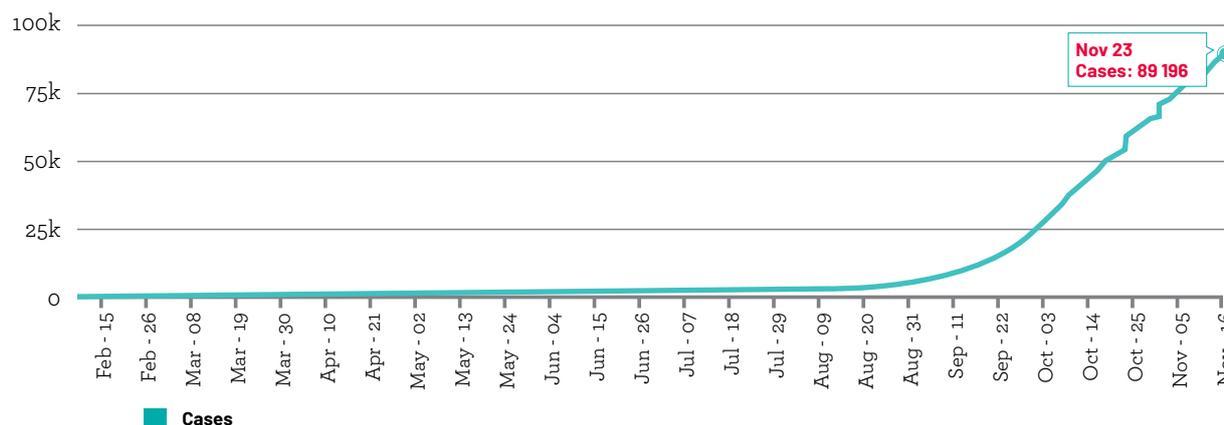
<sup>27</sup> INS Data Portal, “Socioeconomic Statistics.” <http://dataportal.ins.tn/fr/DataAnalysis?FYlJGocPzoWERuaO6dquow>

<sup>28</sup> INS Data Portal, “GDP and Added Values per Activity Sector.” (in French) <http://dataportal.ins.tn/fr/DataAnalysis?oUPxmi9AkaWhv8lhwRrw>

<sup>29</sup> Ibid.

<sup>30</sup> Worldometer, “COVID-19 Coronavirus Cases.” <https://www.worldometers.info/coronavirus/>

**Figure 4: Number of COVID-19 cases**



Source: Worldometer

The crippling of the economy in the first six months of the pandemic triggered people to protest against the degrading social and economic situation. The high infection rate of the virus did not deter citizens from organising over 871 protests in October alone. According to the FTDES, 30% of protesters during that month were unemployed individuals<sup>31</sup>. The new government did not face these social movements with any violence. Protesters were not stopped while shutting down pumping stations, blocking roads nor when entering economic institutions, where the government insisted on its strategy of dialogue and negotiations. It emphasises that it is presenting a new development model capable of closing the gap between the regions and launching an economic transition in the country. The minister of Economy claimed that the government will be able to reach a 4% growth rate in 2021 when presenting the project budget law to the parliament<sup>32</sup>.

This confident governmental assertion is not reassuring enough for economic institutions, however. A study carried by PNUD shows that 54.3% of the small and medium enterprises are threatened by bankruptcy<sup>33</sup> while CONECT, Confédération des Entreprises Citoyennes de Tunisie, confirms that 39% already have already gone bankrupt.

<sup>31</sup> FTDES, “Report of the August-October 2020 Social Movements,” Published on November 11, 2020.

<https://ftdes.net/en/ost-rapport-octobre-2020-des-mouvements-sociaux-suicides-et-violences/>

<sup>32</sup> Shems FM, “Minister of Finance: Our Estimates Point to a 4% Growth Rate in 2021, Promising Signs Ahead” (in Arabic, Published November 24, 2020.

[https://www.shemsfm.net/amp/ar/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1\\_%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%AA%D9%88%D9%86%D8%B3\\_%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A%D8%A9/267906/%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D9%85%D8%A7%D9%84%D9%8A%D8%A9-%D8%AA%D9%82%D8%AF%D9%8A%D8%B1%D8%A7%D8%AA%D9%86%D8%A7-%D8%AA%D8%B4%D9%8A%D8%B1-%D8%A7%D9%84%D9%89-%D8%AA%D8%AD%D9%82%D9%8A%D9%82-%D8%AA%D9%88%D9%86%D8%B3-%D9%84%D9%86%D8%B3%D8%A8%D8%A9-%D9%86%D9%85%D9%88-4-%D8%B3%D9%86%D8%A92021-%D9%88%D9%87%D9%86%D8%A7%D9%83-%D9%85%D8%A4%D8%B4%D8%B1%D8%A7%D8%AA-%D8%AC%D9%8A%D8%AF%D8%A9](https://www.shemsfm.net/amp/ar/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1_%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%AA%D9%88%D9%86%D8%B3_%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A%D8%A9/267906/%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D9%85%D8%A7%D9%84%D9%8A%D8%A9-%D8%AA%D9%82%D8%AF%D9%8A%D8%B1%D8%A7%D8%AA%D9%86%D8%A7-%D8%AA%D8%B4%D9%8A%D8%B1-%D8%A7%D9%84%D9%89-%D8%AA%D8%AD%D9%82%D9%8A%D9%82-%D8%AA%D9%88%D9%86%D8%B3-%D9%84%D9%86%D8%B3%D8%A8%D8%A9-%D9%86%D9%85%D9%88-4-%D8%B3%D9%86%D8%A92021-%D9%88%D9%87%D9%86%D8%A7%D9%83-%D9%85%D8%A4%D8%B4%D8%B1%D8%A7%D8%AA-%D8%AC%D9%8A%D8%AF%D8%A9)

<sup>33</sup> TN24, “More than Half of Small and Medium Enterprises Will Close Down!” (in French), Published November 24, 2020.

<https://tn24.tn/fr/article/tunisie-plus-de-la-moitie-des-pme-vont-fermer-318290>

The pandemic also affected the operations of the garment industry. Eighty two percent of garment companies located in Tunisia are solely exporting companies<sup>34</sup>. The general lockdown and border-closing procedures taken by most countries set to combat the spread of the virus, abruptly cancelled the operations and exports of the industry.

The crisis threatened the sustainability of the sector in Tunisia. The Federation of Textile and Clothing, FTTH, conducted a study to measure the impact of the pandemic on the sector. As of September 2020, 87% of the enterprises were still active, 12% suspended their activities and 1% went bankrupt. Moreover, 73% of the enterprises reported that their production decreased to 50%<sup>35</sup>. According to Nafaa Ennaifer, vice-president of FTTH, ‘the big enterprises managed to survive the crisis, while the small and medium companies that employ less than 100 employees suffered the most’<sup>36</sup>.

The Fekhfekh Government encouraged the textile companies to produce protective masks and participate in the national effort to stop the spread of the virus. The adaptation of these companies to the new market of protective equipment was a solution for many. Nafaa Ennaifer announces on 27 October 2020 that Tunisia became the fourth largest supplier of Personal Protective Equipment to Europe<sup>37</sup>. This agility showed the resilience of these enterprises and their ability to adapt and innovate under immense pressure.

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<sup>34</sup> Agency for the Promotion of Industry and Innovation, “Manufacture of Textile and Wearing Apparel.” <http://www.tunisieindustrie.nat.tn/en/zoom.asp?action=list&idsect=02>

<sup>35</sup> La Presse de Tunisie, “COVID-19 Impact on the Garment and Textile Sector: 60% of Enterprises Worrying about their Future,” (in French) Published October 23, 2020 <https://lapresse.tn/76664/impact-du-covid-19-sur-le-secteur-textile-et-habillement-60-des-entreprises-sinquietent-pour-leur-avenir/>

<sup>36</sup> Ibid.

<sup>37</sup> Espace Manager, “Nafaa Naifer: The Textile Industry, 4th Largest Provider of Protective Equipment and Face Masks to the EU,” (in French), Published October 27, 2020. <https://www.espacemanager.com/nafaa-ennaifer-lindustrie-textile-4eme-fournisseur-de-lue-en-equipements-de-protection-et-masques>

## 3. Stakeholders

This section briefly introduces a number of active stakeholders in the garment/textile industry in Tunisia. The focus is on stakeholders who are actively part of forming the labour conditions or monitoring situations for workers.

### 3.1 GOVERNMENTAL INSTITUTIONS

To face the unrest challenges, the Tunisian government presented itself as an employer and has significantly increased the size of the public sector. Over 90,000<sup>38</sup> new employees joined the public sector in 2011 and 2012, the majority of whom through the regularisation of contract workers (INSAF 2014). This meant a doubling of annual recruitment numbers and an increase of total staff to 616,000 employees (excluding public companies).

Along with promotions and salary increases, the recruitment drive led to a 44% increase in the wage bill between 2010 and 2014, much higher than the 28% increase between 2006 and 2009. The increase in Tunisia's public sector wage bill, combined with high subsidy payments and stagnating revenues, has caused macro-economic imbalances. The central government deficit reached 5.7% of GDP in 2012 and, according to projections, could exceed 6.7% at the end of 2014 (IMF 2014).

Providing advice and expertise for the textile/garment industry, the Textile Technical Centre (CETTEX) was created in 1991. It seeks to maintain quality and provide analysis for brands. It also implements a Quality Management System for companies that want certification. In addition, it conducts feasibility studies for industrial projects in textile/garment industry, as well as offers professional training sessions through its Integrated Centre for Continuous Training (CCT). The CCT focuses on sewing, the use of LECTRA, cutting, fashion and modelling. Finally, CETTEX supports foreign partners in their search for business opportunities.

The Exportations' Promotion Centre (CEPEX) is aimed mainly at the development of Tunisian products and services abroad by promoting Tunisian high-performance products and services for export, promoting products abroad, and providing training programs in international business.

The General Direction of Labour Inspection and Conciliation (GDLIC) is one of the five services in the department of the Ministry of Social Affairs (MOSA). Spokespersons regularly give their opinions on labour issues including international labour standards, wages, professional classifications, social climate, and collective bargaining (Art.335, Labour code).

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<sup>38</sup> Anne Brockmeyer, Maha Khatrouch, and Gaël Raballand, "Public Sector Size and Performance Management: A Case-Study of Post-Revolution Tunisia," World Bank Group: Governance Global Practice Group, January 2015, p. 2. Online, <https://openknowledge.worldbank.org/bitstream/handle/10986/21145/WPS7159.pdf?sequence=1&isAllowed=y>

## 3.2 EMPLOYERS' ORGANISATIONS

### UTICA (Tunisian Union of Manufacturing, Trade and Handicrafts)

Founded in 1947, l'Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat (UTICA) is the leading and the national-level employers' organisation in Tunisia. It is constituted of different professional structures of different non-agriculture economic industries (manufacturing, trade, service, and handicraft). Its members are approximately 150,000<sup>39</sup> private companies from all industries (except tourism and banking and financial industries). It accounts for more than 25,000 union officials. At the national level, UTICA holds the representative status and is involved in any negotiations.

UTICA coordinates, supports, and mobilises its members in regional and professional structures. The organisation operates with sectorial representation, through federations and national trade union chambers, as well as through regional and local unions. The UTICA structure consists in 17 federations, 24 regional unions, 216 local unions, 370 national union chambers and 1,700 regional union chambers.

UTICA operates with a mandate of social affairs involved in economic development and trade relations. It also offers vocational training, collective bargaining, services for members, national negotiations, and interest representation. The organisation operates with a strategy of lobbying and an advocacy agenda along with its vision for 2020. Together with UGTT, UTICA received in 2015 the Nobel Peace Prize for its decisive contribution to the building of a pluralistic democracy in Tunisia.

### FENATEX (National Federation of Textile) social dialogues and FTTH (Tunisian Federation of Textile and Clothing)

The main employers' organisations related to textile/garment industry in Tunisia used to be the National Federation of Textile (FENATEX), an offshoot of the Tunisian Union of Manufacturing, Trade and Handicrafts (UTICA)<sup>40</sup>.

After the meeting of the FENATEX on 11 March 2017, the representatives of the textile/garment industry decided to quit UTICA. According to the president of the FENATEX at that time, this separation was mainly due to the signed agreement between UTICA and UGTT providing a wage increase of 6% for private-sector workers. This increase could not be afforded by the textile sector that was going through a crisis<sup>41</sup>. This decision was made without considering the federation's opinion.

The main argument of FENATEX was the fact that this increase would result in an extra charge of 12.35% (since there was the previous wage increase of 2016 that was not yet taken into account) while the payroll represents 70-75% of production costs in the textile/garment industry.

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<sup>39</sup> UTICA, "Our Mission" (in French). [http://utica.org.tn/Fr/notre-mission\\_11\\_27](http://utica.org.tn/Fr/notre-mission_11_27)

<sup>40</sup> Official Website: [www.utica.org.tn](http://www.utica.org.tn)

<sup>41</sup> Business News, "Garment Industry Federation Announces It Is No Longer Part of UTICA," (in French), Published March 12, 2017. <https://www.businessnews.com.tn/le-groupement-de-la-confection-et-de-lhabillement-boycotte-laccord-sur-les-augmentations-de-salaire,520,70885,3>

The president added<sup>42</sup> that there was no need for UTICA to defend the interests of the sector; the federation would be able to bargain by itself with the workers' organisation (UGTT) to find suitable arrangements for all parties.

In March 2017, a new textile federation was created: the Tunisian Federation of Textile and Garment, FTTH (Fédération Tunisienne du textile et de l'habillement). Its members offer more than 120,000 jobs out of the total 172,000 ones in the textile/garment sector (70% of the jobs in the sector)<sup>43</sup>.

Its first congress was held in December 2017 to elect its regional representatives and members of its national council (that will be representative of all Tunisian regions) and its executive bureau and to designate the president of the FTTH<sup>44</sup>. All branches of the sector are represented in FTTH.

It is made up of nine regional councils including all textile components (textile, clothes, and related industries), and a national council consisting of 31 members. A number of those are elected from regional councils and seven of them are ex officio representatives of large holding companies, (the term ex officio refers to a member of a body (notably a board, committee, or council) who is there by virtue of holding a position in another office). The FTTH also has an executive bureau made of 13 members who represent large companies and foreign textile industrialists.

The FTTH also has good representation. The only executive bureau is representative of 25,000 direct jobs and 15,000 indirect jobs and more than 800 companies had joined the federation since its constitution (almost half of the companies in the industry that provide about 75% of jobs)<sup>45</sup>.

## CONNECT (Confederation of Citizen Companies of Tunisia)

In 2011, a new employers' organisation was established, The Confederation of Citizen Companies of Tunisia, CONECT (la Confédération des Entreprises Citoyennes de Tunisie). CONECT is founded on a new approach of unionism relying on social dialogue, partnership, and the contribution to economic and social development of regional investment stimulation, job creation, and initiative promotion<sup>46</sup>. CONECT is the second employers' organisation, which is not allowed in the social council by UTICA. In CONECT, there is a Federation of Textile, called GPCH.

CONECT is the pioneering organisation in Corporate Social Responsibility (CSR) at the national and African level. It is committed to providing favourable conditions stimulating CSR movement no matter the size of the company.

CONECT is a member of the higher-tax instance and the higher-trade instance. Nevertheless, it is not part of the national social dialogue council. In 2017, it contested the bill on the creation of the social dialogue

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<sup>42</sup> Business News, "Belhassen Gherab: Pay-Rise Agreement Is Disastrous for Tunisian Economy," (in French) Published March 13, 2017. <https://www.businessnews.com.tn/belhassen-gherab--laccord-sur-les-augmentations-des-salaires-est-un-desastre-pour-leconomie-tunisienne.520,70847,3>

<sup>43</sup> Webmanager center, "Tunisie: la nouvelle organization patronale du textile (FTTH) explique les raisons de sa création", Published May 6, 2017. <https://www.webmanagercenter.com/2017/05/06/406383/tunisie-la-nouvelle-organisation-patronale-du-textile-ftth-explique-les-raisons-de-sa-creation/>

<sup>44</sup> Réalités Online, "FTTH Congress: A New [Model of] Governance for the Sector," (in French), Published December 14, 2017. <https://www.realites.com.tn/2017/12/congres-de-ftth-nouvelle-gouvernance-secteur/>

<sup>45</sup> Webmanager center, Published January 14, 2018. <https://www.webmanagercenter.com/2018/01/14/414373/tunisie-plus-de-800-entreprises-ont-deja-adhere-a-la-ftth/>

<sup>46</sup> CONECT, "Who Are We?" (in French). <https://www.conectinternational.tn/fr/a-propos>

council because it was favouring largely represented bodies, with less represented ones being excluded from social dialogue and negotiations such as CONECT. An initiative taken by the health and social affairs commission in the parliament was presented to amend this project by introducing the principle of proportionality. Finally, the law (No.2017-54) was voted in July 2017 without any change.

### 3.3 TRADE UNIONS

#### UGTT (The Tunisian General Union of Workers)

The Tunisian General Union of Workers (UGTT)<sup>47</sup> is considered as a key workers' organisation in Tunisia. The UGTT and the UTICA are the main stakeholders in collective bargaining, as both unions are active in negotiating working conditions and representing the interests of the employees.

Founded in 1946, the UGTT is the largest trade union in Tunisia, with 750,000 members. The UGTT is organised through national and regional structures (industry federations, regional unions, local unions, and basic trade unions), and provides commissions to allow better collaborations for parties of interest such as the working youth or working women.

UGTT is by far the largest of the four trade-union confederations, present in all sectors of economy (43 federations), and in all 24 regions of the country, even with regional confederal structures, assembling UGTT sector unions in that area. UGTT Textile Federation is the strongest textile workers federation (37,000 members, over 60% of whom are women).

The UGTT received the Nobel Peace Prize in 2015 together with UTICA, a lawyers' organisation, and LTDH (human rights) for their work in breaking a deadlock between two political parties during the political crisis in 2013.

UGTT, and trade unions are active in addressing problems arising from the lack of application of fundamental labour rights. Though the situation with respect to the application of core labour rights is certainly far from perfect, the most pressing social problems particularly have to do with the ILO's decent work agenda.

#### UTT (Union of Tunisian Workers)

In May 2011, during the Jasmine Revolution, a former Secretary General of UGTT founded the Union des Travailleurs Tunisiens (UTT), which now has around 50,000 members. UTT is not taking part in the national social dialogue negotiations.

#### CGTT (General Confederation of Tunisian Workers)

Formed in 2006 by a former Regional Secretary of UGTT and has currently 40,000-50,000 members.

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<sup>47</sup> Official Website: [www.ugtt.org.tn](http://www.ugtt.org.tn)

## OTT (Organisation des Travailleurs Tunisiens)

Formed in 2013 by UGTT dissidents and Ennahdha supporters in UGTT.

- › UGTT does not recognise these three confederations.

### 3.4 LABOUR NGOS

#### ATFD (Association Tunisienne des Femmes Democratres)

An important NGO pioneering the defence of women's rights is the Tunisian Association of Democratic Women (ATFD), which was officially created in 1989. It seeks to analyse current regulations and to abolish any form of discrimination against women. It does so by exposing stakeholders to the necessity of improving social conditions for women, allowing for equal opportunities in health, education, labour, and professional training.

In 2012, the ATFD set up the National Observatory for Equality of Chances and Citizenship for Women. Its main goal is to detect any form of political, economic, social, or cultural discrimination against women and to suggest concrete action plans to achieve equal opportunities between men and women. The observatory targets marginalised women to shed light on their economic and social rights. Women experiencing work discrimination, layoffs because of economic difficulties, or women who simply face unemployment are allowed to bring their questions and concerns to the observatory through its centre of listening and coaching. The observatory also focuses on empowering women to become participants in the Tunisian democratic transition process.

#### FTDES (Forum Tunisien des Droits Economiques et Sociaux)

The Tunisian Forum for Economic and Social Rights (FTDES) was created directly following the revolution in 2011 in order to defend the economic and social rights of people at the national and international level. FTDES is neutral and independent from any political party and religious institution. It is focused on labour law, women rights, migrants' rights, and environmental rights. It counts about twenty employees. FTDES had four local sections in Kairouan, Kasserine, Monastir and Gafsa.

#### LTDH (Ligue Tunisienne des Droits de l'Homme)

A professional human rights organisation, also active on labour rights (LTDH received together with UGTT and UTICA and the Tunisian lawyer's organisation the Nobel Prize in 2014).

## **UDC (Union des jeunes Diplômés Chômeurs)**

A well-organised organisation of young university graduates.

## **UGET (Union Générale des Étudiants Tunisiens)**

Active students' organisation.

## 4. Garment industry

### 4.1 INDUSTRY ORGANISATION

The textile/garment industry is made up of five major components: spinning, weaving, clothing, hosiery, and finishing. Throughout the last 40 years, the textile/garment industry has witnessed several changes. The main strategic changes were made as recently as 2000, when Tunisia chose to promote vertical integration—when a supply chain is owned by the manufacturing company—as well as products such as high-end, professional, and technical clothing. Its capacity to adapt has given the textile/garment industry a prominent place among Tunisian manufacturing industries. Despite the economic depression and the unstable political climate in Tunisia, the textile/garment industry recorded a 7.4% growth in exports from 2018 (10 months export value of 7,274.5 MTND) to 2019 (10 months export value of 7,815.5 MTND)<sup>48</sup>. Nevertheless, there had been a negative variation of -15.8% in exports from 2019 to 2020 mainly due to Covid-19 pandemic.

In 2017, the industry was made up of 1,672 companies employing 10 or more people. In 2020, this number dropped to 1,537<sup>49</sup>, representing 29.6% of the total number of manufacturing companies.

Garment (warp and weft) companies in Tunisia represent a majority of 77% of total companies in the textile/garment industry and about 86% of garment (warp and weft) companies are solely exporting<sup>50</sup>. A breakdown of companies according to main activities is presented in Table 2<sup>51</sup>.

**Table 2: Breakdown of textile/garment companies of 10 and more workers by activities**

Activities	Total
Spinning	18
Weaving	27
Finishing	39
Hosiery	147
Warp and weft making	1 184
Other textile industries	270
Total	1537

Source: API, 2020

<sup>48</sup> INS, Bulletin Mensuel de Statistiques. (INS, October 2020), p. 43, accessed December 2020, <http://www.ins.tn/sites/default/files/publication/pdf/bms%20Octobre%202020.pdf>

<sup>49</sup> APII, “Industries textiles et habillement,” accessed December 2020. <http://www.tunisieindustrie.nat.tn/fr/zoom.asp?action=list&idsect=02>

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

The Tunisian textile sector is characterised by a strong dependence on the European market (EU). The EU accounts for 95% of all exports and six countries including France (33%), Italy (29%), Germany (14%), Belgium, the Netherlands, and Spain account for a staggering 93% (FEMNET, 2019, p.9). In fact, 41% of the textile factories in Tunisia are owned by European brands or joint ventures while the rest generally works as sub-contractors (Ibid.). The imports from EU represent almost 85% of total imports. The textile/garment industry is the second largest exporter in Tunisia (21% of Tunisia's total exports) after electrical industry (28% of Tunisia's total exports).

Breakdown of garment/textile industry by main product shows that outerwear (62%) represents the main activity followed by security garments, work clothes and technical textile (11%) and finally hosiery and underwear (8%).

**Table 3: Breakdown of textile/garment by product**

Activity	Percentage
Outwear	62%
Security garment, work clothes, and technical textile	11%
Hosiery and underwear	8%
Others	19%

Source: APII (2017)

In February 2019, FTTH and the government signed an industry pact for 2019-2023 to boost the textile and garment industry. According to an FTTH representative, with the embodiment of this act it would be possible to create 50,000 jobs, to recover 4% of market share in the EU market, to reach an export increase of €4 billion and to recover the 5<sup>th</sup> place position of the largest textile providers for the EU by 2023<sup>52</sup>.

## 4.2 MAIN EXPORTS FROM GARMENT INDUSTRY

Tunisia's main textile/garment exports are trousers and jeans, T-shirts, work attire, underwear, pullovers, and dress shirts. Table 4 gives an overview of the value of exports of selected main exported products.

<sup>52</sup> "Secteur du textile: signature d'un pacte de PPP.", Business News, February 2019, <https://www.businessnews.com.tn/secteur-du-textile--signature-dun-pacte-de-ppp,520,85886,3>.

**Table 4: Exported main products, excluding knitted or crocheted (2019)**

Product	Exported value in 2019 (thousands of euros)	Exported value in 2019 (thousands of TND) <sup>53</sup>
Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches, and shorts	462,214	1,514,702
Tracksuits, ski suits, and swimwear	499,707	1,637,865
Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches, and shorts	194,639	637,958

Source: [www.trademap.org](http://www.trademap.org) (2019)

### 4.3 MAIN AREAS FOR GARMENT PRODUCTION

According to the latest statistics, the main workforce in the textile/garment industry is still concentrated in the coastal regions. Monastir accounts for the largest number of companies, which represents 27% of the total number of companies in the textile/garment industry. Tunis and its suburbs represent 18% while other regions such as Sousse, Nabeul, Sfax and Mahdia contribute by 11.8 %, 11.7%, 9.7% and 6.3%, respectively<sup>54</sup>.

The Eastern region accounts for almost 90% of total companies. A geographic regional breakdown of companies is shown in Table 5<sup>55</sup>.

<sup>53</sup> 1 EURO= 3,277 TND.

<sup>54</sup> “Monographies regionals”, APII, accessed December 2020, <http://www.tunisieindustrie.nat.tn/fr/doc.asp?mcat=13&mrub=105>

<sup>55</sup> “Les industries du textile et de l’habillement demeurent un secteur clé de l’économie tunisienne”, APII, 2017, [http://www.tunisieindustrie.nat.tn/fr/download/news/2017/NOTE\\_ITH\\_2017.pdf](http://www.tunisieindustrie.nat.tn/fr/download/news/2017/NOTE_ITH_2017.pdf).

**Table 5: Companies in textile/garment industry by region**

Geographic Region	% of total companies
Centre East	52.5
North East	38.1
Centre West	4.2
North West	2.3
South West	1.8
South East	1.1

Source: APII (2017)

#### 4.4 PERCENTAGE OF EMPLOYED WORKERS IN THE GARMENT INDUSTRY

Considering the private sector, the textile/garment industry is providing the highest number of jobs in Tunisia; it employed 161,425 workers in 2017<sup>56</sup>. It accounts for as much as 33% of the Tunisian workforce in private manufacturing industries. In 2020, the number of workers in the industry dropped to 159,319<sup>57</sup>, which accounts for 30.7% of total workers in manufacturing industries. The majority of this workforce (90.5%) is occupied in solely exporting companies while workers in garment activity represent nearly 80% of total workers.

#### Social composition of the garment workforce

According to studies conducted by APII, about 80% of the total workforce in the textile/garment industry are women and about 85% are occupying permanent jobs<sup>58</sup>. According to a study conducted by FTDES, in the region of Monastir about two-thirds of workers are contractual<sup>59</sup>. According to an FTDES representative, workers' tenure concerns companies that had been set up since the 1970s and 1980s.

<sup>56</sup> Ibid.

<sup>57</sup> APII, "Industries textiles et habillement," accessed December 2020, <http://www.tunisieindustrie.nat.tn/fr/zoom.asp?action=list&idsect=02>

<sup>58</sup> "Les industries du textile et de l'habillement demeurent un secteur clé de l'économie tunisienne", APII, 2017, [http://www.tunisieindustrie.nat.tn/fr/download/news/2017/NOTE\\_ITH\\_2017.pdf](http://www.tunisieindustrie.nat.tn/fr/download/news/2017/NOTE_ITH_2017.pdf)

<sup>59</sup> "Tunisie-Industrie: Capitale du textile, Monastir est en train de perdre la boussole", July 2016, <https://www.webmanagercenter.com/2016/07/07/170267/tunisie-industrie-capitale-du-textile-monastir-est-en-train-de-perdre-la-boussole/>

## 5. Industrial relations

### 5.1 ORGANISATION OF EMPLOYERS AND TRADE UNIONS IN THE GARMENT SECTOR

For the Tunisian private sector there are two major employers' organisations at the national level; the Tunisian Union of Industry, Trade and Handicraft (UTICA), which has the most representation in the country, and the Confederation of Citizen Enterprises of Tunisia (CONNECT), that was newly created in 2011.

It is stipulated in the Tunisian Labour Code (Art.38) that the unions that can negotiate are the ones that are the most representative of the industry. In Tunisia, these organisations are UGTT for the workers' union and UTICA for the employers' union.

In 2017, CONNECT showed its dissatisfaction about this rule of representativeness that was adopted in the bill related to the creation of the council of social dialogue. Actually, this law would be favouring parties that have a large representativeness letting behind parties that are not largely represented and consequently excluding them. CONNECT would be among the excluded parties. There was a tentative health and social affairs commission in the parliament to amend this project by introducing the principle of proportionality. Nevertheless, law (No.2017-54)<sup>60</sup> was voted in July 2017 without any change.

At the branch level, the Tunisian Federation of Textiles and Clothing (FTTH) has represented industrialists of textile/garment since 2017. This Federation was set up to replace the National Federation of Textiles that was depending on UTICA. Currently, besides being an autonomous and independent structure, the FTTH is considered as the privileged and the legitimate representative of employers in the textile/garment industry<sup>61</sup>. The FTTH believes that it is important to reconsider the partnership model with its social partner, the UGTT, since both are responsible for the survival of the industry<sup>62</sup>. Actually, FTTH is aware of the social challenge facing employers. FTTH does have a citizen chart based on the principle of social conformity that aims at ensuring to workers in textile/garment industry working conditions complying with health and safety norms, respecting Tunisian Labour Code and all collective bargaining agreements and assuming its CSR<sup>63</sup>.

Regarding workers' organisations, after the revolution, two unions were set up; the Tunisian General Confederation of Labour (CGTT) and the Union of Tunisian Workers. The UGTT remains the sole organisation representing textile/garment industry workers, acting through The Tunisian Federation of Textile, Clothing, Leather and Shoes (FTTHCC).

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<sup>60</sup> Republic of Tunisia, Official Gazette of the Republic of Tunisia, N° 61, August 1, 2017, p. 2508.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/107367/132130/F1758389670/TUN-107367.pdf>

<sup>61</sup> Réalités Online, "FTTH, un an après : Des résultats à la mesure des ambitions," May 2018,  
<https://www.realites.com.tn/2018/05/la-ftth-un-an-apres-des-resultats-a-la-mesure-des-ambitions/>

<sup>62</sup> Naafa Naifer, "Tunisie - FTTH: Après le divorce, vient le temps de nouvelles ambitions," January 2018,  
<https://www.webmanagercenter.com/2018/01/04/414372/federation-tunisienne-du-textile-et-de-lhabillement-ftth-apres-le-divorce-vient-le-temps-de-nouvelles-ambitions-2/>

<sup>63</sup> Ibid.

In general, regarding the freedom of association, the right to collective bargaining and the right to strike, Tunisia is not among the high-risk countries. Since its 2011 revolution, Tunisian workers have gone more frequently on strike without police interventions. In addition, collective bargaining was held through prior dialogue with UTICA.

The social dialogue in Tunisia is achieved through collective bargaining at the branch level. Employers' and workers' unions are carrying out these negotiations for 54 industries. These negotiations used to be held every three years in the textile/garment industry. The FTTH changed two rules in salary negotiations; first, the deadline will be one year instead of three years, and second, the salary increase rate agreed upon will be applicable for the three ensuing years without any change. According to FTDES and FTTH representatives, these measures are beneficial for employers as they would enjoy more visibility when negotiating prices with their customers and also for workers that will take advantage from timely wage increases without waiting several months for the back pay.

Article 38 stipulates that when the two parties end up with a collective bargaining agreement, they must obtain the agreement of the Secretary of State for Youth, Sports and Social Affairs. In 2017, the FTTH managed to reach an agreement on schedule revision of salary increases and a postponement of salary negotiations to 2019<sup>64</sup>.

In general, and for several years now, negotiations in the textile/garment industry were conducted in order to raise salaries, although many other relevant working conditions were, and are, worth consideration, according to FTDES and ATFD. For example, regulation regarding tenure and working hours should be revised to ensure better security for workers and less pressure at work.

Unlike other countries in the region, social dialogue in Tunisia was, and continues to be, relatively strong. There is, however, potential to improve. This need for improvement is especially expressed by workers who were the driving force behind the revolution and who are dissatisfied with the current social situation. Social dialogue needs to extend beyond wage bargaining and reach a wider group of participants. It also needs to reach beyond Tunis, where it is mainly centred. Trade unions need new members, especially among young people and women. All social partners need to increase their capacity for social dialogue, and institutions need to be strengthened.

## 5.2 UNION DENSITY IN TUNISIA

According to the UGTT financial report concerning the 2012-2016 timespan (presented at its 23<sup>rd</sup> congress at the end of January 2017), the union organisation counted more than 500,000 adherents at the end of 2016<sup>65</sup>. In fact, in 2017, the UGTT counted about 750,000 members<sup>66</sup>. Taking into account the number of workers in the public and private sectors (1,627,000), UGTT had a representation rate of 46%.

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<sup>64</sup> Ibid.

<sup>65</sup> Khaled Boumiza, "Tunisie-Inédit : L'UGTT mise à nu par ses propres chiffres !" African Manager, Published February 5, 2017, africanmanager.com [https://africanmanager.com/17\\_tunisie-exclusif-lugtt-mise-a-nu-par-ses-propres-chiffres/](https://africanmanager.com/17_tunisie-exclusif-lugtt-mise-a-nu-par-ses-propres-chiffres/)

<sup>66</sup> Frida Dahmani, "Tunisie : l'UGTT, le syndicat historique et incontournable," Jeune Afrique, Published December 16, 2017, <https://www.jeuneafrique.com/mag/497686/politique/tunisie-lugtt-le-syndicat-historique-et-incontournable/>

Part of its resources (56%) are derived from affiliates contributions. The contribution of the public sector is much more important (13 million TND) than that of the private sector (no more than 1,7 million TND).

In the textile/garment industry, the bargaining power of UGTT as far, as the labour market is concerned, is low due to the nature of competitiveness in this sector (based on low wages, low-qualified workers, the legal insecurity of labour relationships, etc.). In addition, the percentage of unionisation did not exceed 17.5%<sup>67</sup>.

According to an FTDES representative, this low percentage of unionisation that, even in 2020, does not exceed 20%, is mainly due to the vulnerability of the contract-based relationship between workers and their employers as 70% of Textile/clothing industry workers are employed as per fixed-term contracts. Trade-union-sceptic employers would, without hesitation, cease signing contracts with 'undesirable' workers as soon as they know that they subscribe to a union.

### **5.3 COLLECTIVE BARGAINING AGREEMENT COVERAGE IN COUNTRY**

Collective bargaining agreements cover 54 Tunisian industries and services. They are promulgated through decrees of the Ministry of Social Affairs.

### **5.4 COLLECTIVE BARGAINING AGREEMENT (CBA) COVERAGE IN GARMENT INDUSTRY**

In practice, CBA coverage in the textile/garment industry applies to roughly 20% of the workers (Textile, Garment, Shoes and Leather Worker Federation, 2014). According to FTDES, labour regulation is least applied in small companies, generally acting as subcontractors, while it is most applied in big companies and solely exporting ones. Moreover, it was reported that companies having company trade unions are much more respectful of the Tunisian Labour Code and CBA.

### **5.5 LOCAL GRIEVANCE MECHANISMS FOR WORKERS**

Labour Inspection ensures the application of legal, regulatory, and conventional provisions organising labour relations. Aside from this mission, it also plays a conciliatory role as it supports governors (Art.172 of the Labour Code) especially when strikes or lockouts take place. A strike or a lockout must be reported within 10 days to involved stakeholders, including UGTT, UTICA and the regional conciliation committee. Labour Inspection asks different stakeholders to find solutions as soon as they are notified. According to the GDLIC, 80% of the cases are resolved. It happens also that GDLIC receive written requests from the General Federation of Textile, Clothing, Leather and Shoes (GFTCLS) to conduct multilateral meetings to discuss labour-related issues regarding companies facing conflicts. For instance, a meeting was recently organised

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<sup>67</sup> Sami Adouani, Said Ben Sedrine, "Trade Union Power and Democratic Transition in Tunisia: The UGTT, A Unique Story, An Unprecedented Experience," Published January 2018, Tunis : Frederich Ebert Stiftung and Global Trade Union Programme. <http://library.fes.de/pdf-files/iez/14064.pdf>

by the GDLIC to discuss the conditions for reopening a company that was closed for around four months in the Northwest region. The representative of the GDLIC ensured everything agreed upon was compliant with the law. The General Secretary of GFTCLS, the employer, the company's labour union representative and the regional trade union representative were all present in the meeting.

Individual labour-related conflicts are submitted to labour courts as per the law (Art.183- 232, Labour Code).

According to FTDES, when workers encounter trouble with their employers due to violation of their rights (closure without notice, delay in wage payment, etc.), they do realise that they should have joined a trade union. In many instances, these workers would unionise so that they could benefit from union support, especially when preparing their legal documents to be presented to court.

Even though the labour inspectorate does not provide grievance procedures or mechanisms to deal with individual conflicts, it has the role of providing information and technical advice to workers and employers to support them for the effective application of labour regulation. Consequently, in accordance with the law, the sole way to resolve individual disputes is to appeal to the court.

In practice, however, workers prefer solving conflicts without going to trial since appealing to the court is costly and could take up to three or four years. In general, their regional labour inspectorate supports them in terms of legal and procedural advice.

## 5.6 STATE ROLE IN INDUSTRIAL RELATIONS

The general direction of labour (Ministry of Social Affairs) is in charge of setting a whole process of industry collective bargaining in motion, offering the best conditions leading to agreements that strike a balance between social partners' interests and those of the country. It has also a huge role in promoting international labour standards in Tunisia.

The General Direction of Labour Inspection and Conciliation (GDLIC) intervenes in the case of a conflict between social partners. It is also in charge of promoting social dialogue at the company level to anticipate workplace conflicts.

At the company level, problems between employer and employees that might lead to collective conflict must be submitted to the Company Consultative Committee (CCC), a consultation mechanism used to avoid labour disputes, allowing them to be settled out of court. CCC has the mission of finding solutions using discussions and compromises.

If conflicts are not solved at the company level through the CCC, there is a second solution to solve the problem out of court. The employer and employees can involve the Regional Conciliation Board or the Regional Labour Inspection (Art.376-bis, Labour Code). In practice, it is also possible for employees at the local level (or their trade union representatives) to present a list of demands to the Local Labour Inspection. All parties are invited to meet to discuss the divergent point of views. If agreements are reached, they will be written in an official meeting minutes and sent to different parties. Labour Inspection will follow up on the agreements to avoid possible future disputes. If no agreement can be reached, the conflict is transferred to the Regional or the Central Conciliation Committee. The Conciliation Committee then has 8 days from the start of the strike to find a solution (Art.380, Labour Code).

## 5.7 MECHANISMS FOR SOCIAL DIALOGUE (NATIONAL/SECTORIAL)

In July 2017, Law No.2017-54 was voted in, creating the National Council of Social Dialogue and specifying its role and operating functioning.

The general assembly of the Council is made of Government agents and spokespeople on behalf of employers and workers, from the most representative union for each<sup>68</sup>. Practically, the most representative organisations are UGTT (workers' union) and UTICA (employers' union). Some of the main missions of the council is to act in order to provide a social climate stimulating investment and guaranteeing decent working conditions, to make the follow up of social climate, observe the degree of compliance to social regulation and make propositions regarding the prevention mechanisms of collective conflicts as well as the evolution of legal minimum wages (for further roles, see Art.2 of Law No.2017-54)<sup>69</sup>.

Collective bargaining is the most important social dialogue mechanism in Tunisia, involving trade unions, employers' representatives, and government. From the 1990s to 2011, the collective bargaining process took place once every three years. Nevertheless, this last decade, it became a yearly practice. Even though this process strengthened the normative power of social partners, it is still centralised. In fact, collective bargaining takes place at the national level and industry level, for the most part.

Negotiations take place through sectorial commissions. Each commission is made up of one representative of the Ministry of Social Affairs, four representatives of the UTICA and four representatives of UGTT. A tripartite central commission of negotiations does exist in order to revise the collective convention framework, to follow the work of sectorial commissions and help them reach an agreement.

(No social dialogue takes place between employers' organisations (UTICA and FTTH) and workers' organisations (UGTT and GFTCLS). In fact, the only major meeting involving both organisations is held when there are wage negotiations).

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<sup>68</sup> Art. 8 of Law N° 2017-54 (of July 24, 2017).

<sup>69</sup> Consult footnote n° 61 for the link to the Official Gazette of the Republic of Tunisia (OGRT) section containing the law in question.

# 6. Implementation of the Fair Wear Code of Labour Practices

In this chapter, the implementation of every part of the Fair Wear Code of Labour Practices is justified by looking at official statistics on compliance (where available), laws and regulations, different stakeholders' opinions as well as analysis on implementation. Each section starts with a quote from the Fair Wear Code of Labour Practices.

## 6.1 ILO STANDARDS

Tunisia ratified 63 international Conventions and one Protocol; of these, 48 are in force, seven Conventions were denounced, and three instruments abrogated, none has been ratified during the past 12 months<sup>70</sup>.

The eight Fundamental Conventions are the most important conventions that cover four fundamental principles and rights at work which are:

- › Freedom of association and the effective recognition of the right to collective bargaining,
- › The elimination of all forms of forced or compulsory labour,
- › The effective abolition of child labour, and
- › The elimination of discrimination in respect of employment and occupation.

Tunisia has ratified all fundamental conventions<sup>71</sup>.

The ILO has designed four Governance Conventions important to build national institution capacity and drive employment. Tunisia has ratified 3 out of the 4 conventions (C081 on Labour Inspection, C122 on Employment Policy, C144 on Tripartite Consultations). Tunisia did not ratify the Labour Inspection on Agriculture<sup>72</sup>

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<sup>70</sup> ILO, "NORMLEX: Ratifications for Tunisia," [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200\\_COUNTRY\\_ID:102986](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102986)

<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

## 6.2 EMPLOYMENT IS FREELY CHOSEN

*“There shall be no use of forced, including bonded or prison, labour”.*  
(ILO Conventions 29 and 105)



### Legal Framework

Tunisia was among the pioneering countries in the Arab World when it comes to abolishing slavery. The country ratified the convention C029 on Forced Labour as well as C105 concerning the Abolition of Forced Labour Convention, but it is yet to ratify the 2014 Forced Labour protocol Po19.

Nationally, several legislations prohibit, and sanction, forced labour. The Penal Code (Art.104 and Art.250) prohibits forced and compulsory labour and provides penalties of up to ten years' imprisonment for anyone who captures, arrests, detains, or confines a person for the purpose of forced labour. The Labour Code further grants workers the freedom to change jobs and the right to exit (Art.14) and limits the maximum working hours (Art.79).

Tunisia has recently made efforts in combating trafficking, an issue closely connected with forced labour. The Organic Law No.2016-61 on preventing and combating the trafficking of persons<sup>73</sup>, was adopted in 2016. The law represents a milestone as it provides a clear definition to trafficking, accounting for sexual exploitation as well as all forms of economic exploitation involving forced labour or services. In comparison with the Labour Code, the law on trafficking also provides special prosecution procedures for trafficking including economic exploitation and establishes a protective framework and assistance to victims of human trafficking including forced labour<sup>74</sup>.

### Implementation and challenges

The National Authority for Combating Trafficking was established to implement the Law No.2016-61. The mission of the body is to develop a national prevention strategy and fight against trafficking, establish coordinated mechanisms for identification, burden and protection of victims, and the reduction of the request and prosecution of the authors. The first national anti-trafficking strategy was developed for the timeline of 2018-2023.

While the legislative framework in Tunisia is strong in protecting against forms of economic exploitation, modern slavery lies on a “continuum”. A particular challenge to Tunisia and a bottleneck in this assessment, is the predominant trend of informal employment. “Fringe stakeholders” or particularly vulnerable workers in the informal economy might not end up effectively being covered by protective mechanisms set by the law. Moreover, Tunisia has recently witnessed a rising number of incoming migrant workers for whom labour protection is rarely granted and who may experience difficulties in reporting cases where labour

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<sup>73</sup> Republic of Tunisia, The Official Gazette of the Republic of Tunisia, n° 66, August 12, 2016, p. 2524.  
<http://www.legislation.tn/sites/default/files/news/tf2016611.pdf>

<sup>74</sup> See ASF, “La traite des êtres humains en Tunisie : la lutte contre l’impunité est primordiale pour prévenir la crime,” Published January 2020. <https://www.asf.be/wp-content/uploads/2020/01/Policy-Brief-La-traite-des-%C3%AAtres-humains-en-Tunisie-la-lutte-contre-l%E2%80%99impunit%C3%A9-est-primordiale-pour-pr%C3%A9venir-le-crime.pdf>

employment's start/end is loosely defined or coercive.<sup>75</sup> Joining the formal sector in Tunisia goes through a lengthy and complex procedure. The Ministry of Professional Training and Employment accounts for 5,500 foreign workers in Tunisia, only 8% of them from Sub-Saharan countries, leaving most of the new growing migrant community with no choice but to join the informal sector. According to a study by Terre d'Asile, victims of human trafficking in Tunisia had to pay a debt for their recruitment through withholding their salaries for several months, working excessive hours, confiscating their passports by the employer, and threatening of expulsion and arrest<sup>76</sup>. In 2018, the National Authority of Combating Human Trafficking reported in its first published report 780 victims of human trafficking. In 2019, this number almost doubled to 1,313 victims, 630 of whom were foreigners<sup>77</sup>.

## Stakeholders' opinion and analysis on implementation

This standard is fully applied in Tunisia. According to the General Direction of Labour Inspection and Conciliation, there are no signs of forced labour in Tunisia. All work is done based on the consent of employees, oral or written.

Overtime work is very common in the garment industry but not very excessive. Most of the time, workers would have the choice to accept or refuse doing overtime work. It is noteworthy that workers usually accept working overtime because they have no choice as any delay in deliveries would probably result in delays in wage payments.

There is no unemployment in the textile/clothing industry; on the contrary, there is a labour shortage according to consulted stakeholders. It is also reported that absenteeism is very high in the garment industry, especially in summer, where it can reach an average of 25%.

According to consulted NGO's, even though working hours in the Textile/garment industry are under the regime of 48 hours a week, this is just a declared figure as in practice workers spend more than 8 hours a day in the factory. Women workers spend long hours in transportation and may require overtime hours to finish their tasks. Moreover, employers do sometimes accept to give Saturday as a day off, resulting in longer days of more than 9 hours. The regime of working 48 hours a week ought to be changed, as it is not conveying the principle of decent work. With better organisation, less pressure at work, reasonable workload and better technology exploitation working hours could be reduced to 35 or at most 40 hours per week, according to an ATFD representative.

In the same vein, several employers in the textile/garment industry are thinking about reducing working hours from 48 hours to 42 hours, according to the FTTH representative. Currently, workers, mostly women, very often work more than 8 hours a day (9 to 10 hours) in order to have a day-off on Saturday to take care of their families. Transportation is yet another problem, being neither easy nor fast. For employers, reducing working hours could be a good solution to motivate workers and, thus, boost their productivity (less absenteeism, better quality, less occupational accidents, etc.). This proposition is not unanimous.

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<sup>75</sup> See ASF anecdotal cases of human trafficking in the same report.

<sup>76</sup> Balkis Essid and Elisa Claessens, *L'accès au travail des migrants en Tunisie*, Tunis : Terre d'Asile Tunisie, May 2020, p. 31. [https://www.terre-asile-tunisie.org/images/Laccès\\_au\\_travail\\_des\\_migrants\\_en\\_Tunisie\\_-\\_Terre\\_dAsile\\_Tunisie.pdf](https://www.terre-asile-tunisie.org/images/Laccès_au_travail_des_migrants_en_Tunisie_-_Terre_dAsile_Tunisie.pdf)

<sup>77</sup> Ibid.

During the COVID-19 pandemic, all employers followed government protocols regarding exemption from work for some categories of employees such as pregnant women and workers with chronic illnesses. Nevertheless, it was not the case in the very small garment companies or those operating in the informal sector, according to some NGOs.

## Country specific issues

Tunisia has been a member of the International Labour Organization (ILO) since 1956. It ratified ILO Conventions 29 and 105. Forced labour is a non-issue, neither through economical constraint nor by physical force. Dormitories are very rare in garment companies.

## Fair Wear main audit findings over the last two years

Fair Wear audit reports rarely found violations regarding the ‘Employment is freely chosen’ standard, unless involuntary overtime is counted in that category. According to audit results, only one report showed an instance where a factory did not have a clearly defined policy on overtime work.

Furthermore, Fair Wear audit reports did not reveal original identity papers being retained in the workers’ files, nor did they show fees being paid by workers in order to gain employment.

## Worker complaints, related to ‘Employment is freely chosen’

Fair Wear’s complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All complaints are published on the Fair Wear website.

In the past three years, Fair Wear has received one complaint related to “employment is ‘freely chosen’” standard. Further complaint details can be found on [www.fairwear.org](http://www.fairwear.org).

## 6.3 FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

*“The right of all workers to form and join trade unions and bargain collectively shall be recognised.” (ILO Conventions 87 and 98) “Workers’ representatives shall not be the subject of discrimination and shall have access to all workplaces necessary to carry out their representation functions”. (ILO Convention 135 and Recommendation 143)*



## Legal Framework

In 1957, Tunisia ratified C087 on Freedom of Association and Protection of the Right to Organise, which seeks to improve conditions of labour and to establish peace. In the same year, Tunisia also ratified C098 on the Right to Organise and Collective Bargaining Convention. In 2007, Tunisia ratified C135 on workers' representatives which is considered as an instrument supplementing C87 in the sense that reinforces the protection of workers' representatives, including trade union representatives, and grants them the necessary facilities to exercise their functions<sup>78</sup>. In 2014, Tunisia ratified the collective bargaining C154 which defines collective bargaining as negotiations taking place between an employer, a group of employers or one or more employers' organisations, on one side, and one or more workers' organisations, on the other<sup>79</sup>. If a company consists of at least 40 workers, it must have a Company Consultative Committee (CCC), which is a legal structure for personnel representation (Art.157, LC). For companies having between 20 and 40 workers, they must have a workers' representative (personnel representative).

The new Tunisian constitution of 2014 guarantees freedom of association and the right to collective bargaining through articles 35, 36 and 37<sup>80</sup> which state that workers are permitted by law to form unions, to organise and to strike, and they have the right to peaceful assembly and demonstration. At a more specific level, the Tunisian Labour Code<sup>81</sup> recognises these fundamental rights by stating that trade unions or professional associations of people exercising the same profession, similar trades or related professions contributing to the establishment of specific products or the same liberal profession, may be formed freely (Art.242). It also specifies that the sole purpose of these worker structures is to study and defend the social and economic interest of their members (Art.243). Company trade union members, CCC members and personnel representative are protected by law. They cannot be fired without the agreement of the Direction of Labour Inspection and Conciliation. The decision of termination of employment must be justified decided by the employer (Art.165, 166 and 167, Labour Code).

Historically, members of the Tunisian General Federation of Trade Unions (UGTT) have faced unfounded prosecution and suspension of their activities<sup>82</sup>. To ensure that such injustice is not repeated, Article 1 of Law No.88-1998 of 18 August 1988, provides that persons convicted of a felony or misdemeanour while belonging to a trade union organisation may be admitted to the benefit of amnesty<sup>83</sup>.

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<sup>78</sup> Tunisian Ministry of Social Affairs, "Travail et relations professionnelles," <http://www.social.tn/index.php?id=48&L=0>

<sup>79</sup> ILO, "Ratifications of C154 - Collective Bargaining Convention, 1981 (No. 154)," [https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:312299](https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:312299)

<sup>80</sup> Tunisian Constitution, Official Gazette of the Republic of Tunisia, Special Edition, Published April 20, 2015, p. 7. <http://www.legislation.tn/sites/default/files/news/constitution-b-a-t.pdf>

<sup>81</sup> ILO NATLEX Platform, "Tunisie: Code de Travail," <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/44414/65029/F96TUN01.HTM#l7c1>

<sup>82</sup> ILO NORMLEX Platform, "Definitive Report - Report No. 6,1953," [https://www.ilo.org/dyn/normlex/en/f?p=1000:50002:0::NO:50002:P50002\\_COMPLAINT\\_TEXT\\_ID:2898083](https://www.ilo.org/dyn/normlex/en/f?p=1000:50002:0::NO:50002:P50002_COMPLAINT_TEXT_ID:2898083)

<sup>83</sup> ILO NATLEX Platform, [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=6692](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=6692)

## Social dialogue and tripartism

The Tunisian General Labour Union (UGTT) and the Tunisian Union of Industry, Trade and Handicrafts (UTICA) are the dominant social partners in social dialogue with the government. They both have an impact on national policy questions and on the labour market's general issues. Since the revolution, they have improved dialogue and consultation arrangements. Yet, due to the novelty of this process, formal structures are not fully in place, causing dialogue lacking in consistency, continuity, follow up, and compliance<sup>84</sup>. In 2013, with the adoption of the Social Contract, the National Council for Social Dialogue was established. In 2016, within the "Carthage Agreement", social partners worked toward defining the government programme in addition to monitoring and guaranteeing its implementation. The process of social dialogue between social partners, promotion of labour laws and consolidation of rights fundamentals at work allowed for a more institutionalised collective bargaining. The conclusion of a framework on collective agreement for the non-agricultural sector in 1973 resulted in the development of collective bargaining. The achievements of social dialogue count today 54 collective agreements at the sectoral level. Collective agreements have undergone several revisions and contributed to improving the working conditions and wages of 80% of workers from the private sector.

For the first time in the Arab World and in the African Continent, the National Union UGTT accepted to provide migrant workers with the right to membership to the Union on 2 December 2020. This will provide a framework for the migrants to be able to defend their rights against exploitation, racism, and violations of social and economic rights. This is a paramount step for Tunisia to be able to develop on-the-ground measures to combat all forms of exploitation and guaranteeing equal and dignifying conditions of work<sup>85</sup>.

## Stakeholders' opinion and analysis on implementation

Tunisian laws and regulations allow for freedom of association and for the right of collective bargaining.

Companies with 40 or more permanent workers must have a Company Consultative Committee (CCC) and companies having between 20 and 40 permanent workers must have a personnel representative (Art.157 and Art.163, Labour Code).

Moreover, beyond the fact that workers are free to subscribe to trade unions, they have the right to set up company trade unions. The company should consist of at least 50 unionised workers to create a trade union composed of 7 elected members. If the number of unionised workers is between 20 and 50, five elected members are sufficient to create a company trade union.

Employers must facilitate the work of CCC members, the personnel representative and company trade union members (Art.165 and Art.169-2, Labour Code). The Labour Code also stipulates that members of CCC should benefit from 8 to 15 hours per month in order to accomplish their functions as workers' representatives while the personnel representative does have the right to 5 hours per month (Art.165). These granted hours are paid as working hours.

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<sup>84</sup> Danish Trade Union Development Agency, Labour Market Profile Tunisia – 2020, Copenhagen: DTDA, 2020, p.10. <https://www.ulandssekretariatet.dk/wp-content/uploads/2020/06/LMP-Tunisia-2020-Final-version-1.pdf>

<sup>85</sup> Terre d'Asile Tunisie, "L'UGTT ouvre ses portes aux travailleurs subsahariens, une première dans le monde arabe," Published December 2, 2020. <https://www.terre-asile-tunisie.org/index.php/39-actualites/actualites-migrations-en-tunisie/718-l-ugtt-ouvre-ses-portes-aux-travailleurs-subsahariens-une-premiere-dans-le-monde-arabe>

There are also laws protecting workers from abusive lay-offs due to union membership. No lay-off is determined without the agreement of the General Direction of Labour Inspection and Conciliation. Trade union representatives in the factory are granted between 20 and 200 paid hours per year to perform their activities and to participate in training sessions organised by their particular trade union (Art.4, CBA). The number of hours granted depends on the number of employees in the company. The more employees, the more hours granted.

In practice, most employers in the garment industry have a negative attitude towards trade unions. Trust is a serious issue between trade unions and employers. According to GDLIC, employers would have a better social climate if they chose to cooperate with trade unions and/or the CCC.

Even though in this last decade freedom of setting up company trade unions had increasingly improved, social dialogue had not improved in the same vein. Nevertheless, for FTDES, it is important to note that workers still fear being laid off as soon as their employer discovers their union membership, especially for vulnerable workers on fixed-term contracts. Employers deliberately stop signing labour contracts with unionist workers when they suspect they constitute a threat. Moreover, company unions are very often not independent since their members are dictated by management, which hampers balanced negotiations, according to FTDES.

In the absence of a company trade union, workers resign themselves to address CCC whenever they encounter problems though, very often, CCC are not particularly active. In addition, the overall main concern of CCC is disciplinary decisions while this advisory board has an extended mission as per law (Art.160, Labour Code) such as dealing with career development, learning and occupational training.

## **Fair Wear main audit findings over the last two years**

The audit findings showed that most factories abide by the law and set up the CCC (Company Consultative Committee) when employing more than 40 permanent workers. Although the law was there providing a legal framework, workers did not make the most of it. In fact, the majority of CCC meetings were about disciplinary procedures/decisions, holidays, or work schedule.

In general, the audit reports findings showed low union activities at the factories. Only one audit reported an instance of workers not freely forming or joining the union of their choice. Three other audits reported the management providing incentives to workers to keep them from joining a union. Also, workers were not aware of the active CCC and therefore did not approach its members with their requests, which leads to a conclusion that this committee was, in fact, dysfunctional. In addition, five audits reported that the Fair Wear member had not shared previous audit reports with worker representatives and three audit reports were not shared with the audited factories.

Even when unions do exist, they are not always able to motivate the social dialogue or further raise awareness of the local laws. There are some exceptional cases, mostly factories located in well-developed regions where the workers' level of awareness is much higher. Workers that are aware of their rights get the information from the regional trade union or labour inspection officers.

In some cases, the Fair Wear audit team found that workers were misinformed about legal labour aspects through union representatives, who apparently misinterpreted the stipulated laws resulting in a conflict between workers and their employer. This development has disrupted the trust between workers and their employers in the past three years.

## Worker complaints, related to ‘Freedom of Association and the right to collective bargaining’

Fair Wear’s complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All the complaints are published on the Fair Wear website.

In the last three years, there have been no worker complaints related to ‘freedom of association’.

### 6.4 NO DISCRIMINATION IN EMPLOYMENT

*“In recruitment, wage policy, admittance to training programs, employee promotion policy, policies of employment termination, retirement, and any other aspect of the employment relationship shall be based on the principle of equal opportunities, regardless of race, colour, sex, religion, political affiliation, union membership, nationality, social origin, deficiencies, or handicaps”. (ILO Conventions 100 and 111)*



#### Legal Framework

Internationally, Tunisia has ratified C111 on discrimination (employment and occupation) back in 1965 as well as several others protecting against discrimination. Tunisia’s trademark constitution sets strong foundations for combatting discrimination. The new Tunisian constitution forbids discrimination between citizens mentioning that all citizens are equal before the law (Art.21).

#### Gender-based discrimination

Tunisia is considered a champion of women’s rights in the Arab World, namely through the promulgation of the Code of Personal Status back in 1956<sup>86</sup>. However, in practice and like many other countries, women are still facing systemic barriers when it comes to accessing the labour market and benefitting from their economic rights on an equal basis. Despite women’s high achievement in education, unemployment rates

<sup>86</sup> Mari Norbakk, The Women’s Rights Champion. Tunisia’s Potential for Furthering Women’s Rights, Bergen: Chr. Michelsen Institute, 2016, p.5, <https://www.cmi.no/publications/5973-the-womens-rights-champion>

among them are nearly twice as high as those among men<sup>87</sup>. Furthermore, female workers are more likely to be found in the informal economy and may be subject to weak or vulnerable employment contracts<sup>88</sup>.

When Tunisian women are in the labour market, they are concentrated in specific sectors and often occupy positions at the bottom of supply chains. The garment industry is the example of an industry in which the workforce is predominantly female. According to a study led by Tunisian Forum for Economic and Social Rights (FTDES) in 2016, 86% of the industry's workforce in the garment industry are female workers<sup>89</sup>.

An amendment to the Labour Code (Art.5) prohibits gender-based discrimination in employment. In 2017, a holistic law against violence against women was enacted. The law defines violence in a more comprehensive way, that is, including not only physical violence but also economic, sexual, political, and psychological forms of it. The law also sets in place new protection mechanisms. Finally, discrimination at work against women is penalised. In this case, the employer must pay a fine of 2000 TND (Art.19 and Art.21 of the Labour Code and Law No.2017-58).

As for work/family reconciliation modalities, the Labour Code (Art.64) and Garment Textile CBA (Art.29 new) grant a paid, 30-day maternity leave to female employees giving birth. This falls short of the ILO's Maternity Protection Convention terms, mandating 14 weeks and recommending 18 weeks<sup>90</sup>. There have been recent discussions regarding the improvement of this law and extending maternity protection to 14 weeks, but such changes have not yet been implemented. Furthermore, the Labour Code currently grants one paid day as paternity leave to fathers. While abusive dismissal is defined and prevented in the Labour Code, no text explicitly prohibits dismissal during pregnancy and following birth. A consequence of this is that women have low incentives to continue working as they give birth and often find themselves dropping out of employment as the sole carrier of domestic work.

## Other forms of discrimination

The constitution prohibits any forms of discrimination against people with disabilities (Art.48). Law 2005-83 on the protection of people with disabilities mandates the private sector companies employing less than 100 people to employ at least 1% of people with disabilities. In 2018, the country adopted a historic organic law relating to the elimination of all forms of racial discrimination in Tunisia<sup>91</sup>; thereby enriching equality between all citizens in rights and duties and advocating equal rights without distinction of skin colour, gen-

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<sup>87</sup> Valentine M. Moghadam, "Gender Inequality and Economic Inclusion in Tunisia: Key Policy Issues," Rice University's Baker Institute for Public Policy, March 9, 2018, p. 2,

<https://www.bakerinstitute.org/media/files/files/f4fb8e9f/bi-brief-090318-cme-carnegie-moghadam.pdf>

<sup>88</sup> See Moussawat, *Inégalités et discrimination à l'encontre des femmes et des filles dans la législation tunisienne*, (March 2016), (the chapter on socioeconomic rights, pp. 37-47).

<http://www.moussawat.tn/wp-content/uploads/2020/05/Rapport-sur-l%E2%80%99in%C3%A9galit%C3%A9-et-discrimination-%C3%A0-l%E2%80%99encontre-des-femmes-et-des-filles-dans-la-l%C3%A9gislation-tunisienne.pdf>

<sup>89</sup> Mounir Hassine, *Violations des droits économiques et sociaux des femmes travailleuses dans le secteur du Textile (Etude de cas : la région de Monastir)*, FTDES, 2016, p. 20, <https://ftdes.net/rapports/textile.fr.pdf>

<sup>90</sup> ILO, "Maternity, Paternity at Work: Baby Steps Towards Achieving Big Results," p. 1,

[https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms\\_410183.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms_410183.pdf)

<sup>91</sup> Le Centre pour la gouvernance du secteur de la sécurité, "Projet de loi organique n° 2018/11, relatif à l'élimination de toutes les formes de discrimination raciale," <https://legislation-securite.tn/fr/node/56778>

der or religion, as black Tunisians constitute 15% of the national population<sup>92</sup>. Finally, it is important to note that while Labour law protects migrant workers, few of them work in the formal sector and a majority of them come from Sub-Saharan African countries and subject to discrimination based on the skin colour and their legal, social and economic status. On 21 September 2020, an aggression of an Ivorian migrant worker by his boss stirred the public opinion and raised eyebrows about the depth of the problem in a country that is becoming a new destination for migrant workers. The public prosecutor accused the employer according to the organic Law No.2018-50 of 23 October 2018 that condemns and punishes all forms of racial discrimination<sup>93</sup>.

## Stakeholders' opinion and analysis on implementation

According to some stakeholders, there are no signs of discrimination based on gender or race. The employer recruits or promotes employees solely based on qualifications, skills, and productivity and not on gender or race, according to the General Direction of Labour Inspection and Conciliation (GDLIC). Nevertheless, there are some jobs that are more convenient for men than women. In the garment industry, for example, cutters are predominantly men and sewers predominantly women. Women often do not choose to be cutters due to the physical effort needed for such a job.

Even though economic discrimination is banned by labour regulation and, recently, Law No.2017-58, gender-based wage inequality is present in several sectors of the economy. Agriculture is one of the most impacted sectors since a rural woman is paid 12 TND a day which corresponds to less than half the rural man's wage of up to 30 TND, according to ATFD. This gender-based inequality in wages is less present in the garment industry.

Union membership, in some cases, may be jeopardised through dismissals of union participant or an unequal employee promotion policy though labour law protects freedom of association and especially unionisation (Art.165, 166 and 167, Labour Code, modified by Law No.94-29, February 21, 1994, and Law No.2007-19, 2 April 2007). This is largely explained by the negative attitude of employers towards labour unions. Union members may face discrimination when the employer lacks confidence in the union work. These trust issues are especially visible in conflict situations. When workers go very often on strike to express their dissatisfaction, employers increasingly resort to lockout when there is a social conflict, according to FTTH. This is mainly due to lack of communication and social dialogue. It was the case for two garment companies in the region of Tunis where employers responded to workers' protests through closure. When they reopened, they imposed their conditions on workers. The latter accepted to compensate for closure days while not really getting their requests fulfilled. Moreover, in several cases company union members were pushed to resign or were fired, according to FTDES.

According to consulted NGOs, workers in garment should be better informed and trained on their economic and social rights in order to enhance their capacities to properly negotiate with their employer and to prevent them from losing their jobs out of legal ignorance. Since management, workers' advisory boards and company trade unions (if they do exist) fail to provide information on labour regulation and to ensure a proper application of labour law, several NGOs intervene to fill this void.

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<sup>92</sup> Minority Rights Group International, World Directory of Minorities and Indigenous Peoples, "Black Tunisians," <https://minorityrights.org/minorities/black-tunisians/>

<sup>93</sup> See footnote n° 26 for the full publication details about the article. <https://www.realites.com.tn/2020/09/agression-raciste-a-sousse-lagresseur-devant-la-justice/>

After listening to women workers in several factories in the region of Sfax, ATFD organised sensitisation workshops in order to introduce them to basic economic and social rights, adopting an interactive and participative method. The association also offered training on job searching and on joining trade unions. Moreover, through its observatory for equality of chances and citizenship of women in Tunisia, the ATFD collects information on violations that could occur against women at the economic or social level. Listening and guidance centres of ATFD are also playing a tremendous role in supporting women who are victims of violence. Currently, the centre offers solidarity listening, legal guidance and psychological support for victims in case of trauma, according to a consulted ATFD representative.

The FTDES is also conducting field studies to identify labour-related violations in the garment industry in the region of Monastir, considered as one of the most important regions of the textile/garment industry in Tunisia. It supports women workers and former textile/garment workers through education and advocacy campaigns. In addition, very often does the FTDES provide legal support before the court to workers who are victims of social or economic violations. Recently, FTDES, in collaboration with ASF<sup>94</sup> and I Watch, deeply convinced by the relevance of social and solidarity economy to the improvement of socio-economic conditions of victims of economic violations, created a cooperative in the region of Monastir to support 50 fired women from the garment industry who were denied all their rights (severance pay, health protection, etc.) and were not able to reintegrate the labour market. The European Union funded the project. The cooperative began its operations in December 2020.

## Fair Wear main audit findings over the last two years

Nineteen percent of the audit reports conducted in the past two years showed a finding that factories had no written policies and procedures regarding discrimination. Only one audit reported that gender was an influencing factor in hiring, compensation, access to training etc. Most of the recent Fair Wear audit reports did not find any significant problems related to worker discrimination. Two audits reported a finding that the factory had no formal performance review system of its workers, and contractual workers felt discriminated against, in favour of permanent workers because they did not receive the extra bonus.

## Worker complaints, related to ‘No discrimination in employment’

Fair Wear’s complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All the complaints are published on the Fair Wear website.

In the past three years, no complaint was received, related to this standard.

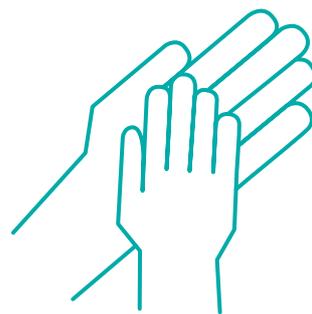
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<sup>94</sup> Avocats Sans Frontières (Lawyers Without Borders).

## 6.5 NO EXPLOITATION OF CHILD LABOUR

*“There shall be no use of child labour. The age for admission to employment shall not be less than the age of completion of compulsory schooling and, in any case, not less than 15 years.” (ILO Convention 138)*

*“There shall be no forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour. [...] Children [under the age of 18] shall not perform work which, by its nature or the circumstances in which it is carried out, is likely to harm their health, safety or morals”. (ILO Convention 182)*



### Legal Framework

Tunisia ratified international conventions to protect children from forced labour and work outside of the legal framework including C138 that stipulates 16 as the minimum labour age, C182 related to the worst forms of child labour<sup>95</sup>, UN CRC, UN CRC Optional Protocol on Armed Conflict, UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography<sup>96</sup>, and Palermo Protocol on Trafficking in Persons<sup>97</sup>. In 2019, Tunisia became the 45th state to accede to the Council of Europe’s Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, Lanzarote Convention, with the Convention entering into force starting 1 February 2020<sup>98</sup>.

At the national level, Tunisian laws and regulations conform to the international norms as they acknowledge children’s rights as follows:

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<sup>95</sup> ILO’s NORMTEX Platform, “Conventions,” <https://www.ilo.org/dyn/normlex/en/f?p=1000:12000:::NO:::>

<sup>96</sup> Office of the United Nations High Commissioner for Human Rights, The Core International Human Rights Treaties, New York and Geneva: United Nations Publications, 2006, p. 123, <https://www.ohchr.org/Documents/Publications/CoreTreatiesen.pdf>

<sup>97</sup> “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime,” New York, November 15, 2000, [https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-38%20AM/Ch\\_XVIII\\_12\\_ap.pdf](https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-38%20AM/Ch_XVIII_12_ap.pdf)

<sup>98</sup> Council of Europe, “Tunisia Joins Convention to Protect Children against Sexual Violence,” Published October 15, 2019, <https://www.coe.int/en/web/portal/-/tunisia-joins-council-of-europe-convention-to-protect-children-against-sexual-violence>

**Table 6: Tunisian laws and regulations**

Law	Reference	Subject
Constitution	Article 39	Compulsory School until the age of 16
Constitution	Article 40	The right to work in acceptable conditions
Constitution	Article 47	Responsibility of protecting the child between the parents and the state.
Labour Code	Article 53-57	Minimum working age of 16 and exceptions
Labour Code	Article 58	Minimum working age 18 for hazardous activities
Children Protection Code	-	Children's rights and its guaranties
Organic Law	61-2016 <sup>99</sup> Articles 2, 3, 5, 8, 23	Combatting Human Trafficking, child trafficking specific
Organic Law	58-2017	Violence Against Women
Penal Code	Articles 105, 171, 224, 250	Prohibition of Forced labour
Decree by the Minister of Social Affairs	Order 1 April 2020	Hazardous occupations banned for children

The minimum working age in Tunisia is set at 16 years. For the two years between 16 to 18, the Tunisian Labour Code defines the rules and regulations under which a child should be working. While Tunisia's legislation forbids employment under the age 16, exemptions are granted for the cases of apprenticeships. For juvenile apprenticeships, the labour law mandates that workers still attend school, and it forbids overtime. For the manufacturing industry including the garment industry, a pertinent area of risk is the regulation of employment of juvenile workers and apprentices, as employers may not distinguish between juvenile, apprentice, and regular workers.

Fundamental Law No.58-2017 regarding violence against women prohibits the employment of underage children as home aids as doing so would affect the physical and psychological development of the child. According to an investigation led by the "Les quatre vérités" Tunisian TV programme, this illegal practice is still commonplace<sup>100</sup>.

<sup>99</sup> Republic of Tunisia, The Official Gazette of the Republic of Tunisia, N° 66, August 12, 2016, p. 2524, <http://www.legislation.tn/sites/default/files/news/tf2016611.pdf>

<sup>100</sup> Les quatre vérités, "سوق ... للبنات" ("A Marketplace ... for Young Girls"), Facebook, Published January 25, 2020. <https://www.facebook.com/136089263689342/videos/826066087865500>

Fundamental Law No.61-2016 about combatting human trafficking also tackles the issue of child labour as it defines children in the second article as vulnerable individuals and classifies the sexual and economic exploitation of children in work as slavery. The law also exempts any traffickers from any reduction in penalties if the victim of trafficking is a child.

Furthermore, the country has rolled out a national action plan against child labour, especially following rising numbers of child labour where The Bureau of International Labour Affairs has registered some 250,000 child labour cases.

## Definition, numbers, and Violations

Child labour refers to work done by children outside the norms set by the Labour Code, in different forms and conditions that are illegal because they deprive children of their childhood, their potential and their dignity and threaten their physical and psychological development.

Official numbers published by the National Institute for Statistics showcased that in 2018, children between the ages of 5 and 18 accounted for 20.9% (2.425 million) of the population. In 2015, 21.2% of children lived below the national poverty line and in 2017, 93.7% of children aged between 6 and 17 were attending school. UNICEF data showed that for the year 2017 as well, 9.5% (215,700) were working.

In 2017, 5.4% of children aged between 5 to 12 were classified as economically occupied (3.2% of them in hazardous occupations), 12.8% of children aged 13 to 15 years old were economically occupied (7.9% of them in hazardous occupations) and 20.7% of the children aged 16 to 17 were economically active, all in hazardous occupations<sup>101</sup>. Hazardous occupation includes dangerous activity, health-detrimental environments, night work, long working hours, and work involving heavy machinery. School attendance rates drop as children grow older; 97.9% of children aged 6 to 12 attend school while only 80.8% of those aged 16 to 17 do<sup>102</sup>. UNICEF reported in 2016 that over 100,000 children drop out of school before the age of 16 (The legal age of compulsory education)<sup>103</sup>.

According to the National Institute of Statistics (INS), 46.9% of children drop out of school because they have no interest in studies, 22.6% for economic reasons because their families can no longer support their financial expenses and 12% drop out for repeated class failure.

Manufacturing industries account for the third biggest number of working children, with 10.9% of the child labour force. They come after commerce (20.2%) and Agriculture and Fishing (48.8%). In the Centre East region of the country where the majority of the garment factories are located, the percentage of manufacturing industries employing children rises to 30.4%. Further investigation is required to identify if the garment industry is employing children outside the legal framework<sup>104</sup>.

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<sup>101</sup> INS, Enquête nationale sur le travail des enfants, Tunis : INS, December 2017, p. 18, <http://www.ins.tn/sites/default/files/publication/pdf/Travail%20de%20l%27enfant-v2-6-web.pdf>

<sup>102</sup> Ibid.

<sup>103</sup> UNICEF, "UNICEF Annual Report 2016 - Tunisia," p. 3, [https://www.unicef.org/about/annualreport/files/Tunisia\\_2016\\_COAR.pdf](https://www.unicef.org/about/annualreport/files/Tunisia_2016_COAR.pdf)

<sup>104</sup> INS, Enquête nationale sur le travail des enfants, p. 28.

In 2019, allegations of sexual abuse and exploitation of children at a Koranic association in the city of Regueb that is situated in the governorate of Sidi Bouzid shook the Tunisian public opinion<sup>105</sup>. Government entities investigated allegations of child trafficking—including forced labour—at the Koranic association in question, subsequently shutting down 11 other unauthorized Koranic schools in 6 different governorates. In the same year, the Ministry of Interior reported it initiated a total of 199 judicial investigations of suspected trafficking crimes, including forced prostitution, forced labour, forced begging, and forced criminality on children<sup>106</sup>.

## Intervening bodies

Several institutions are working at the national and local level to fight against child labour. Among these institutions, there is The Leadership Committee to Combat Child Labour (PAN-TN) which is supported by the US Department of Labour and the International Labour Bureau. It provides technical support to the Tunisian government to establish strategic action plans to combat child labour<sup>107</sup>. There is also the National Authority on Trafficking in Persons whose main mission is to train government and law enforcement officials on issues related to Human Trafficking in Persons.

The nature of problems faced by children allows many ministries to intervene with different capacities such as the Ministry of Education, Ministry of Health, Ministry of Social Affairs, Ministry of Women, Family and Children and even the Presidency of the Republic<sup>108</sup>. The Ministry of Social Affairs, for example, is in charge of conducting labour inspections, employing social workers and medical inspectors to assist in issues related to child labour while the Ministry of Women, Family and Childhood's role is more focused on gathering data and conducting investigations on child welfare cases and acting as judicial police in case of imminent danger through the delegates of protection of children.

At the presidential level, President Kais Saied intervened in the repatriation of six children from Libya who were taken against their own will to join terrorist camps<sup>109</sup>.

Children in Tunisia engage in the worst forms of child labour, including forced labour in domestic work and begging, each sometimes as a result of human trafficking<sup>110</sup>. Among the gaps regarding child labour regulation in Tunisia is the fact that the law's minimum age protections cannot be enforced with respect to children who are engaged in work in the informal sector on inhabited premises, such as private homes, without

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<sup>105</sup> CGTN, "Tunisia Probe: Koranic School Closed over Sexual Abuse, Radicalization Claims," Published February 15, 2019, Last Modified Feb. 19, 2019, [https://news.cgtn.com/news/33596a4e31494464776c6d636a4e6e62684a4856/share\\_p.html](https://news.cgtn.com/news/33596a4e31494464776c6d636a4e6e62684a4856/share_p.html)

<sup>106</sup> The US Department of State, "2019 Trafficking in Persons Report – Tunisia," eci.net, Published June 20, 2019, <https://www.eci.net/en/document/2010923.html>

<sup>107</sup> ILO, "Ensemble contre le travail des enfants (PROTECTE)," [https://www.ilo.org/africa/countries-covered/tunisia/WCMS\\_674336/lang-en/index.htm](https://www.ilo.org/africa/countries-covered/tunisia/WCMS_674336/lang-en/index.htm)

<sup>108</sup> ILO, "دليل النصوص القانونية والترتيبية المتعلقة بعمل الأطفال في تونس" (A Guide for Legal and Organisational Texts Relative to Child Labour in Tunisia), Tunis : ILO, First Edition, 2019, p. 33, <http://www.social.gov.tn/fileadmin/user1/doc/CI2012/protection2020.pdf>

<sup>109</sup> Human Rights Watch, "Tunisia: Six Orphans Brought Home from Libya," Published February 6, 2020, <https://www.hrw.org/news/2020/02/06/tunisia-six-orphans-brought-home-libya>

<sup>110</sup> Bureau of International Labor Affairs, "2019 Findings on the Worst Forms of Child Labor: Tunisia," p. 1, [https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2019/Tunisia.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Tunisia.pdf)

permission of the property owner or a court order to access the property. Children also perform dangerous tasks in scavenging for garbage and in street work. In November 2020, a young girl fell into sewage while she was collecting plastic bottles to sell them afterwards<sup>111</sup>.

## Stakeholders' opinion and analysis on implementation

According to all consulted stakeholders, child labour is not a relevant issue in garment companies. Tunisian labour law protects its juvenile workers of 16 years and older. In addition, workers between the ages of 16 and 18 are protected against work that could potentially harm a child's health, safety, or morals. Most garment companies do hire workers older than 16 and also comply with labour regulation. According to GDLIC, if a hired worker is between 16 and 18, he or she is considered a juvenile worker and is paid no more than 85% of the wage of a regular worker. A young worker could be also hired as an apprentice on a two-year apprenticeship contract. Law No.2008-10 (11 February 2008)<sup>112</sup> in its 15th article grants juvenile workers the right to subscribe to apprenticeship programs from the age of 15 to the age of 20. It is possible for a juvenile worker to obtain an authorisation from the Ministry of Vocational Training if he/she exceeds the maximum age to be an apprentice<sup>113</sup>. Employers must keep a record for workers younger than 18, indicating information such as date of birth, nature of the job, etc<sup>114</sup>.

According to NGO's, apprentices do work overtime hours and are granted one day and a half for their annual leave (instead of two days per month). Actually, management does not often distinguish between apprentices and the other workers when they are planning overtime work and annual leave. According to one NGO interviewed, cases of juvenile workers working in dangerous conditions were found in the handicraft industry. In general, Tunisian garment companies do pay apprentices as per law<sup>115</sup> i.e. 30% of the legal minimum wage for the first semester of work, 40% the second semester, 50% the third semester and 60% the last semester.

Otherwise, there is a lack of apprentices in the garment industry, according to FTDES and FTTH. This phenomenon is mainly due to the poor attractiveness of the sector compared to other sectors offering better working conditions, as well as the Tunisian education system that is not sufficiently encouraging and supporting professional training. Although in garment companies in the formal sector child labour is not really an issue, in the informal sector micro and small companies hire juvenile workers ignoring child labour regulation.

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<sup>111</sup> La Presse, "Une petite fille de 10 ans finit dans une bouche d'égout à Bhar Lazreg : l'appauvrissement ou la politique des deux poids, deux mesures," Published October 6, 2020, <https://lapresse.tn/75156/une-petite-fille-de-10-ans-finit-dans-une-bouche-de-gout-a-bhar-lazrag-lappauvrissement-ou-la-politique-des-deux-poids-deux-mesures/>

<sup>112</sup> Republic of Tunisia, Official Gazette of the Republic of Tunisia, N° 14, February 15, 2008, p. 683, <http://www.legislation.tn/sites/default/files/journal-officiel/2008/2008F/Jo0142008.pdf>

<sup>113</sup> Ibid., Art.22.

<sup>114</sup> Art. 59, Labour Code, modified by Law 96-62.

<sup>115</sup> Decree 94-600, July 18, 1994 fixing the minimum apprenticeship indemnity.

## Fair Wear main audit findings over the last two years

Fair Wear audits have not reported any issues or findings related to underage (child) workers working at Tunisian garment factories. There have, however, been findings related to apprentices who are not properly protected. These work overtime hours or are engaged in dangerous work as a result of a factory not having a written and implemented policy regarding juvenile workers and apprentices. Frequently, when the activity needs extra working hours, apprentices do stay to finish tasks like any worker in the factory. In addition, apprentices do have the same number of days off per month as any worker, i.e., one day and a half instead of two days per month.

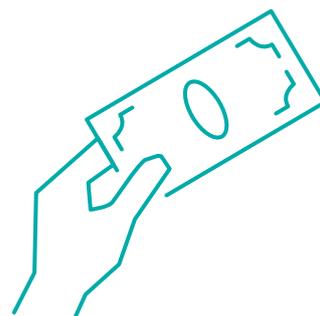
## Worker complaints, related to ‘No exploitation of child labour’

Fair Wear’s complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All the complaints are published on the Fair Wear website.

In the past three years, no complaint was received, related to this standard.

### 6.6 Payment of living wage

*“Wages and benefits paid for a standard working week shall meet at least legal or industry minimum standards and always be sufficient to meet basic needs of workers and their families and to provide some discretionary income” (ILO Conventions 26 and 131, the Universal Declaration of Human Rights, art 23(3) and art 25(1))”.*



*“Deductions from wages for disciplinary measures shall not be permitted nor shall any deductions from wages not provided for by national law be permitted. Deductions shall never constitute an amount that will lead the employee to receive less than the minimum wage. Employees shall be adequately and clearly informed about the specifications of their wages including wage rates and pay period”.*

### Legal framework

According to the new Tunisian constitution, every citizen has the right to work in decent conditions and with a fair wage (Art.40)<sup>116</sup>.

<sup>116</sup> Constitute Project, Tunisia’s Constitution of 2014 (English Translation of the Constitution), Published February 19, 2021, p. 9, [https://www.constituteproject.org/constitution/Tunisia\\_2014.pdf](https://www.constituteproject.org/constitution/Tunisia_2014.pdf)

## Definitions and challenges

Minimum wage refers to the least amount of money an employer can pay their unskilled worker while the living wage refers to the amount of money a worker should get paid in order to guarantee decent living conditions and cover their needs in food, water, housing, education, health care, transportation, clothing, and other essential needs including provisions for unexpected events<sup>117</sup>.

Minimum wage in Tunisia is specified by a governmental decree. It distinguishes between Agricultural minimum wage (SMAG) and non-Agricultural minimum wage (SMIG).

As published by the official journal on 5 January 2021, the legal minimum wage set for a 48-hour working week for a single worker is 467,504 TND gross and 420,341 TND net.

The last year update of the minimum wage, Law No.2020-1069 of 30 December 2020, fixed the minimum wage for non-agricultural sectors at 429,312 TND and at 365,732 TND per month or 2,064 millimes and 2,110 millimes per hour, respectively, for 48 hour and 40 hour per week working regime<sup>118</sup>. Workers under the age of 18 years old cannot get paid less than 85% of the salary an adult would get in the same position. In agricultural sectors, Workers get paid the minimum wage and benefit from a bonus of 36,112 TND for transportation and a 2,080 TND for presence per month according to decree No. 2015-1764 of 9 November 2015.

The National Committee of Social Dialogue, presided over by the Minister of Social Affairs, is responsible for presenting recommendations about the minimum wage. The minimum wage can also be determined on the sectorial level through a Collective Bargaining Agreement (CBA).

In the garment industry, in particular the Sectorial Agreement, gives employees transportation allowances starting at 56,602 TND per month and a presence bonus starting at 6,534 TND per month<sup>119</sup>.

In Tunisia, there are two major practical issues in relation to living wages; first, the minimum wage does not rise to the levels of a living wage. The employees receiving a minimum wage guaranteed by the state in the formal economy are unable to afford their basic daily needs. Targa Consulting published in 2018 the expenses of Tunisians averaging on the national level to 322 TND per capita per month with most of the expenses going to lodging and food. There are various methods for calculating the living wage, but in general it is equal to the cost of basic but decent living for a family divided by the number of workers per family<sup>120</sup>. If we suppose that an average household will have four members and we suppose that both parents are working, then 403 TND (minimum wage) times two active workers divided by four members of the family leave us at 201 TND per member per month which is way below the average expenses calculated by Targa Consulting of 322 TND. Tunisia, however, has great disparities in expenses between regions. In Tunis, for example, the cost figure rises to 484 TND per capita per month and goes as low as 189 per capita per month in Kairouan.

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<sup>117</sup> Global Living Wage Coalition, "What Is a Living Wage?," <https://www.globallivingwage.org/about/what-is-a-living-wage/>

<sup>118</sup> Republic of Tunisia, Official Gazette of the Republic of Tunisia, N° 1, January 5, 2021, p. 28, accessed March 13, 2021, [http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX\\_9784-2-dhzBSNroST/AfficheJORT/SYNC\\_-782899233](http://www.iort.gov.tn/WD120AWP/WD120Awp.exe/CTX_9784-2-dhzBSNroST/AfficheJORT/SYNC_-782899233)

<sup>119</sup> Paie Tunisie, "Conventions collectives sectorielles," <https://paie-tunisie.com/387/fr/18/reglementations/textile.aspx>

<sup>120</sup> Jo Maimaris, "How to Measure Living Wage: 10 Things You Should Know," [isealliance.org](https://www.isealliance.org/sustainability-news/how-measure-living-wage-10-things-you-should-know), Published February 28, 2018, <https://www.isealliance.org/sustainability-news/how-measure-living-wage-10-things-you-should-know>

This disparity is mainly due to the strong variation in the expenses of lodging and food. The minimum wage, however, applies nationwide and does not account for locality. Moreover, price inflation weakens people's purchasing power. The rule essentially says that if an employee's wage remains unchanged, but the cost of goods increases, then the employee can afford less goods. Therefore, inflation affects living wages as it reduces the ability of people to pay for their needs for a decent life. Even though the Tunisian government increased the minimum wage in an attempt to cover for inflation, it is still not growing fast enough as the Tunisian economy is going through a rough decade.

The second issue is the widespread parallel economy in the country. The lack of employment opportunities, especially in the interior regions of the country, opens the doors for the informal sector as an economic alternative with 15% of the Tunisian population living under the national poverty lines. According to a 2019 study by the National Institute of Statistics (INS), 44.8% of the economy in Tunisia is informal and according to The Global Fairness Initiative, 75% of the employees in the informal sector earn less than 200 TND per month. The aforementioned salary is below the minimum wage required by law. Consequently, at the larger scale, social and economic demands are continuously being brought into the public sphere as 75% of the protests in October alone were driven by socioeconomic motives according to the Tunisian Forum for Economic and Social Rights (FTDES)<sup>121</sup>.

Within the garment industry, Tunisia represents an ideal destination for many international manufacturing companies, for labour is seen as comparatively cheap and proficient. Wage increase is frequently opposed by the Textile Federation (FTTH), arguing that it would affect the sustainability of the textile sector. The UGTT negotiated with UTICA a salary increase of 12% to keep up with inflation but the Textile Federation refused and only agreed on a 6.5% rise<sup>122</sup>.

Regarding informal work in the textile industry, workers in the garment industry only constitute 2.65% of the informal sector workers<sup>123</sup>. Most of the employing companies are solely exporting companies and they are under the supervision of multiple bodies. Even though the informal sector is a major issue in the country, the garment industry does not seem to be too affected by it.

## Stakeholders' opinion and analysis on implementation

Negotiated wages through industry collective bargaining are often higher, making the Legal minimum wage (LMW) figure a point of reference. The latest LMW in Tunisia is set at 429.312 TND (Decree 2020-1069 of 30 December 2020) with an additional transportation indemnity fixed at 36.112 TND (Decree 2015-1764, 9 November 2015). According to latest negotiated wage increases in the garment industry, the minimum wage that could be paid during 2020 is set at 488.384 TND per month and at 2.348 TND per hour with an addition-

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<sup>121</sup> FTDES, "Rapport du mois d'Octobre 2020 : des mouvements sociaux, suicides, violences et migrations," N° 85, October 2020, p. 4, <https://ftdes.net/rapports/fr/octobre2020.pdf>

<sup>122</sup> Mathieu Galtier, "Tunisie: hausse des salaires de 6,5% dans le textile dès 2019," Jeune Afrique, Published October 22, 2018, Accessed March 13, 2021, <https://www.jeuneafrique.com/emploi-formation/650996/tunisie-hausse-des-salaires-de-65-dans-le-textile-des-2019/>

<sup>123</sup> INS, "مؤشرات حول العمل غير المنظم لسنة 2019" ("Indicators on Informal Labour for 2019"), Press Release, September 2020, p. 4, <http://www.ins.tn/sites/default/files/publication/pdf/Note%20emploi%20informel%202019.pdf>

al transportation indemnity of 56.534 TND for hourly paid workers<sup>124</sup>. Beyond the transportation indemnity, workers in the garment industry benefit from other monthly bonuses such as the attendance bonus (6.534 TND), basket bonus (0.250 TND per day) and assiduity enhancement bonus (11.577 TND). Furthermore, a monthly productivity bonus can be granted to workers. This aforementioned bonus is determined by a technical committee (Art.44, garment CBA). Finally, workers are granted a production and an end-of-year bonus that can reach a maximum of a monthly wage (Art.46, garment CBA).

As for the more common category of workers in garment industry (sewing), hourly wage varies<sup>125</sup>, in 2020, from 2.902 TND (€0.88) to 3.074 TND (€0.94). Regarding the highest category of highly qualified workers in the garment industry, hourly wage varies from 3,417 TND (€1.04) to 3,672 TND (€1.12)<sup>126</sup>.

Although wages have been increased several times these last years at a rate of 6% and the tax scale had been changed granting a tax benefit to low-income workers (having an annual income less than 5000 TND)<sup>127</sup>, wage levels remain too low to match workers' basic needs, according to several consulted stakeholders. A study on wages from 2010 to 2017 conducted by ITCEQ showed that the monthly average wage for workers in manufacturing industries reached 1,063 TND in 2016<sup>128</sup>, which represented almost twice the average wage in the garment industry back then.

The purchasing power of Tunisian citizens had been eroded by 88% during the period 2010-2018 mainly due to national currency depreciation and price increases<sup>129</sup>.

In Tunisia, there is no official figure for a living wage; nonetheless, several estimations do exist.

According to a study currently being conducted by FTDES on decent wage, the living wage was estimated at 738 TND in 2016 while the latest estimate was set at 843 TND. The wage increase of 6% was not enough due to the Tunisian dinar depreciation since 2015. What workers were paid in 2015 would grant them more purchasing power than current increased wages.

For a family of two children, a wage estimate was set to 750 TND in 2017, according to UGTT<sup>130</sup>. In December 2017, during a UGTT meeting held in Bizert, the general secretary claimed that the legal minimum wage had to move to 866 TND (about €268.4)<sup>131</sup>.

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<sup>124</sup> Paie Tunisie, "Conventions collectives et sectorielles - Bonnetrie et confection," <https://paietunisie.com/387/fr/25/publications/bonnetrie-et-confection.aspx>.

<sup>125</sup> Wage variation depends on seniority.

<sup>126</sup> Decree of Ministry of Social Affairs of January 21, 2019 related to retrofit extension N°16 updating wage grid in garment industry, <https://paie-tunisie.com/387/fr/25/publications/bonnetrie-et-confection.aspx>.

<sup>127</sup> The first tax rate is fixed at 1%, the next one to 27%.

<sup>128</sup> ITCEQ, "La rémunération des salariés (2010-2017), Document de travail : Notes et analyses," June 2017, N° 60-2017, <http://www.itceq.tn/files/politiques-sociales/remuneration-des-salaries.pdf>

<sup>129</sup> "Le Tunisien a perdu 88% de son pouvoir d'achat, selon un professeur en économie", Webdo, February 4, 2019, [https://www.webdo.tn/2019/02/04/le-tunisien-a-perdu-88-de-son-pouvoir-dachat-depuis-la-revolution-selon-un-professeur-en-economie/#:YAOx\\_617SL8](https://www.webdo.tn/2019/02/04/le-tunisien-a-perdu-88-de-son-pouvoir-dachat-depuis-la-revolution-selon-un-professeur-en-economie/#:YAOx_617SL8).

<sup>130</sup> According to the president of Textile, Clothing, Leather and Shoes Federation representing workers interviewed in 2017.

<sup>131</sup> "Taboubi prône un salaire minimum de 866 dinars pour pouvoir vivre en Tunisie" published December 21, 2017, <https://news.gnet.tn/archives/actualites-nationales/taboubi-prone-un-salaire-minimum-de-866-dinars-pour-pouvoir-vivre-en-tunisie/id-menu-958.html>

According to FTDES, the average monthly wage in the garment industry is about 550 TND. Nevertheless, workers do encounter several issues as far as wages are concerned. According to a study conducted by FTDES in the region of Monastir<sup>132</sup>, 90% of the interviewed workers stated that their wages were not sufficient to cover all their living needs. They said that they had to keep their jobs to avoid unemployment. In addition, it was found out that only 10% of workers did receive a wage corresponding to effective working hours. This is due to the fact that working hours were decreased when a worker was not achieving his/her task on time. According to ATFD, workers on fixed-term contracts during a long period in the same company were not benefiting from their seniority in wage increase as per the law. Moreover, very often workers were granted only half an hour for lunch break and rarely were workers properly paid for overtime work.

Furthermore, employers encountering financial problems did not pay or postpone the payment of their contribution to social security organism. In order to help textile/garment companies face their critical financial situations, the government took a number of exceptional measures. According to the Minister of Industry, because of the crucial role the garment sector plays in promoting exportation and encouraging social and economic equilibrium, it was decided to reschedule firms' debts with social security organisms and tax administration for a period of six years<sup>133</sup>.

Even though employers are aware that they must pay consistently higher wages than what is provided by law, they face several constraints preventing them from paying living wages as estimated by social partners, according to consulted NGOs. First, the minute cost is set at the international level. Obviously, a worker within the garment industry is the same all around the world, in Bangladesh, Turkey or Tunisia as they are confronted to the same standard of production. Second, several Tunisian companies are not offering acceptable working conditions allowing workers to reach the targeted number of tasks per minute. Finally, employers have very low bargaining power towards their customers. For the FTDES, relationship between Tunisian suppliers and foreign brands is not equal as the subcontractors' margin is too low compared to the selling price. Obviously, in a labour-intensive industry such as textile/garment, if labour cost is increasing every year while sewing piece prices are rarely increasing, this will prevent employers from having enough profits to pay a living wage.

What is recommended is that brands commit to pay a fair price (i.e., above-market) which means raising the per-minute cost to enable suppliers at the production step of the supply chain to pay fair wages to their workers, according to the FTDES.

According to FTTH, only big garment companies and those in good financial situations are giving additional benefits to their workers (compared to what is stated in CBA). For example, Van Laack and Sartex, located in Bizerte, are among the most socially engaged companies in the garment industry. They do offer social assistance, pay a special aid for the back-to-school season, and allocate prizes for workers' children that succeed in their studies and bear childbirth costs.

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<sup>132</sup> "Violations des droits économiques et sociaux des femmes travailleuses dans le secteur du textile. Modèle : la région de Monastir," Accessed December 2020, FTDES, <https://ftdes.net/rapports/textile.fr.pdf>

<sup>133</sup> "Le secteur textile-habillement tunisien nécessite de mesures exceptionnelles", webmanagercenter, Published December 20, 2017, <https://www.webmanagercenter.com/2017/12/20/414023/le-secteur-textile-habillement-tunisien-necessite-de-mesures-exceptionnelles/>

As for the total lock-down period due to the COVID-19 pandemic, it negatively affected incomes of workers in the garment industry. In spite of state support for wage payment, some employers ended up paying an amount below the level of wages provided in garment CBA.

Nearly ten thousand jobs were lost and between 400 and 500 companies were closed due to the outbreak of COVID-19, according to preliminary estimates from the textile/garment industry representative. As companies within the garment industry are almost entirely depending on foreign customers, they were not able to resist more than one month. Most workers did benefit from a 200-TND governmental aid to compensate for part of the wage of April and only 10% of requests for bank credits from companies (with state guarantee) were accepted. However, most garment factory workers were asked to take their annual holidays. Few companies were able to take over more than 50% for the salary of April. Most garment companies paid advances on salaries to their workers during the total lock-down period.

Some garment workers were able to resist the COVID-19 crisis that lasted more than two months, owing to some other income, as most of them are not dependent on their salaries, according to the FTDES. Furthermore, producing individual protective equipment compensates for cancellation of orders. Several companies managed to keep their workforce occupied and export facemasks and other protective equipment to European countries, according to consulted stakeholders. In fact, according to FTTH, Tunisia is now ranked 4th largest supplier to the EU in individual protective equipment.

**Table 7: Fair Wear’s Recommendations for Living Wage Estimate in Tunisia**

Legal minimum wage	For single worker with no children (2020), net	420.341 TND
CBA wage	For single worker with no children (2020), net	497.00 TND
Cost of living estimate	Household of four people (UGTT)	850.00 TND

Table 7 notes:

- › Living wage estimates for use in calculating living wage factor for facilities in Tunisia as recommended by Fair Wear.
- › Given the limited available figures and the absence of a living wage estimate for Tunisia, UGTT’s cost of living estimate was used.
- › Fair Wear is in the procedure of investigating other sources for appropriate estimates.

## Fair Wear main audit findings over the last two years

Recent audits have found that most factories paid above the legal minimum wage (LMW) but below what stakeholders identified as a living wage. This fact has been exacerbated by the rising cost of living and the depreciation of the Tunisian Dinar. All audits conducted in the past two years reported that the prices of the members did not support the payment of living wages. In 2020, one audit even reported that the prices of the sourcing member did not support the payment of minimum wages or overtime premium.

Cases of appliance of the wrong type of the Collective Bargaining Agreement (CBA) were found such as the use of garment CBA in companies whose main activities were washing and dying. In addition, in several cases workers were not paid according to what the CBA stipulated (for example they were granted an incorrect payment category).

Another important finding that was prevalent throughout the audits was the absence of clear or transparent wage records. According to findings, 35% of the audited factories did not have a regulated or functional working hour registration system. Inconsistencies of wage records were found, mainly indicating to avoid payment of the overtime hours.

In addition to the aforementioned issues, the following non-compliance problems have occurred:

- › Entitled leaves were not paid as legally required or as per workers' seniority.
- › Allowances, bonuses, or benefits were not paid as legally required.

When it comes to on-time invoice payments by the Fair Wear members, the trend has changed, and this finding has tripled in 2020.

## Worker complaints, related to 'Payment of a living wage'

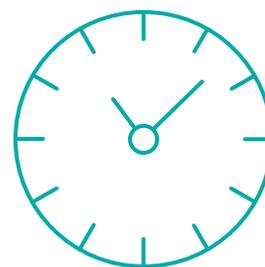
Fair Wear's complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All the complaints are published on the Fair Wear website.

In the past three years, Fair Wear has received one complaint related to payment of a living wage.

The most recent complaint was related to the lack of the governmental help payment for a total lock-down period due to COVID-19. Further complaint details can be found on [fairwear.org](https://fairwear.org).

## 7.7 REASONABLE HOURS OF WORK

*“Hours of work shall comply with applicable laws and industry standards. In any event, workers shall not on a regular basis be required to work in excess of 48 hours per week and shall be provided with at least one day off for every seven-day period. Overtime shall be voluntary, shall not exceed 12 hours per week, shall not be demanded on a regular basis and shall always be compensated at a premium rate”. (ILO Convention 1)*



### Legal framework

The Tunisian Labour Code sets the maximum number of working hours per week at 48 hours (Art.79). In case of excess, extra working hours can be executed without the daily duration exceeding ten hours and that these hours must be compensated during the year by an equivalent number of hours of rest (Art.83 modified by Law No.96-62). Regarding remuneration of extra hours, it should be done with reference to the basic hourly wage plus 75% for the 48-hour full-time work schedule (Art.90). The Labour code also regulates daily break times stating that it is illegal for employees to work more than six consecutive hours with a minimum break time of at least one hour while not exceeding a total weekly working period of 60 hours (Art.89 and Art.93)<sup>134</sup>.

### Productivity and production

Article 91 of the Labour Code states that labour inspectorates, after consultation with the concerned trade unions, can authorise the heads of establishments to work overtime in addition to hours which are already set by the regulations on working hours in order to increase production<sup>135</sup>. In a State attempt to increase productivity, several measures have been taken, among which are the amendments to the Labour Code in 1996, including the addition of a new article (Art.134-3) which opens up the possibility of fixing part of the remuneration on the basis of productivity by virtue of agreements concluded within the company between the employer and the workers' representatives, the encouragement of the employers' and workers' representatives during each round of collective bargaining to set production standards. The state's role within this process is maintained by the Ministry of Social Affairs, which acts as an arbitrator to settle disputes relating to the setting of production standards<sup>136</sup>.

<sup>134</sup> Republic of Tunisia, The Labour Code (originally Code du travail, in French), First published 1996, ILO's NATLEX Platform edition published June 13, 2011, pp. 30-34, <https://www.ilo.org/dyn/travail/docs/778/labourcodetunisia.pdf>

<sup>135</sup> Ibid., p. 34.

<sup>136</sup> Ministry of Social Affairs, “Travail et relations professionnelles,” <http://www.social.tn/index.php?id=48&L=0>

## Bonuses and overtime in the garment industry

In a case study published by the Tunisian Forum for Economic and Social Rights (FTDES) in 2014 on violations of the economic and social rights of women workers of the garment/textile industry in the Monastir region, several violations at the level of bonuses and overtime were reported, with the most damage done in this latter issue. Among 80% of workers who worked extra hours, 42% said they were not remunerated accordingly. The 38% who were remunerated nevertheless declared that the value of each extra hour was the same as an ordinary hour, which was a flagrant proof of a violation of the applicable laws given that the adequate remuneration rate is 175%. The study also stated that many employers calculated hourly statements decrease in labour when workers exceeded the turnaround time tasks which was fixed in advance by the supplier and which did not take into account exceptional circumstances of production which cannot be universalised. The result was that the daily working time taken into account would be less than eight hours and consequently remuneration of the workers would proportionally decrease<sup>137</sup>.

**Table 8: Overview of legal framework on working time**

Standard workday	8 hours
Regular working hours per week	48 hours
Maximum working days per week	6 days
Maximum overtime per week	8 hours
Premium for night work (% of hourly pay)	0
Premium for work on weekly rest day and public holiday (% of hourly pay)	100%
Premium for overtime work (% of hourly pay)	75%
Restrictions on night work?	yes
Non-pregnant and non-nursing women permitted to work the same night hours as men?	yes
Restrictions on weekly holiday work?	no
Restrictions on overtime work?	yes
Paid annual leave for a worker with 1 year of tenure (in working days)	20 to 26 working days

<sup>137</sup> Mounir Hassine, Violations des droits économiques et sociaux des femmes travailleuses dans le secteur du textile (Etude de cas : la région de Monastir), Tunis, FTDES, 2014, p. 33, <https://ftdes.net/rapports/textile.fr.pdf>

## Stakeholders' opinion and analysis on implementation

All consulted stakeholders agreed upon the fact that working 48 hours a week in the garment industry was excessive. This working time could be extended when the employer had extra activity, but overall, the working time cannot exceed ten hours per day and 60 hours per week (Art.93, Labour Code). The labour inspection, after trade union consultation, could authorise overtime work in case the employer needed to increase production (Art.91, Labour Code). This aforementioned provision was seldom applied. Most companies did not involve labour inspectorate to get permission for employees to work overtime. At best, employers informed workers about overtime hours they expected to be performed.

In order to be fully protected, employers must plan overtime work in advance and get permission from the labour inspectorate. This task is easier when the company has a trade union and a company consultative committee. Workers often do not complain about overtime hours as they are not very frequent, as long as they are paid with the agreed-upon 175% rate.

Usually, when companies are witnessing an activity recession, workers could have been not working for several days (as there are no orders). The company will compensate these days-off with overtime work.

As the textile/garment industry workforce is predominantly female, overtime work is most of time considered as a supplementary burden since it results in commuting late in the afternoon, which exposes women workers to many risks. In addition, the Tunisian woman is still the primary caretaker of the family and returning home late could keep them from properly doing so. However, working overtime is sometimes the only way to improve wages.

Apart from complying to the Labour Code regarding working hours, all consulted stakeholders agreed upon the fact that working 48 hours a week within six days in the garment industry was excessive and, in many times, counterproductive. Some stakeholders pinpointed the fact that working 48 hours a week in the garment industry was not in line with the concept of decent work since it was highly likely to result in several violations. They argued that, in practice, most women workers would spend all day between factory and transportation. Moreover, in order to have less daily working hours, they did accept to have only one day-off and/or less time for lunch break. According to a field investigation conducted in Sfax, ATFD had found that most of the interviewed factory workers took only 30 minutes' break at lunch.

## Fair Wear main audit findings over the last two years

In terms of reasonable hours, workers were not often expected to work overtime. In these recent years, there were no cases of overtime work exceeding 60 hours per week. Most common violations in recent audit reports relate to workers not being informed or given a choice whether or not to work overtime. In many cases, overtime records were not properly maintained, meaning that workers often did not receive the proper overtime premiums they were entitled to receive. According to audit results, 22% out of 23 audits reported that working hours could not be verified due to inconsistent or incomplete records. The same percentage of audits reported the working hour records did not reflect the hours actually worked. Moreover, two audits concluded that the legally required daily break period was not provided.

## Worker complaints, related to 'Reasonable hours of work'

Fair Wear's complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All the complaints are published on the Fair Wear website.

In the past three years, Fair Wear has received no complaint related to reasonable hours of work standard.

## 6.8 SAFE AND HEALTHY WORKING CONDITIONS

*"A safe and hygienic working environment shall be provided, and best occupational health and safety practice shall be promoted, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Appropriate attention shall be paid to occupational hazards specific to this branch of the industry and assure that a safe and hygienic work environment is provided for. Effective regulations shall be implemented to prevent accidents and minimize health risks as much as possible (following ILO Convention 155...) Physical abuse, threats of physical abuse, unusual punishments or discipline, sexual and other harassment, and intimidation by the employer are strictly prohibited."*



### Legal framework

In 1987, Tunisia ratified the Arab Labour Convention on Occupational Security and Health (Convention No.7). When it comes to ILO conventions within this standard, Tunisia ratified the following specific conventions: C013 on White Lead Painting, C045 on Underground Work (Women) Convention, C062 on Safety Provisions (Building), C119 on Guarding of Machinery, C120 on Hygiene (Commerce and Offices), and C127 on Maximum Weight<sup>138</sup>.

Regarding occupational health and safety, The Tunisian Labour Code codifies the rights of workers in articles 152 through 156 and article 161, as modified by Law No.96-62, 15 July 1996 and by Law No.94-29, 21 February 1994, and article 43 of the Textile and Garment Industry Collective Agreement of 2009.

<sup>138</sup> ILO's NORMLEX Platform, "Ratifications for Tunisia," (the Section on Occupational Health and Safety), [https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:::P11200\\_INSTRUMENT\\_SORT,P11200\\_COUNTRY\\_ID:2,102986#Occupational\\_safety\\_and\\_health](https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:::P11200_INSTRUMENT_SORT,P11200_COUNTRY_ID:2,102986#Occupational_safety_and_health)

Article 153 of the Labour Code states that each company employing at least 500 individuals must have its own health service and if the number of workers is less than 500, the company must either join a medical work group or set up an autonomous medical service. A technical sub-committee of occupational health and safety made of at least four members (including the president) is set within the Company's Consultative Committee. Its main goals are to inform and train workers on health and safety issues, to suggest programmes aiming at preventing occupational risks<sup>139</sup>. Article 43 of the Textile and Garment Industry Collective Agreement states that restrooms, locker-rooms, canteens, and drug boxes must be provided by the employer.

## Working conditions violations

In the aforementioned study that was published by the Tunisian Forum for Economic and Social Rights (FT-DES) in 2014 on violations of the economic and social rights of women workers of the garment/textile industry in the Monastir region, investigative efforts showcased several violations that went against the legislation of the sector concerning working conditions. When it came to infrastructure, the study showed that over 60% of workspaces in the garment sector, which were generally rented, were of small or medium surface (between 500 and 1,000 square metres). The spaces in question did not dispose of the most basic requirements stipulated by the labour laws such as lighting, ventilation, infirmary, stores, canteens, and emergency exits.

Sanitary conditions of the companies surveyed in the study were also reported to be poor. The survey showed that 95% of female workers who were interviewed complained about the sanitary space considering the absence of average conditions required by the labour legislation, i.e., a sanitary space for every 15 workers. In addition, these spaces suffered from a lack of hygiene, a potential danger for workers. Regarding canteens, the survey showed about 45% of companies did not have ones because of the limited space which, therefore, constrained workers to have lunch in front of companies, that is to stay near roads where garbage was abundant, an additional sanitary hazard.

At the production level, the study also reported issues regarding the equipment which did not conform to any health standards, not to mention the total lack of ergonomics. There is also the poor condition of equipment (uncomfortable or even broken chairs, for example). Workers also faced ventilation and lighting issues. Thus, 31% of female workers reported suffering from back pain, wrist, and feet problems. In addition, the production equipment itself, which was often inadequate, was likely to cause exhaustion, lack of concentration or even work accidents which may cause disability. It was the case in the tanning and washing workshops where the workers operated without gloves, without a muzzle and therefore inhaled toxic chemicals that cause various allergies and even cancer<sup>140</sup>.

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<sup>139</sup> The Labour Code, pp. 51-52,

<https://www.ilo.org/dyn/travail/docs/778/labourcodetunisia.pdf> (see footnote 135 for the full publication details).

<sup>140</sup> M. Hassine, Violations des droits économiques et sociaux ..., p. 29,

<https://ftdes.net/rapports/textile.fr.pdf> (see footnote n° 138 for the full publication details).

## Stakeholders' opinion and analysis on implementation

All stakeholders agreed to the fact that occupational health and safety (OHS) violations were prevailing issues in the garment industry especially for small companies where the legal minimum was not guaranteed.

If the majority of companies have medical services, they are not known for providing good physical working conditions such as a well-equipped refectory or cafeteria, locker rooms and well-maintained and clean restrooms. These latter are mentioned in the CBA of the garment industry.

Regarding safety rules, most companies pay attention to occupational safety equipping their factories with fire extinguishers and safe electrical cables, providing emergency exits etc. Other requirements are not fully observed. Through field study investigation, consulted NGOs found that workers were very often eating their lunch outside factory buildings, since employers failed to provide canteens. Moreover, workers complained about the lack of suitable ergonomic chairs and adequate ventilation systems. The latter is important because of increased temperatures in summer and reasonably high humidity levels in winter.

Although the technical OHS sub-committee has several missions as per law (Art.161, Labour Code), its members are, generally, not very active, especially in the prevention domain. This could be partly due to the lack of skills and/or motivation of the OHS responsible, one of the members of this committee. For the stakeholders, more attention should be paid to preventive programmes.

Labour inspections should be stricter regarding occupational health and safety rules. It is obvious that the labour inspectorate OHS services have the will and all the skills to carry out their controlling roles. In addition, the Tunisian legal framework pertaining to OHS is giving power to labour inspectors to issue orders to request the elimination of defects related to workplace facilities, layout and working methods whenever they estimate that they could be harmful to health and/or safety of workers (Art.175, Labour Code). However, regional labour inspectorates greatly lack financial, physical, and human resources. It is very frequent that regional labour inspectorates do not have enough means to reach companies to be controlled.

It is worthwhile to notice that very few garment companies offer good working conditions and apply rigorous OHS rules. Among these aforementioned companies there are big ones benefiting from a good financial situation and/or increasingly those solely exporting subject to brands' social auditing, according to FTDES and FTTH.

## Fair Wear main audit findings over the last two years

All Fair Wear audits conducted in the past two years revealed that improvements could be made in matters of 'safe and healthy working conditions'. Most audit findings are related to this labour standard, and they are repetitive if considered insignificant. The low remediation results are related to a factory's available finance resources. Workers' awareness of OHS is low; 52% of the audits reported health and safety training for workers was not provided or inadequate, and there was no written safety & health policy and/or procedure. Regarding the workers' environment, 35% of the audits reported fire evacuation route(s) were blocked, inadequate or not clearly marked. Also, 30% of the audits reported fire alarms were insufficient or inadequate.

Other common issues were safety issues on electrical hazards, insufficient (or not maintained) firefighting equipment, inappropriate storage for chemicals and hazardous substances and insalubrity (accumulation of dust, dirty bathrooms and/or cafeterias, etc.). It was also very common not to have an (active) Occupational Health & Safety Committee. Other findings included the lack of first aid kits and/or doctors, and lack of chairs with back support and anti-fatigue mats.

## Worker complaints, related to ‘Safe and healthy working conditions’

Fair Wear’s complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All the complaints are published on the Fair Wear website.

In the past three years, Fair Wear has received one complaint related to healthy working conditions standard. Further complaint details can be found on [fairwear.org](https://www.fairwear.org).

### 6.9 Legally binding employment relationship



*“Working relationships shall be legally binding, and all obligations to employees under labour or social security laws and regulations shall be respected”.*



### Legal framework

Under the theme of the promotion of vocational guidance and training, Tunisia has ratified C142 on Human Resources Development in 1975. Concerning social security, Tunisia has ratified 5 ILO conventions including C017 on Workmen's Compensation, C018 on Occupational Diseases, C019 on Equal Treatment (Accidents at Work), C118 on Equality of Treatment (Social Security).

At the national level, Laws and regulations enforce the employment relationship within the social security system obliging employers to state the nature of the labour contract and to keep a record of legal registers. Given that employees in the garment industry belong to the private sector, they are legally bound to subscribe to the National Social Security Fund (CNSS) and the employer has a threshold of 48 hours to declare newly hired workers (Art.7 of Law No.94-28, 21 February 1994 on possible damages resulting from occupational accidents and diseases). The law regulates the total amount of social security fees and divides it between the employer (16.57% of raw wage) and the employee (9.18% of raw wage). The CNSS also is in charge of managing old-age pension, disability pension, and unemployment indemnity.

Concerning medical care insurance and compensation of damages due to occupational diseases and accidents, the CNAM (National Fund for Illness Insurance) is in charge of the latter services. Employers have

the obligation to post the summary of Law No.94-28, 21 February 1994 on compensation of damages resulting from occupational accidents and diseases. In addition, a register for paid annual leave must be kept and signed by employees taking advantage of the annual leave.

The Tunisian law also regulates protection of workers in the case of short-terms contracts by limiting renewal opportunities and leaning in favour of permanent employment. In fact, with the consent of the employee, consecutive short-term contracts can be signed for a period no longer than four years. After this period, the employee must be hired as a permanent worker without a trial period. According to the CBA (Art.1-bis) contractual workers have the same wages and bonuses (including seniority ones) as permanent workers. If the employer decides to not renew a contract, they will not be allowed to replace this worker with another for a period of six months. If the employer fires a worker before the age of retirement without due cause, the employer owes the worker a lay-off indemnity equivalent to two days' pay per month (for up to nine months). After 20 years or more in the company, every retired worker enjoys a retirement indemnity equivalent to a monthly wage.

A key challenge preventing effective employment relationships is the lack of oversight and monitoring. Not only does the Labour Code impose weak fines on offenders and on recidivists but it also lacks the logistics and human resources to oversee and control the economic activities. In 2016, there were 347 labour inspectors in Tunisia<sup>141</sup>.

## Stakeholders' opinion and analysis on implementation

Regarding binding employment relationships, consulted stakeholders believe that the main issue that deserves to be debated pertains to labour flexibility. Actually, even though labour regulation constrains employers to hire contractual workers as soon as they reach four years of seniority, in practice a large part of workers in garment are occupied on fixed-term contracts for more than four years. Contract renewal is not systematic.

In its study on violations of the economic and social rights of women workers of the garment/textile industry in the region of Monastir, the FTDES found that almost 65% of workers in the garment industry were contractual and about 12% worked without a contract<sup>142</sup>. In addition, when contracts were written in French, women were usually unable to fully grasp their contents and, therefore, could not be aware of their rights and obligations.

Flexibility of labour is largely used in the textile/garment industry since employers could better manage any change in their business when they do have a majority of contractual workers. They just have to stop renewing their short-term contracts within the legal period of four years. Even if this situation fits employers' interests well, it clearly violates workers' rights. In addition, a large number of employers resort to business transfer or bankruptcy declarations preventing workers from getting their tenure. At best, these workers will be hired in the new company without taking into account the cumulative seniority.

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<sup>141</sup> Danish Trade Union Development Agency, Labour Market Profile Tunisia – 2020, Copenhagen: DTDA, 2020, p. 14, <https://www.ulandssekretariatet.dk/wp-content/uploads/2020/06/LMP-Tunisia-2020-Final-version-1.pdf>

<sup>142</sup> M. Hassine, "Violations des droits économiques et sociaux des femmes travailleuses dans le secteur du textile. Modèle : la région de Monastir," accessed December 2020, FTDES, <https://ftdes.net/rapports/textile.fr.pdf>

According to ATFD, the law should be amended in such a way as to allow workers to get their tenure during the first year. Workers on fixed-term contracts are more vulnerable than the ones that are permanent. For example, such workers have no guarantee to get their annual leave, do not benefit from seniority in the factory since they are not working in a continuous way, and are lacking freedom to subscribe to trade unions, etc.

Employees are generally unaware of how contracts are regulated as they lack labour regulation knowledge. In order to handle this problem, ATFD undertakes a sensitisation campaign, targeting women workers, aiming at educating them on basic economic and social rights.

According to a representative from FTDES, regulation and legal provisions are not applied in the area of social security. Indeed, employers very often do not pay for workers' contributions to the social security fund. This is harmful for workers since they would not have coverage for their health expenses and for their retirement.

## Fair Wear main audit findings over the last two years

One of the most reported audit findings relates to the short-term worker contracts. This practice has increased due to order volatility in recent years. Forty three percent of the audits reported workers were consistently employed on temporary contracts and/or workers were dismissed and rehired to avoid paying wages and benefits. Workers were hired through interim agencies to avoid any contractual legal obligations. The overtime is not recorded on the payslip to avoid payment of the social security contribution. Thirty percent of the audits reported social security was not paid as per law and/or management did not cover all eligible workers under the social security scheme.

It was also common to find workers hired for a limited period without signing contracts. Twenty-two percent of the audits reported copies of contracts were not provided to workers. If workers were being paid in cash, 17% of the audits reported that the factories sometimes delayed paying workers' wages.

## Worker complaints, related to 'Legally binding employment relationship'

Fair Wear's complaints procedure serves as a safety net. When a complaint is filed, Fair Wear informs the members sourcing from the factory in question and investigates the complaint. All the complaints are published on the Fair Wear website.

In the past three years, Fair Wear has received five complaints related to 'legally binding employment relationship' standard. Further complaint details can be found on [fairwear.org](https://fairwear.org).

# Sources

The study was prepared by gathering information related to national laws and local stakeholders' views on labour issues in the garment industry in Tunisia by Amel Ben Zakour, Associate Professor in Human Resource Management. In addition to this, information from internationally recognised and national sources on the economic, social, and political and human rights situation in the country was gathered through a desk research by Salma Fatma Houerbi, external researcher in Tunisia. The study was prepared in coordination with the FWF country management Tunisia.

The following stakeholders, employers, trade unions, and NGOs, were consulted:

## I. GOVERNMENT/PUBLIC AUTHORITIES

Ministry of social affairs-General Direction of labour Inspection and Conciliation (GDLIC)

- Mr Chokri Ouali, Director of labour regulation and Control

APII (Agence de Promotion de l'industrie et de l'innovation) Agency for promoting industry and innovation

## II. EMPLOYER ORGANISATIONS

FTTH (Fédération Tunisienne du Textile\_habillement) Tunisian Federation of Garment

- Mr Néjib Karafi, Director of the FTTH

Conect (Confédération des entreprises citoyennes de Tunisie) Confederation of citizen companies of Tunisia)

- Mr Samir Ben Abdallah, President of the professional group of garment and clothing

## III. TRADE UNIONS

Fédération tunisienne du textile, habillement, cuir et chaussures (Tunisian Federation of textile, garment, leather, and shoes)

- Mr Habib Hazemi, General Secretary

## IV. LABOUR-RELATED NGOS

ATFD (Association Tunisienne des Femmes démocrates) Tunisian Association of Democratic Women

- Mrs Najoua Baccar, President of the Economic and Social Rights' Committee

FTDES (Forum Tunisien des Droits Economiques et Sociaux) Tunisian Forum of Economic and Social Rights)

- Mr Mounir Hassine, Researcher at FTDES

# Appendix

CBA Wage grid in Arabic: <https://eu.workplace.datto.com/filelink/7e04f-1579a906-53644fcoad-2>

CBA Clothing 2020: <https://eu.workplace.datto.com/filelink/7e04f-1579a905-4fd6ba91c4-2>

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