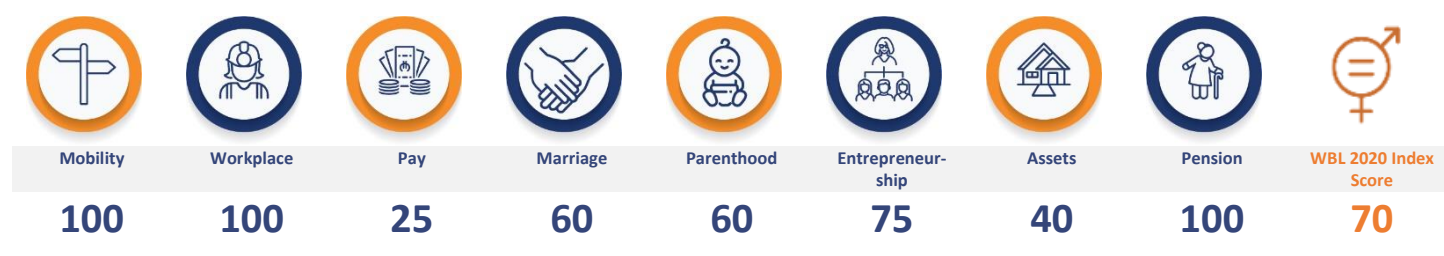


# Tunisia

*Women, Business and the Law 2020* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Tunis). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Tunisia scores 70 out of 100**. The overall score for Tunisia is higher than the regional average observed across the Middle East & North Africa (49.6).

## Tunisia - Scores for Women, Business and the Law 2020



### Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women’s decisions to work, and laws affecting the size of a women’s pension, Tunisia gets a perfect score.

### Areas for Improvement

However, when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, constraints on women's starting and running a business, and gender differences in property and inheritance, Tunisia could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Tunisia is on the indicator related to laws affecting women’s pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, Tunisia may wish to consider mandating equal remuneration for work of equal value, allowing women to work the same night hours as men, and allowing women to work in all the same industries as men.

### Recent Reforms (2018-2019)

**Workplace:** Tunisia improved the protection of women at work by adopting legislation and criminal penalties for sexual harassment.

**Marriage:** Tunisia implemented legislation protecting women from domestic violence.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Loi No. 1975-40 du 14 Mai 1975, Relative aux Passeports et aux Documents de Voyage, Arts. 8 et 13; Passport application procedures
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Code du Travail, Art. 5 bis
	Is there legislation on sexual harassment in employment?	Yes	Loi organique n° 2017-58 du 11 août 2017, relative à l'élimination de la violence à l'égard des femmes, Art. 15 (Art. 226 ter)
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Loi organique n° 2017-58 du 11 août 2017, relative à l'élimination de la violence à l'égard des femmes, Art. 15 (Art. 226 ter) <i>Civil:</i> No applicable provisions could be located
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can women work the same night hours as men?	No	Code du Travail, Arts. 66 et 68-2
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: Code du Travail, Art. 77 Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: Code du Travail, Art. 375 Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	No	Code du Statut Personnel, Art. 23
	Is there legislation specifically addressing domestic violence?	Yes	Loi organique n° 2017-58 du 11 août 2017, relative à l'élimination de la violence à l'égard des femmes
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	No	Code du Statut Personnel, Art. 34 and 25
Parenthood	Is paid leave of at least 14 weeks available to mothers?	No	Code du Travail, Art. 64
	Does the government pay 100% of maternity leave benefits?	Yes	Loi No. 196-3 du 14 décembre 196, Arts. 78, 82 et 88
	Is there paid paternity leave?	Yes	Code du Travail, Art. 122
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 20
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Code du Statut Personnel, Arts. 23 et 24
	Do sons and daughters have equal rights to inherit assets from their parents?	No	Code du Statut Personnel, Arts. 92, 96, 98, 103 et 104
	Do female and male surviving spouses have equal rights to inherit assets?	No	Code du Statut Personnel, Arts. 101 et 102
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Code du Statut Personnel, Arts. 23 et 24
	Does the law provide for the valuation of nonmonetary contributions?	No	No applicable provisions could be located
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Décret No. 74-499 du 27 Avril 1974, Art. 15 Men: Décret No. 74-499 du 27 Avril 1974, Art. 15
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Décret No. 74-499 du 27 Avril 1974, Art. 2(c)