Tunisia

*Women, Business and the Law* 2023 (WBL2023) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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 64.4 out of 100.** The overall score for Tunisia is higher than the regional average observed across the Middle East and North Africa (53.2). Within the Middle East and North Africa region, the maximum score observed is 91.3 (Malta).

### Tunisia - Scores for Women, Business and the Law 2023

<table>
<thead>
<tr>
<th>Mobility</th>
<th>Workplace</th>
<th>Pay</th>
<th>Marriage</th>
<th>Parenthood</th>
<th>Entrepreneurship</th>
<th>Assets</th>
<th>Pension</th>
<th>WBL 2023 Index Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>75</td>
<td>25</td>
<td>60</td>
<td>40</td>
<td>75</td>
<td>40</td>
<td>100</td>
<td>64.4</td>
</tr>
</tbody>
</table>

#### Relative Strengths

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

#### Areas for Improvement

However, when it comes to laws affecting women’s decisions to work, laws affecting women’s pay, constraints related to marriage, laws affecting women’s work after having children, constraints on women 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 measuring laws affecting women’s pay (the WBL2023 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 at night in the same way as men, and allowing women to work in an industrial job in the same way as men.

#### Recent Reforms

No reforms were observed during the past year (October 2nd, 2021 – October 1st, 2022).

Further data details for Tunisia are available at: https://wbl.worldbank.org/en/data/exploreeconomies/tunisia/2023
<table>
<thead>
<tr>
<th>QUESTION</th>
<th>ANSWER</th>
<th>LEGAL BASIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can a woman choose where to live in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman travel outside her home in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman apply for a passport in the same way as a man?</td>
<td>Yes</td>
<td>Loi no. 1975-40, Arts. 8 et 13; Procédures de demande de passeport</td>
</tr>
<tr>
<td>Can a woman travel outside the country in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman get a job in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Does the law prohibit discrimination in employment based on gender?</td>
<td>No</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Are there criminal penalties or civil remedies for sexual harassment in employment?</td>
<td>Yes</td>
<td>Criminal: Loi organique No. 2017-58 du 11 août 2017 relative à l’élimination de la violence à l’égard des femmes, Art. 15 (Art. 226 ter) Civil: No applicable provisions could be located</td>
</tr>
<tr>
<td>Does the law mandate equal remuneration for work of equal value?</td>
<td>No</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Can a woman work at night in the same way as a man?</td>
<td>No</td>
<td>Code du Travail, Arts. 66 et 68-2</td>
</tr>
<tr>
<td>Can a woman work in a job deemed dangerous in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman work in an industrial job in the same way as a man?</td>
<td>No</td>
<td>Code du Travail, Arts. 77 et 375</td>
</tr>
<tr>
<td>Is the law free of legal provisions that require a married woman to obey her husband?</td>
<td>Yes</td>
<td>Code du statut personnel, Art. 23</td>
</tr>
<tr>
<td>Can a woman be head of household in the same way as a man?</td>
<td>No</td>
<td>Code du statut personnel, Art. 23</td>
</tr>
<tr>
<td>Is there legislation specifically addressing domestic violence?</td>
<td>Yes</td>
<td>Loi organique No. 2017-58 du 11 août 2017 relative à l’élimination de la violence à l’égard des femmes</td>
</tr>
<tr>
<td>Can a woman obtain a judgment of divorce in the same way as a man?</td>
<td>Yes</td>
<td>Code du statut personnel, Art. 31</td>
</tr>
<tr>
<td>Does a woman have the same rights to remarry as a man?</td>
<td>No</td>
<td>Code du statut personnel, Arts. 34 et 35</td>
</tr>
<tr>
<td>Is paid leave of at least 14 weeks available to mothers?</td>
<td>No</td>
<td>Code du Travail, Art. 64</td>
</tr>
<tr>
<td>Does the government pay 100% of maternity leave benefits?</td>
<td>Yes</td>
<td>Loi No. 1960-3 du 14 décembre 196, Arts. 78, 82 et 88</td>
</tr>
<tr>
<td>Has paid leave available to fathers?</td>
<td>Yes</td>
<td>Code du Travail, Art. 122</td>
</tr>
<tr>
<td>Is there paid parental leave?</td>
<td>No</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Is dismissal of pregnant workers prohibited?</td>
<td>No</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Can a woman sign a contract in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman register a business in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman open a bank account in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Do men and women have equal ownership rights to immovable property?</td>
<td>Yes</td>
<td>Code du statut personnel, Arts. 23 et 24</td>
</tr>
<tr>
<td>Do sons and daughters have equal rights to inherit assets from their parents?</td>
<td>No</td>
<td>Code du statut personnel, Arts. 92, 96, 98, 103 et 104</td>
</tr>
<tr>
<td>Do female and male surviving spouses have equal rights to inherit assets?</td>
<td>No</td>
<td>Code du statut personnel, Arts. 101 et 102</td>
</tr>
<tr>
<td>Does the law grant spouses equal administrative authority over assets during marriage?</td>
<td>Yes</td>
<td>Loi no. 98-94 du 9 novembre 1998, Arts. 1 et 7; Code du statut personnel, Art. 24</td>
</tr>
<tr>
<td>Does the law provide for the valuation of nonmonetary contributions?</td>
<td>No</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Is the age at which men and women can retire with full pension benefits the same?</td>
<td>Yes</td>
<td>Décret No. 74-499 du 27 Avril 1974, Art. 15</td>
</tr>
<tr>
<td>Is the age at which men and women can retire with partial pension benefits the same?</td>
<td>Yes</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Is the mandatory retirement age for men and women the same?</td>
<td>Yes</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Are periods of absence due to childcare accounted for in pension benefits?</td>
<td>Yes</td>
<td>Décret No. 74-499 du 27 Avril 1974, Art. 2(c)</td>
</tr>
</tbody>
</table>