

# TORTURE ROADS

**HUMAN RIGHTS VIOLATIONS  
SUFFERED BY CHILDREN  
ON THE MOVE IN TUNISIA**

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# METHODOLOGY



The OMCT's monitoring and research is based on:

- Open-source secondary data collection and in-depth analysis of reports and communications from local, national and international civil society organizations, governmental organizations and institutions, and research institutes.
- A series of semi-structured interviews with over 60 representatives of international, national and local non-governmental organizations (based in Tunis, Sfax, Zarzis, Medenine, Tozeur, Le Kef, Sousse), independent activists, researchers and experts working to defend the rights of people on the move in Tunisia, North Africa and Europe.
- Direct field observation with a mission to Sfax and in-depth documentation of 40 individual and collective cases of victims of violence and other types of human rights violations assisted by SANAD, the multidisciplinary direct assistance program for victims of torture, and by partner organizations.
- Analysis of the databases of four partner humanitarian organizations providing direct assistance to people on the move in Tunisia.
- A dozen semi-structured interviews with officials from international organizations, in order to uncover quantitative trends and validate conclusions drawn from fieldwork.
- A dozen interviews with the heads of public-sector institutions and health and child protection professionals.

Following in-depth study and meticulous verification of the typology, incidence and prevalence of human rights violations on Tunisian territory, the report presents conclusions relating to the qualitative aspect of these violations in terms of patterns and consequences on individuals, their families and their communities.



# EXECUTIVE SUMMARY



In line with previous reports, this report contains:

- A contextual, quantitative and qualitative analysis of the arrivals and departures, profile and geographical distribution of people on the move in Tunisia - with a focus on the profile of children on the move residing in Tunisia.
- The updated typology of human rights violations suffered by people on the move in Tunisia between November 2024 and April 2025, with qualitative and quantitative data on them, the profile of the victims and the modus operandi - providing an overview of their disproportionate impact on children on the move.
- The legislative framework of international and national law, recalling Tunisia's obligations to protect all children present on its territory, in compliance with applicable treaties and conventions.
- A chronology of human rights violations, a chronology of developments linked to migration and asylum in the Mediterranean region, and a chronology of operations at sea.

A series of Focus Briefs, to be published between September and December 2025, will analyze in depth respect for the rights of children on the move in Tunisia, as well as the capacities and responses of state and non-state actors to ensure their effective protection and full realization.

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1. The first *Focus Brief* (September 2025) analyzes the violations suffered by people on the move between November 2024 and April 2025. A specific Focus Brief will be devoted to the criminalization of children on the move and will offer an overview of immigration-related detention in Tunisia. Subsequent *Focus Briefs* will examine children's rights to legal identity and nationality, health, development, education, and the right to safe passage to adulthood. A specific Focus Brief will also be devoted to assessing the existing child protection system in Tunisia and its capacity to respond to the specific needs of children on the move.

# CONTEXT

## THEMATIC FOCUS: THE PRESENCE OF CHILDREN ON THE MOVE IN TUNISIA

According to the latest government census, there are 3,634,533 children in Tunisia.<sup>2</sup> The total number of children on the move present on Tunisian soil is impossible to estimate for the following reasons:

- There is no publicly available official data on the number of people on the move residing or transiting Tunisian territory.
- There is no publicly available official data on the number of irregular entries by land.
- The registration of children potentially eligible for asylum seeker and refugee status has been suspended since June 2024.
- Not all child migrants register with the IOM.
- Difficulties are encountered in registering births in Tunisia, in the country of origin and during the migration process.
- Difficulties are encountered in registering deaths of people on the move.

On April 30, 2025, **1,888 children were registered as refugees or asylum seekers** with the UNHCR (18% of the total number of people registered).<sup>3</sup> The majority were Syrian (44%), Sudanese (22.6%) and Somali (5.9%). 144 of them were refugees, including 21 unaccompanied minors, and 1,744 were asylum seekers, or 92% of the total number of children registered by the UNHCR. Of the children seeking asylum, 30% were unaccompanied and less than 1% were separated.

Of a total of 1,234 persons who applied for international protection between June 2024 and May 2025, **172 children were unable to register**<sup>4</sup> of whom 131 were unaccompanied minors (with 90% from Sudan).<sup>5</sup>

Among new registrations at the IOM between November 2024 and April 2025, there were **1,900 children** (15% of the total), of whom almost 470 were unaccompanied minors, while 69% were under 24 years old.

In June 2025, of the 1,300 people housed by the IOM in its various shelters, 103 were children. On April 30, 2025, 271 children were hosted by UNHCR, including 232 unaccompanied children. Of these, 11 resided in the Al-Jadaria center, the others in the agency's other shelters. According to OMCT's data collection, around 400 other unaccompanied minors under international protection were homeless at the end of April 2025.

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2. Institut National de la Statistique, Recensement général de la population et de l'habitat 2024 : Bilan démographique, May 2025.

3. UNHCR. 4114 of these are under the age of 24 (38%).

4. Many people are deprived of all protection and assistance due to the government-imposed suspension of registration of new asylum seekers.

5. Humanitarian source.

- **Regular and irregular departures**

Among those who received voluntary return and reintegration assistance from IOM and left Tunisia between November 2024 and April 2025, were 287 children and 1,272 young people (aged 18-24). By 2024, 29 refugee children had been resettled in a third country.<sup>6</sup> In addition, some 1,400 children seeking asylum in Tunisia can no longer be reached and are probably no longer in Tunisia. While a small number of them are currently in Libya and Morocco, hundreds of children previously registered as asylum seekers remain unaccounted for.

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### **What does international law say?**

A **child** is every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier.<sup>7</sup>

**Children on the move** represent a highly diverse population. They live in varying circumstances that determine the risks, deprivations, needs and opportunities available to them. Regardless of their origin and the reasons for their move, children in migration situations remain above all children, entitled to the same rights as all other children, rights that cannot be interrupted at borders.<sup>8</sup>

They can fall into various sub-categories:<sup>9</sup>

- International migrant children (regular or irregular)
- Children in need of international protection (refugee children, asylum-seeking children, refugee-like situations, etc.).
- Internally displaced children (within state borders due to conflict, violence, disasters, etc.)
- Children indirectly affected by migration and displacement (children left behind, second-generation immigrant children, refugee children, IDP-related children)
- Children returning home voluntarily
- Temporarily mobile children
- Internal migrant children

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6. With the exception of the USA (prior to the 2025 suspension), other resettlement countries generally do not accept unaccompanied refugee children for resettlement.

7. Art. 1 of the International Convention on the Rights of the Child (CRC).

8. Report of the Special Rapporteur on the Rights of Migrants, «Children are Children First: Protecting Children's Rights in the Context of Migration», July 22, 2024, §2. See also: <https://www.unicef.org/child-protection/migrant-displaced-children>

9. International Data Alliance for Children on the Move, Children on the move: key terms, definitions and concepts, 2023.

It is important to note that children can fall into several categories and move from one group to another. Children in highly vulnerable or at-risk situations (all groups) are generally classified in the following sub-categories:

- **Unaccompanied children:** An unaccompanied minor is a child under the age of 18 who has been separated from both parents and any other family member, and who is not in the care of any adult with legal or customary responsibility for his or her care. The child is therefore totally deprived of parental or family protection and has no legal or customary guardian to look after him or her.<sup>10</sup>
- **Separated children:** A separated minor is a child who has been separated from both parents or their primary care takers by law or custom, but who is not necessarily separated from other family members. A separated minor may therefore be accompanied by another adult, without this adult having the legal or customary responsibility of guardian.<sup>11</sup>
- **Stateless children:** A stateless child is a child to whom no state recognizes nationality under its legislation.<sup>12</sup>
- **Child victims of trafficking or smuggling<sup>13</sup>**

In the context of international migration, children can find themselves in a situation of double or multiple vulnerability, both as children and as children affected by migration who (a) are themselves people on the move, alone or with their families, (b) are born to parents who are people on the move in destination or transit countries and may not have access to documents and/or nationality and/or legal status, or (c) remain in their country of origin or in a third country, while one or both parents have migrated to another country.<sup>14</sup>

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10. International Committee of the Red Cross (ICRC), International Rescue Committee (IRC), Save the Children UK (SCUK), UNICEF, United Nations High Commissioner for Refugees (UNHCR) and World Vision International, *Inter-Agency Guiding Principles on Unaccompanied and Separated Children, Inter-Agency Working Group, January 2004*, p. 13.

11. *Idem*.

12. Art. 1 of the Convention relating to the Status of Stateless Persons, September 28, 1954. Tunisia acceded to this Convention on July 29, 1969.

13. For definition, see section in OMCT Focus brief violations.

14. Regular Pathways for Admission and Stay for Migrants in Situations of Vulnerability, United Nations Network on Migration, 2021.

# A CONTINUUM OF HUMAN RIGHTS VIOLATIONS AND THEIR IMPACT ON CHILDREN ON THE MOVE

The OMCT's in-depth research confirms that between November 2024 and April 2025, the following violations continue with the same intensity and prevalence as those reported in previous research - with a disproportionate effect on children on the move:

**Criminalization of children on the move:** The OMCT and its partners have documented an increase in children on the move being subjected to arbitrary detention, secret detention and/or incommunicado detention. Children are arrested and detained on the basis of their legal status - regardless of their profile - in an arbitrary manner (25% of children on the move reported having been subjected to arbitrary detention, without respect for the procedural guarantees established by Tunisian law) and in deplorable conditions (overcrowding, variable access to care, violence). 19% of prison inmates under the age of 20 are foreigners, with many children on the move in adult prisons. 10% of inmates in re-education centers for minors are children on the move.<sup>15</sup>

**Forced and arbitrary internal displacement and deportation:** Forced and arbitrary displacement to border areas, and deportation to Libya or Algeria, remain the main risk for people on the move (at least 12,000 between January and April 2025, the majority to Algeria), regardless of profile or legal status.<sup>16</sup> Deportation is the violation most reported by children (67%).<sup>17</sup> These practices may constitute acts of torture and ill-treatment under international law and give rise to related violations.

**Family separation and enforced disappearances:** A frequent consequence of security force operations, family separations generate psychological distress in separated children, who are all the more exposed to abuse and denied access to services in the absence of their legal guardians. The OMCT and its partners have documented certain situations leading to family separations that constitute enforced disappearances.

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15. Humanitarian source

16. Humanitarian source. This figure is largely underestimated. Moreover, in its previous research, the OMCT estimated that over 16,600 people would have been deported by the Tunisian authorities in 2024.

17. Humanitarian source.

**Recurrent violence against children on the move** in Tunisia perpetrated by various actors include:

- **Violence, excessive use of force, torture and ill-treatment by State agents:** Children on the move are regularly subjected to physical violence during identity checks, arrests or internal displacement or deportation. In some cases, these practices may constitute torture or cruel, inhuman or degrading treatment, in violation of international law.
- **Physical and psychological violence by non-State actors:** Children are increasingly exposed to intra-community violence in informal settlements, as well as xenophobic and racist violence in the public space by Tunisian citizens.
- **Sexual and gender-based violence (SGBV):** Sexual violence is widespread throughout the migration process, affecting both children and adults. The OMCT's research reveals an increase in this type of violence. In Tunisia, 28% of people on the move who were victims of violence - children and adults alike - said they had experienced sexual violence during their journey.<sup>18</sup>

**Dehumanizing border-crossing practices:** In the absence of regular migration routes, children risk their lives by taking irregular routes to and from Tunisia, either alone, with their families, or relying on smugglers and unrelated adults. At least **1,818 people are thought to have died or gone missing** off the Tunisian coast in 2024.<sup>19</sup> The Tunisian coastguard continues to carry out violent and dangerous interceptions in violation of international law, resulting in fatal shipwrecks. The OMCT estimates that in 2025 there will be 4,449 disembarkations following interceptions at sea of people trying to reach Italy by the Tunisian authorities, a figure that is certainly underestimated in the absence of official data. Tunisia is not a safe place for the disembarkation of children intercepted and/or rescued at sea: The OMCT and its partners confirm the lack of identification and assessment of needs, the denial of access to international protection and asylum, the denial of access to humanitarian assistance and child protection. After disembarkation, children are often subjected to family separation, or even forced displacement to borders or deportation, with increased exposure to all kinds of violations.

*«All state representatives, child protection officers, judges, are afraid ... and fear is one of the causes of prosecution against children on the move. We're moving towards the systematic penalization of children on the move.»*

A lawyer defending asylum-seeking and refugee children

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18. Humanitarian source.

19. Humanitarian source.



**Poverty, precariousness and exclusion.** The OMCT has identified several factors explaining the continuing impoverishment of children on the move, including: (I) impossible access to legal and decent employment; (II) declining income-generating activities; (III) lack of family support; (IV) limited international and national child protection systems; (V) and lack of safe accommodation solutions. Three main risks follow as a consequence:

- **Hazardous child labor**, in dangerous and unhealthy working conditions and without any protection of their rights.
- **Survival strategies** adopted by families or the children themselves, which directly or indirectly affect their well-being, such as begging, prostitution and petty crime.
- **Child trafficking**, in the form of economic exploitation through begging or labor, abduction for ransom, or sexual exploitation.

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### **The reality : Hassan's story<sup>20</sup>**

Hassan is a 12-year-old refugee from Sudan living in Tunisia with his mother and three minor siblings. At the beginning of 2024, his mother was arrested at her home by the police and convicted on the basis of her legal status - and Hassan and his siblings were placed in the "Centre d'Encadrement et d'Orientation Sociale" (CEOS) in Sfax by the family judge. Leaving the CEOS unsupervised one day, they were arrested and forcibly and arbitrarily moved to the border with Algeria with another group of displaced persons. Managing to return to Tunisia, they reached Sfax thanks to the solidarity of a Tunisian citizen, and were reunited with their mother, who was desperately looking for them. Meanwhile, their mother has lost her apartment and her job, and is forced to beg to support the family. Recently, Hassan was arrested for begging and detained for several weeks, without being able to contact his family.

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20. All first names have been changed.

# GROWING UP IN THE SHADOWS: HUMAN RIGHTS VIOLATIONS PREVENT CHILDREN ON THE MOVE FROM LIVING IN DIGNITY AND REACHING ADULthood IN SAFETY

## Violation of the right to legal identity

The right to identity is a prerequisite for the exercise of a wide range of human rights. The causes of the violation of this right that emerge from the research are, among others:

- The legal and administrative difficulties encountered by certain categories of parents on the move who are unable to complete the **complex process of registering their children born in Tunisia** - In Tunisia, an increase in undocumented births has been reported.
- **Lack of registration of children's births** prior to entry into Tunisia, and obstacles to issuing or renewing civil status and legal documents at embassies.
- **Loss or confiscation** of identity papers of guardians and minors during arrests, forced removals and deportations by security forces.
- **Negative coping mechanisms** such as identity theft and the deliberate destruction of documents, adopted to circumvent administrative barriers to accessing essential services, generating additional risks.

Hundreds of children without legal identity face denial of access to rights and protection services, risk statelessness, family separation and reduced access to durable solutions (local integration, return/family reunification and resettlement).

## Violation of the right to health

Children on the move face a number of barriers preventing them from accessing care adapted to their growing needs (malnutrition, sexual and reproductive health, infectious diseases, mental health):

- **Administrative and legal barriers**, in particular: (I) the absence of legal and civil documents, (II) especially in relation to out-of-hospital births, (III) and the absence of legal guardians for unaccompanied/separated children.
- Variable **financial barriers** depending on the type of care, aggravated by abusive practices and the shrinking space for civil society in the health field.
- **Barriers inherent to travel**, notably linguistic and cultural, while mobility and lack of documentation of medical history prevent medical follow-up.
- **Discrimination** within hospital structures, particularly at reception and during treatment, adds to the already high barriers to accessing health services.
- **Regional disparities and a glaring lack of resources** prevent the Tunisian health system from meeting the specific health needs of children on the move.

## Violation of the right to development and education

All the experts and partners consulted by the OMCT have confirmed the systematic blocking of access to education for children on the move, particularly those from sub-Saharan and West Africa. These barriers include:

- **A language barrier** for non-Arabic and non-French-speaking children.
- **Administrative barriers to enrolling children** - particularly in the absence of identity documents and/or legal guardians.
- **Financial barriers**, notably access to kindergartens, which are mostly privately owned, and the exclusion of children on the move from social protection programs.
- **Logistical and security barriers** to physical access to facilities.
- **A lack of resources and specialization** in the Tunisian education system to integrate profiles with different needs.

More generally, the current context and the risks to their safety do not allow children on the move residing in Tunisia to develop in a fulfilling way towards adulthood.

# THE URGENT NEED FOR ENHANCED PROTECTION FOR CHILDREN ON THE MOVE IN TUNISIA

The OMCT identifies two main concerns that should be urgently addressed by Tunisian decision-makers and their partners.

## 1. Inadequate child protection for displaced children at risk in Tunisia

After identifying the structural weaknesses of the child protection system for all children, such as a lack of prevention of situations of danger, an inadequate system for immediate and systematic identification of children at risk, and a lack of coordination between actors, the OMCT analyzes the specific challenges faced by children on the move and the reasons for their poor care by the protection system:

- **Identifying at-risk children on the move** remains particularly difficult, due to a decline in reporting by civil society, limited referrals by state security forces, and restricted access to populations on the move for protection actors. This situation is exacerbated by discriminatory access to public services and fear of the authorities among people on the move.
- **The criminalization and exclusion of children on the move**, reflecting a legal and operational framework that is not very inclusive. This dynamic is exacerbated by under-reporting of violations suffered by the children themselves or by their families/legal guardians, and by an almost systematic transfer of responsibility for protection from state authorities to the United Nations.
- **Discriminatory, undignified and temporary care:** The lack of adequate training for social workers, combined with inadequate protection structures and a lack of coordination between State actors and civil society, leads to unsuitable, inaccessible and time-limited alternative care solutions.

*«If we try to find solutions for foreign minors, the protection services tell us: you've come to the wrong address, go and see the Ministry of the Interior or the Government.»*

A Tunisian association leader

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### The reality : Aïssata's story

Aïssata is a 17-year-old child from Guinea. In 2024, she was deported from Tunisia to Libya. In Libya, she was raped and became pregnant. Having managed to return to Tunisia, she gave birth a few months later - outside hospital. Supported by an association, she was reported to the child protection services for urgent measures of protection. Unfortunately, no center was available to house Aïssata and her baby. The latter was placed in a unit of the "Institut National de la Protection de l'Enfance" (INPE), and Aïssata was granted visiting rights twice a week.

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## 2. Barriers to securing comprehensive, secure and sustainable solutions

In this context, children on the move in Tunisia do not have access to dignified and sustainable solutions:

- **Local integration:** Most children on the move in Tunisia do not have residence permits and are therefore in an irregular situation in the country, while channels for regularization are blocked in practice. Without legal status, children are often deprived of the effective exercise of their rights. Obtaining this status is therefore a key step towards sustainable integration and respect for the «right to have rights».
- **International protection, asylum and resettlement:** Since June 2024, the right to seek asylum has been suspended in Tunisia, under pressure from the Government. This means that: (i) all families with children, as well as separated or unaccompanied children, who entered Tunisia after June 2024, have no possibility of registering as asylum seekers or benefiting from international protection; (ii) children registered as asylum seekers benefit from only partial protection and cannot obtain refugee status, preventing them from being considered for resettlement to a third country; (iii) other families and children on the move who were not registered with UNHCR before June 2024 find themselves in a legal limbo, unable to benefit from any form of international protection.
- **Voluntary repatriation:** The lack of identity documents and proof of family ties and nationality often prevent voluntary repatriation as well as efforts for family reunification.

This prolonged legal situation, generating uncertainty and denying access to durable solutions, impacts on children's development, marginalizing them and leading to greater exposure to violations and discrimination. The constant possibility of arrest and deportation outweighs the viability of life and destabilizes children's sense of identity and security. Their trust in international institutions and organizations is eroded, further distancing them from protection and assistance schemes.



# CONCLUSION

The intersection of multiple violations exacerbates the vulnerability of children on the move, the majority of whom are already living in undignified conditions, marked by the precariousness of their status and uncertainty about their future. Each violation they suffer leads to or encourages the emergence of other forms of abuse, fueling harsh cycles of violence from which it is extremely difficult for them to escape. Unaccompanied children are particularly at risk: many of them have been victims of abuse and exploitation on their way to Tunisia and remain at risk due to the lack of appropriate and effective protection services.

The research highlights structural weaknesses in Tunisia's public child protection system, designed to provide protection for all children at risk, without discrimination or distinction of status or nationality. The principle of the best interests of the child must be the primary consideration in all government measures. Yet current practices are often at odds with this principle and related obligations. In this context of restricted access to protection, people and children on the move are deprived of both justice and rehabilitation measures - including psychological support, which is essential for the rehabilitation of victims. At the same time, the perpetrators of violations, whether state or non-state, enjoy persistent impunity, reinforced by the systematic under-reporting of violence by victims, the difficulty of collecting evidence, and the complexity of identifying and qualifying crimes, accentuated by the transnational dimension of many of these abuses.

In the absence of reparation and rehabilitation, the processes of integration in the country of transit or destination, resettlement in a third country, or return and reintegration in the country of origin, cannot be sustainable. The stories and testimonies collected and analyzed in this report illustrate the inextricable link between the fulfilment of children's rights and the possibility to safely reach adulthood, and how the current situation in Tunisia compromises both. Research confirms that children on the move who have suffered violence before or during their migratory journey bear the after-effects of long-lasting trauma, face the precariousness associated with lack of legal status and social instability in the country of transit, and struggle to become adults and integrate or reintegrate into their communities. Children arriving at EU borders face inadequate and protracted procedures for identifying and assessing their vulnerability, de facto detention, and obstacles to accessing asylum procedures. Combined with the outsourcing of border management to third countries with inadequate child protection systems, these obstacles erode the legal safeguards in place to protect children.

Modifying current migration management in the best interests of the child and addressing existing gaps in the child protection system for all children in Tunisia is necessary to ensure that new generations grow up in security and prosperity.

# RECOMMENDATIONS



1. Respect the absolute prohibition of torture and ill-treatment.
2. Put an end to the detention of children on the move and provide them with alternatives to detention.
3. Ensure that border management measures take into account the specific protection needs of children.
4. Ensure that all children on the move have access to birth registration and a legal identity.
5. Guarantee access to healthcare, including mental health services, for children on the move.
6. Extend access to education and vocational training to children on the move.
7. Guarantee equal access to national child protection services for all children, regardless of their administrative status and nationality.
8. Promote safe and dignified access to third countries for families with children and unaccompanied refugee children, including resettlement and, where possible, family reunification.



This report is based on primary and secondary research and programmatic learning. The content of this document is the sole responsibility of the OMCT.

The English version of this report is a translation of the French report « LES ROUTES DE LA TORTURE : Les violations des droits humains subies par les enfants en déplacement en Tunisie. Volume 4 »

Please find all relevant documentation at: <https://www.omct.org/>