



The Tunisian government made significant improvements in budget transparency by launching an open budget portal. However, the majority of the action plan saw limited completion. The Joint Commission could enhance its monitoring efforts to improve implementation of the next action plan.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP-participating country. This report summarises the results of the period September 2014 to September 2016.

Since February 2014, the e-Government Unit (e-Gov) at the Presidency of the Government has been OGP's focal point in Tunisia. The mandate of the Unit is to coordinate Tunisia's e-government program, though it has little legal power to directly enforce policy changes on other agencies within government.

The government published the Tunisian OGP Self-Assessment Report in September 2016. On 1 November 2016, Tunisia launched its second action plan for the period 2016-2018. The plan contains 15 commitments, including five that were directly carried forward or modified from the previous action plan.

**Table 1: At a Glance**

	Mid-term	End-of-term
Number of commitments	20	
Level of completion		
Completed	0	5
Substantial	4	3
Limited	12	8
Not started	4	4
Number of commitments with:		
Clear relevance to OGP values	16	
Transformative potential impact	0	
Substantial or complete implementation	4	8
All three (🌟)	0	0
Moving forward		
Number of commitments carried over to next action plan:	5	

## Consultation with civil society during implementation

Countries participating in the OGP follow a process for consultation during development and implementation of their OGP action plan.

In Tunisia, after the development of the action plan, a follow-up committee of 10 members (five representatives each from the government and civil society) was formed to monitor implementation of the plan through monthly meetings. The Joint Commission, a government-led initiative, served as the primary entity for consultation between government and civil society during the action plan period. In the first year of implementation, Commission meetings took place monthly at the e-Gov Unit at the Presidency of Government. The primary means of distributing minutes of meetings and follow-up reports was email.<sup>1</sup>

According to the OGP Point of Contact, there was an open invitation for the monthly consultations via Facebook. In addition to the core group, another 5-6 people would usually be in attendance.

**Table 2: Action Plan Consultation Process**

<b>Phase of Action Plan</b>	<b>OGP Process Requirement (Articles of Governance Section)</b>	<b>Did the Government Meet this Requirement?</b>
During Implementation	Regular forum for consultation during implementation?	Yes
	Consultations: Open or Invitation-only?	Open
	Consultations on IAP2 spectrum <sup>2</sup>	Consult

---

<sup>1</sup> OGP, IRM Midterm Progress Report 2014-2015, 2.

<sup>2</sup> IAP2 Spectrum information available is available at:  
[http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum\\_vertical.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf).

## Progress in commitment implementation

All of the indicators and method used in the IRM research can be found in the IRM Procedures Manual, available at (<http://www.opengovpartnership.org/about/about-irm>). One measure deserves further explanation, due to its particular interest for readers and usefulness for encouraging a race to the top between OGP-participating countries: the “starred commitment” (★). Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have “medium” or “high” specificity.
- The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a “transformative” potential impact if completely implemented.
- Finally, the commitment must see significant progress during the action plan implementation period, receiving a ranking of “substantial” or “complete” implementation.

Based on these criteria, at the midterm report, Tunisia’s action plan contained no starred commitments. At the end of term, based on the changes in the level of completion, Tunisia’s action plan contained no starred commitments.

Commitments assessed as star commitments in the midterm report can lose their starred status if at the end of the action plan implementation cycle, their completion falls short of substantial or full completion, which would mean they have an overall limited completion at the end of term, per commitment language.

Finally, the graphs in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Tunisia, see the OGP Explorer at [www.opengovpartnership.org/explorer](http://www.opengovpartnership.org/explorer).

### About “Did it open government?”

Often, OGP commitments are vaguely worded or not clearly related to opening government, but they actually achieve significant political reforms. Other times, commitments with significant progress may appear relevant and ambitious, but fail to open government. In an attempt to capture these subtleties and, more importantly, actual changes in government practice, the IRM introduced a new variable ‘did it open government?’ in End-of-Term Reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment’s implementation. This can be contrasted to the IRM’s “Starred commitments” which describe *potential* impact.

IRM researchers assess the “Did it open government?” with regard to each of the OGP values relevant to this commitment. It asks, did it stretch the government practice beyond business as usual? The scale for assessment is as follows:

- Worsened: worsens government openness as a result of the measures taken by commitment.
- Did not change: did not change status quo of government practice.
- Marginal: some change, but minor in terms of its impact over level of openness.
- Major: a step forward for government openness in the relevant policy area, but remains limited in scope or scale
- Outstanding: a reform that has transformed ‘business as usual’ in the relevant policy area by opening government.

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM End-of-Term Reports are prepared only a few months after the implementation cycle is completed. The variable focus on outcomes that can be observed

on government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the time frame of the report.

### **General overview of commitments**

As part of OGP, countries are required to make commitments in a two-year action plan. End of term reports assess an additional metric, 'Did it open government?' The tables below summarize the completion level at the end of term and progress on this metric. For commitments that were already complete at the midterm, the report will provide a summary of the progress report findings but focus on analysis of the 'Did it open government?' variable. For additional information on previously completed commitments, please see Tunisia IRM Midterm Progress Report.

The national action plan focused on four key areas:

1. Strengthening integrity in the public sector, fighting corruption, and promoting democracy through a transparent government. These principles were mandated in Articles 10, 15, and 139 of the Tunisian Constitution.
2. Improving public service delivery, strengthening the participatory approach, and instilling principles of open governance in the public sector, through simplification of administrative procedures, strengthening online service delivery, providing mechanisms to involve citizens in public policymaking processes, and building the capacity of civil servants in open governance.
3. Improving transparency in financial and public procurement areas to allow citizens to follow up the management of, and avoid the misuse of, public resources.
4. Enhancing transparency in natural resource management, infrastructure, and environmental protection projects as mandated in Articles 12 and 13 of the 2014 Tunisian Constitution.

To make the report more readable, the IRM researcher reorganized and grouped the commitments according to themes. Commitments 3, 16, and 17 pertain to the publication of audit reports. Commitments 11 and 12 are both related to building the capacity of civil servants. Commitments 13, 14, and 15 all pertain to open budgeting.

**Table 3: Overview: Assessment of Progress by Commitment**

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Mid-term	Did it Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
1. Strengthen legal framework for anticorruption			✓		✓		✓				✓			✓				✓			
2. Electronic civil petition and corruption reporting platform			✓			✓	✓	✓			✓			✓				✓			
Clustered commitments 3, 16, 17: Audit reports																					
3. Annual audit activities report				✓	✓		✓				✓			✓				✓			
16. Public procurement and audit results				✓	✓		✓				✓		✓					✓			
17. Procurement audit reports recommendations		✓			✓		✓			✓			✓					✓			
4. Legal framework of personal data protection			✓		✓		✓				✓		✓					✓			
5. Open data portal			✓		✓	✓		✓			✓			✓				✓			
6. National corporate governance repository			✓		Unclear						✓				✓		✓				
7. Legal framework to regulate ICT communication and interaction		✓					✓			✓				✓				✓			

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Mid-term	Did it Open Government?					
															End of term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
8. Simplification of administrative procedures	✓				Unclear					✓				✓				✓			
9. Online administrative services		✓			✓	✓				✓			✓					✓			
10. Citizen participation in decisionmaking			✓		✓	✓		✓			✓			✓				✓			
Clustered commitments 11, 12: Civil servant capacity building																					
11. Open governance training		✓			Unclear					✓				✓				✓			
12. Specialized open governance training academy			✓		Unclear						✓			✓				✓			
Clustered commitments 13, 14, 15: Open budget																					
13. Budget reports				✓	✓						✓				✓				✓		
14. Open budget system			✓		✓						✓				✓					✓	
15. Budget management platform		✓			✓					✓				✓				✓			
18. Open data platform for petroleum and mining sectors			✓		✓			✓			✓			✓						✓	
19. Improve transparency in infrastructure projects			✓		✓			✓			✓				✓				✓		

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Mid-term	Did it Open Government?					
															End of term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
20. Transparency in environment protection			✓		✓	✓				✓			✓	✓				✓			

## I: Strengthen legal framework for anticorruption

**Commitment Text:** *Drafting a set of laws related to corruption fight:*

- A law related to the protection of Whistleblowers in the public sector:

*This law aims at establishing mechanisms to report corruption cases, and setting up special measures to protect whistleblowers that witness corruption cases within the public sector. The law will sustain the effort of fighting the phenomenon of corruption that threatens public resources, and will reduce its effects at different levels of the government, including central and local level and all structures involved in public services delivery.*

- A law related to Asset Disclosure:

*This law aims to define the list of high government officials and who are obliged to disclose their assets declaration in accordance to specific procedures and after defining the control mechanism and the applied sanctions. This will replace the law n°1987 dated of 17 of April 10th, 1987, related to declaration of honor by government members and high level officials of assets, and all related legislation.*

- A law on illicit enrichment:

*This law aims at defining illicit enrichment of public officials, their spouses or children. And so, with the addition of expenses that are made by or for the benefit of any persons involved in illicit enrichment.*

*Once these laws are formulated and approved by the government, they are directly forwarded to the chamber of deputies.*

Responsible Institution(s): The Secretariat of State in Charge of Governance and Civil Service

Supporting Institution(s): The Ministry of Justice, The Committee of Governance and Corruption Fight, the Chamber of Deputies, the Legal Advisor

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Mid-term		Did it Open Government?					
															End of Term							
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding	
			✓		✓		✓				✓			✓					✓			

### Commitment aim

This commitment set out to draft three key pieces of legislation to comply with the United Nations Convention Against Corruption (UNCAC). They were to focus on three anti-corruption themes: whistleblower protection, asset disclosure, and illicit enrichment. The areas of concern identified by the draft laws had been studied extensively by international partners, such as OECD and United Nations Development Program (UNDP), and were discussed with civil society in multiple forums. According to a 2014 OECD report on asset declaration and integrity in public administration, Tunisia's legal framework is considered below international standards.<sup>1</sup>



## Status

### Midterm: Limited

In March 2015, the General Manager of the Governance Unit at the Presidency of the Government announced that a commission involving several ministries had prepared three anti-corruption draft laws: one concerning whistleblowers protection, another concerning illicit enrichment, and a third concerning government officials' asset disclosures. As of 3 September 2015, the draft laws were available on a UNDP-sponsored website.<sup>2</sup> No timeline was given for official publication, for a comment period, or for when the draft laws would be forwarded to the Chamber of Deputies. For more information, please see the 2014-2015 IRM Midterm Progress Report.

### End of term: Limited

According to the government,<sup>3</sup> the draft law on whistleblower protection was approved by the Council of Ministers on 14 June 2016, and submitted to Parliament on 16 June 2016.<sup>4</sup> Discussions within the Commission of Rights, Freedom, and External Relations began on 15 November 2016, and are ongoing, albeit delayed.<sup>5</sup> A member of the National Instance of the Fight Against Corruption (Mrs. Najet Basha) explained the delay in terms of resistance within the public administration, as well as some officials' fears of being harassed and/or punished if they advocated for the advancement of the legislation. On 16 November 2016, the main anti-corruption watchdog in Tunisia (I-Watch) presented its recommendations regarding the law.<sup>6</sup> These included a proposal to incorporate whistleblower protection within the private sector.<sup>7</sup>

The law on illicit enrichment was submitted to Parliament on 31 December 2015.<sup>8</sup> The government reported that it had held a technical meeting in March 2016 to discuss the integration of the two draft laws on asset disclosure and illicit enrichment.<sup>9</sup> However, there has been no further progress on the commitment.

## Did it open government?

### Access to information: Did not change

### Public accountability: Did not change

Corruption was seen as the main cause of the 2011 revolution in Tunisia, so strengthening anti-corruption legislation remained a priority for civil society. Civil society organisations, such as I-Watch and OpenGov, emphasised the critical importance of these laws for fighting impunity and financial misappropriation in Tunisia. Abdelhamid Jarmouni from OpenGov, an independent group that has been working on open government and open data in Tunisia since November 2011, believes this commitment could fill the legal gap in reinforcing whistleblower and transparency tools.

Since none of the laws were passed, this commitment did not lead to any changes in access to information or public accountability.

## Carried forward?

This commitment was not carried forward to the second action plan. As these laws are critical to the fight against corruption, the IRM researcher suggests taking the necessary steps to pass them, including holding a public consultation with civil society and anti-corruption experts during the discussion of the laws in Parliament.

<sup>1</sup> OECD, "Renforcer l'Intégrité en Tunisie: L'Élaboration de Normes pour les Agents Publics et le Renforcement du Système de Déclaration de Patrimoine," 2014, <http://bit.ly/IKbT6N9>.

<sup>2</sup> Government of Tunisia, Draft Whistleblowers Protection Law, 3 September 2015, <http://bit.ly/IOpsdqH>; Government of Tunisia, Draft Asset Disclosure Law, 3 September 2015, <http://bit.ly/1TTfgZY>; Government of Tunisia, Draft Illicit Enrichment Law, 3 September 2015, <http://bit.ly/1RAOms>.

<sup>3</sup> Interview with OGP focal point team members, Rim Garnaoui and Chiraz Ben Tahar, 9 September 2016.

<sup>4</sup> Government of Tunisia, Draft law on whistleblowers protection submitted to Parliament, [http://www.arp.tn/site/projet/AR/fiche\\_proj.jsp?cp=94610](http://www.arp.tn/site/projet/AR/fiche_proj.jsp?cp=94610).

<sup>5</sup> Commission on Rights and Freedoms and Foreign Relations, 8 February 2017, <http://majles.marsad.tn/2014/chroniques/589b0b88cf441237ac61edf6>.

---

<sup>6</sup> I Watch: propositions pour la protection des lanceurs d'alerte, 16 November 2016, <http://bit.ly/2rmW3lu>.

<sup>7</sup> Achref Aouadi, Interview given on radio Mosaique FM website, <http://www.mosaiquefm.net/fr/actualite-national-tunisie/51066/i-watch-propositions-pour-la-protection-des-lanceurs-d-alerte.html#volume>.

<sup>8</sup> Tunisian Repository of Laws "Marsad Majles": Proposal for Organic Law N 83/2015 on Transparency and the Fight Against Illicit Enrichment. Accessed 26 May 2017. <http://majles.marsad.tn/2014/fr/lois/56d6c9de12bdaa76dc89cf9b>.

<sup>9</sup> Government of Tunisia, Self Assessment Report 2016

## 2: Electronic civil petition and corruption reporting platform

**Commitment Text:** *This platform will contribute to fight corruption and promote citizen participation. Using multiple channels (Website, Call center, SMS, direct visits of citizens), the system will be a gate to receive citizens' complaints and report corruption cases. These complaints will be dispatched to different public structures at the central, regional and local levels. The system ensures the follow up of the petition throughout the treatment process.*

*The system will allow the publication of data on received and treated petitions by category of the petition and by field. It will allow citizens to follow-up their petition treatment process and it will be designed based on a participatory approach involving civil society representatives.*

*This system will be implemented in phases to cover all public structures. The first one concerns number of pilot ministries that will be determined later.*

Responsible Institution(s): The Secretariat of State in Charge of Governance and Civil Service (The Government Unit and the Central Bureau of Relationship with Citizens).

Supporting Institution(s): The Committee of Governance and Corruption Fight, all involved ministries.

Start Date: September 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Mid-term	Did it Open Government?
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	
			✓		✓	✓	✓				✓			✓		

### Commitment aim

This commitment aimed to create a platform that citizens could use to report corruption cases. The platform was meant to combine several channels of reporting — SMS, a website, a call center, and direct contact with a public institution. In 2014, when this commitment was included in the action plan, the only ways to report corruption was to file a case with the local police office, or report it on the platforms of specific ministries, such as the Transport Ministry.<sup>1</sup> Moreover, citizens reporting corruption cases to the police never learned how they were processed.

### Status

#### Midterm: Limited

According to the government's self-assessment report, a law was being drafted on civil petitions under the supervision of a central department at the Presidency of the Government and the Central Bureau of Relationships with Citizens. However, no budget was approved for the implementation of the civil petition system. South Korea's International Cooperation Agency (KOICA) pledged to fund the project, but made little progress at the midterm. The government neither published the technical requirements of the platform, nor shared information about the details of its cooperation with KOICA.

### **End of term: Limited**

The cooperation agreement was signed, and the design brief for the platform finalised at the end of 2016. KOICA provided US\$5 million for the first phase of the technical implementation of the platform. This phase began in February 2016, while the technical implementation was scheduled to begin in January 2017. The completion of the second and final phase is planned for the end of 2017. The government's self-assessment report states that the platform still needs to be developed, and personnel need to be trained.

Ten government agencies are planning to use the platform once it is launched and ready for use. These include the Central Bureau of Relationship with Citizens, the National Anti-Corruption Committee, and the pilot Bureaus of Relationship with Citizens at ministries, governorates, and state-owned companies.

### **Did it open government?**

**Civic participation: Did not change**

**Public accountability: Did not change**

Had it been implemented, this commitment would have had a major impact on fighting corruption. The platform would create multiple channels for citizens to report cases of corruption, and process them via the respective government departments. If the public administration were bound to provide feedback on corruption-related cases, it would enable a culture of public accountability within government, and help build public trust.

By the end of the action plan, however, the platform had not been developed. As a result, the commitment did not improve civic participation or enhance public accountability. The Tunisian NGO, Al Bawsala, and other representatives from civil society met with Oubaid Briki, the new Minister of Public Service and Governance. Al Bawsala reported that the minister is willing to advance the implementation of the commitment, including the electronic civil petition and corruption reporting platform. However, progress has reportedly stalled because of resistance from some directors in the ministry.<sup>2</sup>

Civil society representatives believe the introduction of the electronic civil petition system and corruption reporting platform is a priority.<sup>3</sup> According to members of the NGO, e-Gov Society, it is very important to expedite the complaints system, and have it independently managed and operated by experts.

### **Carried forward?**

This commitment was carried forward to the second action plan (commitment 10). The language of the new commitment is similar, except it explicitly states that the platform will be designed with the participation of civil society representatives. The IRM researcher recommends accelerating work on the platform, keeping the following in mind:

- A more proactive promotion effort is needed to engage the public in the anti-corruption platform, since its usability would depend on citizens' awareness of the tool.
- Track progress on implementation of the commitment. Its results must be measured against specific success indicators, such as the number of users of the reporting platform, the percentage of reported and resolved cases, and the average time for processing a case and its results.

---

<sup>1</sup> The Ministry of Transport's website for reporting corruption is <http://bit.ly/2roVg9Z>.

<sup>2</sup> Al Bawsala's interview with the IRM researcher, 1 February 2017.

<sup>3</sup> Ibid.

## Clustered Commitments 3, 16, 17: Audit Reports

### 3: Annual audit activities report

**Commitment Text:** Regarding public structures commitment of proactive information disclosure, an annual report will be published to expose public audit structures activities (high committee of public service control, general financial control committee, general control of State Property and Land Affairs) in a simplified form, easily accessible and understandable by citizens, so that citizens get involved in the accountability system.

Preparing this report will finally require the adoption of a pre-set standards and procedures to ensure quality and efficiency.

Responsible Institution(s): The High Committee for Administrative and Financial Control

Supporting Institution(s): High Committee of Public Service Control, General Financial Control Committee, General Control of State Property and Land Affairs.

Start Date: July 2014

End Date: December 2015

### 16: Public procurement and audit results report

**Commitment Text:** Publication of reports related to attribution and execution of public procurement elaborated by the national assembly of public demand taking into consideration audit reports submitted to the president of the republic, the president of the government and to chamber of deputies.

Responsible Institution(s): Presidency of the Government (the National Assembly of Public Demand)

Start Date: July 2014

End Date: June 2016

### 17: Procurement audit reports recommendations

**Commitment Text:** Implementation of a system allowing clustering, follow up and publication of recommendations included in the audit reports of public procurements elaborated by the committee of audit and control of public demand.

Responsible Institution(s): Presidency of the Government (High Committee of Public Demand)

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Midterm End of Term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed			Worsened	Did not change	Marginal	Major	Outstanding
3. Annual audit activities report.				✓	✓		✓				✓			✓						✓			
16. Public procurement and audit results.				✓	✓		✓				✓		✓						✓				

[illegible]

### Commitment aim

This cluster of commitments sought to publish reports produced by several state auditing agencies (the High Committee of Public Service Control, the General Financial Control Committee, the General Control of State Property and Land Affairs, the National Assembly of Public Demand, and the Committee of Audit and Control of Public Demand) in a format that is accessible and understandable to users who might not have a background in audits.

### Status

## Midterm

**Commitment 3 – Limited:** A multi-stakeholder task force was assembled under the supervision of the High Authority for Administrative and Financial Control (HCCAF) to discuss the structure, content, and writing style of the reports and their compliance with international reporting standards.

**Commitment 16 – Not Started:** According to the government’s self-assessment, no effort had been made to publish audit results.

**Commitment 17 – Not Started:** The government’s self-assessment report also points out that there was no progress on publishing recommendations related to public procurement.

For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>1</sup>

**End of term: Limited**

Interviews conducted by the IRM researcher with the government and CSOs, including IACE (Institut Arabe des Chefs d'Entreprise) and e-Gov Society, revealed that no further progress had been made on the implementation of the three commitments. The multi-stakeholder taskforce did not finish drafting the executive text that was to organise the publication of the reports.<sup>2</sup> No clear reasons were given for the delay.

### Did it open government?

**Access to information: Did not change**

**Public accountability: Did not change**

The publication of annual audits and public procurement audit reports could foster public access to information on government spending and, ultimately, enhance the accountability of public officials. Since none of the audit reports were made available at the end of the action plan, these commitments have not led to any changes in government practice regarding access to information or public accountability.

## Carried forward?

These commitments were not carried forward to the 2016-2018 action plan. However, given the importance of transparency in public spending, the IRM researcher recommends taking the necessary actions to ensure the publication of annual audit reports and public procurement audit documentation. In addition, the government could lower the risk of corruption in public procurement by creating a mechanism to allow contract bidders to report on irregularities in the procurement process. Finally, the government could develop tools in collaboration with watchdog groups to facilitate the analysis of procurement data.

1 OGP, Tunisia IRM Midterm Progress Report 2014-15 [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

---

<sup>2</sup> High Commision for Administrative Control and Finance on Publication Oversight Reports, 14 December 2016, <http://bit.ly/2pQNxAr>.

#### 4: Legal framework of personal data protection

**Commitment Text:** *In accordance with the provisions of Part II of the Constitution “Rights and freedoms”, in particular the provisions of article 24, that admits the State commitment to personal data protection, and article 32 that enshrine the right to information access, and in respect to article 49 that states that the rights and freedoms guaranteed by the Constitution should be explicated by laws, the current data protection act and related legislation will be amended, so that it can meet international standards, especially in the ICT field.*

Responsible Institution(s): The Ministry of Justice (The National Authority for Personal Data Protection)

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End of Term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓		✓				✓		✓					✓			

#### Commitment aim

This commitment sought to review the legal framework on personal data protection to make sure it complies with Article 24 of the Tunisian Constitution of 2014. Article 24 protects personal data. The commitment is particularly relevant because, before the 2011 revolution, the regime used censorship and surveillance to identify and silence dissident voices.

#### Status

##### Midterm: Not started

The Ministry of Justice (MoJ) did not make any progress on preparing amendments to the 2004 law to meet international standards on data protection. The role of the National Authority for Personal Data Protection (NAPDP) in this commitment was unclear during the first nine months of implementation. NAPDP's leadership and some of its technical team<sup>1</sup> changed in 2015, following the formation of a new government.<sup>2</sup>

##### End of term: Not started

According to the OGP's points of contact,<sup>3</sup> there was no further progress on the implementation of this commitment. The representative of Al Bawsala declared that there is no government will to amend the existing 2004 law or to introduce a new one.<sup>4</sup> However, the National Authority for Protection of Personal Data (INPDP) is leading an initiative to amend the law.



## Did it open government?

**Access to information: Did not change**

**Public accountability: Did not change**

Tunisia has had a Data Protection Act since 2004, but a new legal framework would strengthen the protection of citizens' personal data. With an increasing number of Internet users in Tunisia (about 5.5 million out of a population of 11 million),<sup>5</sup> personal data protection could be an important factor to enable digital activism and better access to information.

The lack of progress on enacting the new legislation means that the commitment has not had an impact on access to information and public accountability.

## Carried forward?

This commitment was not included in the second action plan. The IRM researcher suggests clearly articulating any amendments to the existing law. What specific changes the amendments would introduce, and how they would change the status quo regarding personal data protection, should both be made clear to the public.

---

<sup>1</sup> Adhadhi Nidhal, "Chawki Gaddes as a New President of the NAPDP," News, Tunisie Telecom, 5 May 2015, <http://bit.ly/1PV9ypb>.

<sup>2</sup> Khaled Sellami, Head of the OGP Focal Point, interview with the IRM researcher, 23 November 2015.

<sup>3</sup> Interview with OGP focal point team members, Rim Garnaoui and Chiraz Ben Tahar, 9 September 2016.

<sup>4</sup> Interview with Al Bawsala representative, 1 February 2017.

<sup>5</sup> Internet Live Stats, "Tunisia Internet Users," <http://www.internetlivestats.com/internet-users/tunisia/>.

## 5: Open data portal

**Commitment Text:** *This portal will replace the current web site (www.data.gov.tn) available online since 2012, so that, government data disclosure could be made according to international standards in terms of size, quality, nature... The portal will represent a one stop shop that offer access to different government data produced by public structures at central and regional level. Some sectors, such as, transport-related data “Open transport” and land property “Open cadastre” will require special focus due to their importance.*

*The aim of this portal is to open data produced by various public structures, and facilitate its reuse. The portal development will be made according to a participatory approach that involves civil society representatives.*

Responsible Institution(s): The Secretariat of State in Charge of Governance and Civil Service (and E-government Unit)

Supporting Institution(s): Involved public institutions

Start Date: July 2014

End Date: February 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓		✓	✓		✓			✓			✓	✓			✓				

### Commitment aim

The Tunisian government launched its first open data portal in 2012 with a limited number of datasets, including statistics on public administration activities, as well as listings of public offices. This commitment envisioned re-developing the open data portal to improve usability and data relevance.

### Status

#### Midterm: Limited

The government began a selection process to appoint a contractor to create a new version of the portal in 2013, with funding from the African Development Bank (ADB). A contractor was selected in June 2015, and work on the new portal started. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>1</sup>

#### End of term: Limited

The OGP points of contact<sup>2</sup> have stated that the new portal was not launched officially. Beta testing of the new open data portal was being carried out by a limited number of users, including a technical committee charged with monitoring the completion of the portal by 15 September 2016. The plan's goal was for the portal to go live by the end of 2016. However, as of 31 December 2016, no advance was made on the launch of the portal, and the beta version was not made available publicly.

According to the government, the first phase has been completed and the technical features are being developed. In the meantime, the old portal ([www.data.gov.tn](http://www.data.gov.tn)) is functional, but is not updated regularly, and there is a lack of coordination between ministries regarding the publication of data.<sup>3</sup>

### **Did it open government?**

**Access to information: Did not change**

**Civic participation: Did not change**

A well maintained open data portal would allow citizens to follow government activities and, thus, improve access to public information. It would also help establish a new relationship based on trust, transparency, and accountability between the government and citizens. The Global Open Data Index ranked Tunisia 86<sup>th</sup> in 2015, down from 66<sup>th</sup> in 2014.<sup>4</sup> The lower ranking demonstrates that a concerted effort is needed to ensure the advancement of open data, which is a vital component of open government.

The delayed re-development of the portal has not yet led to any improvements in access to information or opportunities for civic participation.

### **Carried forward?**

This commitment was carried forward to the second action plan in a modified form. The language was changed to include four milestones, including one on public data licencing and integrating data via personnel networks across government agencies. To ensure successful implementation of this commitment, the IRM researcher recommends the following:

- The e-Gov Unit at the Presidency of the Government should formalise the process of dataset creation, aggregation, compliance, and quality. The Unit would require additional resources and an appropriate budget for the project.<sup>5</sup>
- The government should actively encourage civil society and watchdog organisations to use the platform and newly published datasets to inform their work.

---

<sup>1</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>2</sup> Interview with OGP focal point team members, Rim Garnaoui and Chiraz Ben Tahar, 9 September 2016.

<sup>3</sup> Interview with Al Bawsala, 1 February 2017.

<sup>4</sup> Global Open Data Index, "Tunisia," <http://2015.index.okfn.org/place/tunisia/>.

<sup>5</sup> Interview with Maher Kallel from the e-Gov Society, 18 September 2016.

## 6: National corporate governance repository

**Commitment Text:** Elaborate a governance repository according to international quality standards and encourage corporate social responsibility in public and private sector.

The repository for corporate governance should be in accordance with the governance specification ISO 26000, which deals with corporate social responsibility (CSR). It will allow dissemination of the principles of governance such as transparency, integrity and accountability and to ensure these principles' sustainability and application within the public and the private sector, following standardized procedures.

Responsible Institution(s): National Institute for Standardization and Industrial Property (INNORPI)

Supporting Institution(s): The Secretariat of State in Charge of Governance and Civil Service

Start Date: July 2014

End Date: December 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓		Unclear						✓				✓			✓				

### Commitment aim

The government planned to create a national repository of corporate governance to provide public and private institutions with a framework to structure corporate governance, corporate social responsibility, and ethics-based practices to prevent corruption. The repository was meant to be used as a reference to adapt administrative procedures and internal processes to the values of integrity.

### Status

#### Midterm: Substantial

The hard copy of the repository was finalised in December 2014. In 2015, several seminars and training sessions were held to introduce the repository to civil servants. At the time of the midterm report, a presentation brochure was available on the UNDP-sponsored government website, Anticor.tn. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>1</sup>

#### End of term: Complete

This commitment is complete. A brochure of the repository (manual) is available on the INNORPI website.<sup>2</sup> Hard copies were available for a cost of 30 Dinars (approximately US\$15). The four pages of the brochure, available in Arabic and French, explains how the materials could be integrated in all public and private organisations, following three steps to improve governance and fight corruption. The repository is a type of manual based on several international standards of good governance. By following the manual, organisations could earn the label of good governance, which would boost their credibility. The INNORPI charges the public a fee for the hard copie in much the same way it charges

fees for all the other repositories and standards-related documents. However, on-site consultations of the repository are free.

### **Did it open government?**

**Access to information: Did not change**

**Civic participation: Did not change**

**Public Accountability: Did not change**

The repository could provide useful guidance for public and private organisations on how to improve governance and fight corruption within their organisations. However, it is unclear how widely the repository has been taken up and used, or how many copies of the manual the INOPRI has sold. Such information is not public and, therefore, it remains difficult to assess if this commitment has had any impact on changing government practice.

### **Carried forward?**

This commitment was completed during the implementation period. However, in the second action plan (2016-2018), the government committed to establish the “national reference for corporate governance on a publicly owned companies and a private enterprise” (commitment 12).<sup>3</sup>

---

<sup>1</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>2</sup> Republique Tunisienne Ministere de l'Industrie et du Commerce, “Referentiel National de la Gouvernance,” [http://www.innorpi.tn/Fra/referentiel-national-de-la-gouvernance-en-tunisie\\_11\\_302](http://www.innorpi.tn/Fra/referentiel-national-de-la-gouvernance-en-tunisie_11_302).

<sup>3</sup> Tunisia National Action Plan 2016-2018, pg. 20, <https://www.opengovpartnership.org/documents/tunisia-second-national-action-plan-2016-2018-english>

## 7: Legal framework to regulate ICT communication and interaction

**Commitment Text:** Using ICT to communicate and interact within the public administration and between public structures and their citizens can provide practical mechanisms to follow up how administrative files are handled. Technology can then consecrate accountability, which is a fundamental principle of open government.

To this end, a legal framework that regulates communication and interaction within the public sector and between public structures and citizens will be established. Such legislation will provide more legal value to electronic documents, and so, encourage public structures to go paperless.

Responsible Institution(s): The Secretariat of State in Charge of Governance and Civil Service (e-Gov Unit)

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Midterm	Did it Open Government?				
																	End of Term					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed		Worsened	Did not change	Marginal	Major	Outstanding
		✓					✓			✓				✓					✓			
														✓								

### Commitment aim

This commitment sought to draft a law to allow and incentivise the use of ICTs in government-government and citizen-government communication. Tunisia has no legal framework that regulates electronic exchanges and administrative procedures between citizens and public institutions, or among government agencies. Consequently, most government services, procedures, and interactions with citizens are still conducted offline, leading to inefficiencies.

### Status

#### Midterm: Limited

According to the government's self-assessment report, the law regulating the electronic provision of government documents was drafted with civil society. However, it was not published on an official website, and no CSO from the OGP joint committee was aware of consultations regarding the law. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>1</sup>

#### End of term: Limited

There was no further progress on the implementation of this commitment.<sup>2</sup> The government's self-assessment states that the draft law was submitted to the Council of Ministers for approval.

## **Did it open government?**

### **Public accountability: Did not change**

The commitment lacked sufficient details concerning measureable milestones. A legal framework to regulate ICT communication and interaction could help to centralise administrative procedures, allow citizens to monitor the progress of their requests, and hold the institutions to account for execution time and service provision. Given the limited progress, however, the commitment did not lead to any change in government behaviour regarding public accountability.

### **Carried forward?**

This commitment was not carried forward to the second action plan. The IRM researcher recommends that the government puts forward commitments that clearly articulate mechanisms that citizens can use for holding public officials accountable.

---

<sup>1</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>2</sup> Interview with OGP focal point team members, Rim Garnaoui and Chiraz Ben Tahar, 9 September 2016.

## 8: Simplification of administrative procedures

**Commitment Text:** *This commitment consists in simplifying a number of administrative procedures in order to facilitate business, and make people's life easier. The simplification process will be made after considering a list of administrative procedures that will be canceled or amended, before adopting the required legislation (laws, decrees,...).*

Responsible Institution(s): The Secretariat of State in Charge of Governance and Civil Service (The General Directorate for Reforms and Prospective Studies), the Ministry of Economy and Finance, in cooperation with all concerned parties.

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?						
	✓	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed		✓				Outstanding
		Unclear																					

### Commitment aim

This commitment aimed to simplify a number of administrative procedures, especially those related to investment, business, and finance. Tunisia has numerous and overly complex administrative procedures which undermine the business climate and hurt economic growth. In 2015, the World Bank ranked the country 75<sup>th</sup> out of 189 in terms of ease of doing business.<sup>1</sup>

### Status

#### Midterm: Limited

On 18 September 2014, the Chief of Government signed the 2014-3484 Decree to initialise a participatory process for simplifying administrative procedures in health, tourism, national security, land and equipment, and sustainable development. The decree mandated the creation of several committees in different ministries to review administrative procedures, in consultation with the private sector. The IRM researcher could not confirm that the committees were formed, or that any subsequent consultation took place. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>2</sup>

#### End of term: Limited

The OGP points of contact<sup>3</sup> stated that, as of July 2016, no further progress had been made on the implementation of this commitment.

### Did it open government?

**Access to information: Did not change**

**Civic participation: Did not change**

**Public Accountability: Did not change**

Simplifying administrative procedures and cutting red tape are essential to delivering better services to citizens, as well as improving the business environment in the country. As written, however, the



commitment did not include any measures for publicising information on how the process would take place, or for involving CSOs or the business community in deciding how the procedures would be simplified. The IRM researcher could not confirm that the government created the committees or that any consultation with CSOs occurred. The conclusion is, therefore, that the commitment did not contribute in any way to opening government.

### **Carried forward?**

This commitment was not carried forward to the second action plan.

---

<sup>1</sup> World Bank, "Ease of Doing Business Index," <http://bit.ly/ITTnAss>.

<sup>2</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>3</sup> Interview with OGP focal point team members, Rim Garnaoui and Chiraz Ben Tahar, 9 September 2016.

## 9: Online administrative services

**Commitment Text:** Based on a participatory approach through the organization of online consultation, a list of the administrative services that are much used by citizens and that can be automated will be drawn. This list will include e-services with different maturity level (Informative, interactive and fully integrated services) that covers the needs of different administration users (citizens, businesses, public servants, foreigners,...).

Developing online services will certainly enhance the public sector transparency, reduce corruption and support the participatory approach.

Responsible Institution(s): The Secretariat of State in Charge of Governance and Civil Service (e-Gov Unit)

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓	✓				✓			✓					✓			

### Commitment aim

This commitment intended to provide new online services to limit the corruption occurring from extensive regulations and inefficient administrative procedures. The digitisation of public services could diminish the discretionary authority of public servants and help reduce the opportunities for bribery between citizens and civil servants.

### Status

#### Midterm: Not started

Between 2000 and 2014, the government launched several online services, such as import and export procedures, social security payments, and tax filings. At the writing of the midterm report, the IRM researcher could not obtain evidence to ascertain the completion level for the commitment. According to an interview conducted by the IRM researcher on 9 September 2015 with government officials,<sup>1</sup> no budget had been allocated for the implementation of the commitment. Furthermore, there was no evidence of an online consultation with citizens.

#### End of term: Not started

OGP contacts<sup>2</sup> in Tunisia stated that there was no progress on the implementation of this commitment.

### **Did it open government?**

**Access to information: Did not change**

**Civic participation: Did not change**

By involving civil society and the business community in the process of identifying which services to prioritise for digitisation, the government may have enhanced the quality of citizen-government interaction and improved government's performance. However, for greater impact, the commitment had to be more specific. Since the commitment was not started, it did not contribute in any way to open government.

### **Carried forward?**

This commitment was not carried forward to the second action plan.

---

<sup>1</sup> Meeting of the IRM researcher with officials on 9 September 2016.

<sup>2</sup> Interview with OGP focal point team members Rim Garnaoui and Chiraz Ben Tahar, 9 September 2016.

## 10: Citizen participation in decisionmaking

**Commitment Text:** This commitment consists in preparing the legal framework for public consultation and development of an e-participation portal.

- Preparing a legal framework for public consultation:

Consultations will be considered before all major public decision-making and before legal drafting. This framework is expected to determine the different stages to adopt legislation (laws, decrees,...) and to identify the intervening parties and the role of each of them in the process, according to a predefined calendar.

Responsible Institution(s): The Presidency of the Government (The General Directorate for Reforms and Prospective Studies, the Legal Advisor Services)

- Develop an e-participation portal:

This platform will facilitate communication and interaction with the various administration users. Multiple channels of communication will be adopted in order to enable them to express their opinions and make suggestions and share their ideas about public policies and programs formulation and to follow up their implementation. The portal development will be made according to a participatory approach that involves civil society representatives.

Responsible Institution(s): The Secretariat of State in Charge of Governance and Civil Service (e-Gov Unit)

Supporting Institution(s): All concerned public structures

Start Date: July 2014

EndDate: February 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding

### Commitment aim

This commitment was designed to draft a law to allow for online public consultations, and to build the first e-participation portal to improve civic engagement in key decision making.

### Status

#### Midterm: Limited

A first version of the e-participation portal was put in place in 2012 (<http://www.consultations-publiques.tn>). Although it did not allow citizens to view what others were saying, and lacked follow-up mechanisms on the implementation of the proposed reforms, it was used to conduct several public consultations. For example, it was used for the reforms related to social security and the judiciary. In interviews, several CSOs complained about the government's limited efforts to publicise ongoing consultations and to raise awareness of the initiative.<sup>1</sup> Some criticised the fact that citizens

with certain physical disabilities were unable to access the consultation portal, as well as the lack of publicity concerning the portal for expatriates. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>2</sup>

### **End of term: Limited**

Due to the government's self-assessment report, an online public consultation was organised in early 2016<sup>3</sup> to discuss the legal framework for conducting online public consultations. The results of the consultations were not made public. According to Mrs. Imen Tazarki, Director of the General Administration of Reform and Prospective Administrative Studies, a decree on public consultation containing 16 articles was developed during the second semester of 2016.<sup>4</sup> This occurred outside the assessment period for this report. The decree was supposed to be published in the official Journal of the Tunisian Republic (JORT) in November 2016. However, as of April 2017, the decree was still under review by the administrative court.

By July 2016, the e-participation portal, which was the second part of this commitment, was not yet fully operational. The government's self-assessment reported that a technical committee was testing and evaluating the portal.<sup>5</sup>

### **Did it open government?**

**Access to information: Did not change**

**Civic participation: Did not change**

The development of a legal framework and the creation of an e-participation portal could have a major impact on civic participation in decision making, as well as improve access to information vis-à-vis the legislative drafting process. Neither the legislative framework, nor the participation e-portal has been completely developed, and as a result, the status quo has not changed. Civil society members who participate in National Steering Committee meetings are following up on the development of the decree on public consultation. However, they remain skeptical about the 2017 launch date.

### **Carried forward?**

This commitment was not included in the second action plan. Nevertheless, given the importance of citizen participation tools in post-revolutionary Tunisia, the IRM researcher believes the government should complete the portal and publicise it so that citizens and CSOs can use it to follow and consult on laws.

---

<sup>1</sup> Stakeholder Forum held by the IRM researcher, September 2015.

<sup>2</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>3</sup> For the public consultation, see [http://www.consultations-publiques.tn/index.php?option=com\\_content&view=article&id=212:2016-04-18-05-57-35&catid=78:consultation2016](http://www.consultations-publiques.tn/index.php?option=com_content&view=article&id=212:2016-04-18-05-57-35&catid=78:consultation2016).

<sup>4</sup> See the Tunisia OGP webpage, [http://www.ogptunisie.gov.tn/index.php?option=com\\_content&view=category&layout=blog&id=37&Itemid=242](http://www.ogptunisie.gov.tn/index.php?option=com_content&view=category&layout=blog&id=37&Itemid=242)

<sup>5</sup> For the 2016-2018 Action Plan see the Tunisia OGP country page: <https://www.opengovpartnership.org/country/tunisia/assessment>.

## Clustered Commitments I 1, I2: Civil servant capacity building

### I 1: Open governance training

#### Commitment Text:

- Set up a training program for civil servants in the open government field considering subjects related to open government, corruption fight, information access, open data and electronic participation.
- Include training programs and sessions about the open government in the training programs of the national school of administration and in other institutions specialized in public sector training.

Responsible Institution(s): Presidency of the Government: Secretariat of State in Charge of Governance and Civil Service and General Committee of Public Service (General Direction of Training and Capacity Building)

Supporting Institution(s): Public institutions specialized in civil servants training

Start Date: July 2014

End Date: June 2016

### I2: Open governance training academy

**Commitment Text:** Create a structure specialized in academic training in the governance area for civil servants in collaboration with experts in this field. This training will allow trainees to have broader knowledge about governance and corruption fight trends at the international level.

Responsible Institution(s): Presidency of the Government: Secretariat of State in Charge of Governance and Civil Service, the General Committee of Public Service

Start Date: July 2014

End Date: December 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
I 1. Open governance training		✓			Unclear					✓				✓			✓				
I 2. Specialized open governance training academy			✓		Unclear						✓			✓				✓			

#### Commitment aim

These two commitments were geared toward building the capacity of civil servants in the area of open government. Specifically, they sought to establish an open governance training program and academy.

## Status

### Midterm: Limited

In September 2013, the Chief of Government signed Executive Order 2013-3803, creating the International Good Governance Academy of Tunis. According to the government's self-assessment report, the academy was expected to open in September 2015 within the National School of Administration (Ecole Nationale d'Administration, ENA). Training materials and programs were developed, and topics related to open governance were included. Some of the material was published on the ENA's website. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>1</sup>

### End of term: Complete

Commitments 11 and 12 were both completed.

- **Commitment 11:** The government's self-assessment and the IRM researcher's media monitoring both confirmed that the Chief of Government signed a note (#21) on 23 September 2015 requiring that all civil servant training programs include materials on good governance and open government. These civil servants participated in a 45-day training session between 5 December 2015 and 15 January 2016. The government partnered with two organisations to provide complementary trainings to civil servants. Some of the training was held at the new academy, and some took place in Germany and France. On 19 and 20 October 2015, ten civil servants attended a training seminar about open data that was organised with the OECD. In November 2015, ten civil servants from the Presidency of the Government attended a training seminar about the fight against corruption, in partnership with the French National School of Administration (ENA).
- **Commitment 12:** On 3 November 2015, the Academy officially launched its operations. The first class to attend was awarded graduation certificates in December 2016. This first group had worked on transparency of calls for tenders in the health sector.

## Did it open government?

**Access to information: Did not change**

**Civic participation: Did not change**

**Public Accountability: Did not change**

At the time of the end-of-term assessment, there were no clear indicators of change in government behaviour because of the implementation of these two commitments. M. Karim Bani from the Presidency of the Government,<sup>2</sup> who was responsible for the training of civil servants, stated that the concrete effects on the administration's practices would require "at least some months or years." A leading watchdog organisation, I-Watch, noted that, because the academy itself had no clear indicators to follow up on its goals, civil society could not monitor the training effects. I-Watch, therefore, believes that the training alone will not sufficiently improve public administration practices, at least in the short term.

## Carried forward?

This commitment is complete and has not been carried forward. However, there is a similar commitment in the second action plan which seeks to develop a practical guide on the principles of open government at the local level (commitment 4).<sup>3</sup> To improve the quality and effectiveness of the Academy, regional chapters could be established for public servants to benefit from the training programs. Another recommendation would be to create an Academy board to involve and consult with CSOs to monitor the program and make recommendations.

---

<sup>1</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>2</sup> Interview with M. Karim Bani, 25 October 2016.

<sup>3</sup> OGP, Tunisia National Action Plan 2016-2018, pg. 12, See: <https://www.opengovpartnership.org/country/tunisia/assessment>.



## Clustered Commitments 13, 14, and 15: Open budget

### 13: Budget reports

**Commitment Text:** According to IBP-OECD international standards, 8 reports<sup>1</sup> related to budget must be published, but in Tunisia, only 6 reports are published. The proposal is to publish the two missing reports:

- Semi-annual report related to the budget.
- Audit report.

The 8 reports must be published in the appropriate deadlines according to international standards and also the citizen-budget must be published before the publication of the law of finance.

- Devoting fiscal transparency for public enterprises and institutions in order to oblige them to publish their financial statements.

Responsible Institutions: Ministry of Economy and Finance; the Unit of Follow-up of Public Enterprises and Institutions (Presidency of the Government)

Start Date: July 2014

End Date: June 2016

### 14: Open budget system

**Commitment Text:** Development of the open budget system in order to facilitate access to documents related to public finance and execution of the budget. This will guarantee the reuse of data by all users. This system will include a set of global data, which will be disseminated through the exploitation of automated information systems regarding the implementation of the State budget system, especially the system of management of the budget "ADEB." This will be considered as an important step towards transparency, corruption fight and avoiding waste of public resources.

Responsible Institution(s): Ministry of Economy and Finance

Start Date: July 2014

End Date: December 2015

### 15: Exploring data existing in the budget management platform (ADEB)

**Commitment Text:** Data and information related to public structures budget and existing in the application dedicated to budget management (ADEB) will be used and published in an easy and readable format. Also public procurement providers will be allowed to follow up their payments through this system.

Responsible Institution(s): Ministry of Finance and Economy

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm End of Term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
13. Budget reports				✓	✓						✓				✓				✓		
14. Open budget system			✓		✓						✓				✓	✓				✓	
15. Budget management platform		✓			✓					✓				✓	✓				✓		

## Commitment aim

This cluster of commitments was concerned with open budget reporting. Up until 2013, Tunisia's track record in budget openness was poor.<sup>2</sup>

With commitment 13, the government pledged to comply with international budget transparency standards by publishing the Budget Semi-Annual Report (produced by the Ministry of Finance), and the Audit Report (produced by the National Audit Court).

In commitment 14, the Ministry of Finance planned to set up an online platform, one that could be used easily by citizens with no background in finance or audits, for accessing and understanding budget information.

In commitment 15, the Ministry of Finance promised to implement an online tool to allow citizens to explore and reuse detailed data related to the budget and its execution from public institutions (ministries, government agencies, etc.). The tool was meant to be tailored to government contractors, and help them to track government payments.

## Status

### Midterm

**Commitment 13 – Substantial:** The Ministry of Finance published the 2014 Semi-Annual Budget Execution Report on May 2015.<sup>3</sup> This substantially completed this commitment. The audit report, which was the second part of the commitment, was not released. It was to be published after following internal feedback from the National Court of Audit.

**Commitment 14 – Substantial:** The Ministry of Finance secured support from the World Bank Group to set up an online citizen-friendly platform (ADEB) for exploring budget information. A prototype of the website was created and available through an unofficial website.<sup>4</sup>

**Commitment 15 – Limited:** The ADEB platform was not publically accessible at the time of the midterm assessment. The Ministry of Finance reported that the Computer Finance Center (CIMF) implemented the platform “ADEB Web” internally, but the platform was pending final validation.

For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>5</sup>

### End of term

**Commitment 13 – Substantial:** According to the government's self-assessment report, the Semi-Annual Budget Report was published (May 2015), but the audit report was not released by the Court of Auditors. Thus, the commitment is not yet complete. The delay in publishing the audit report is due to internal issues within the Court of Auditors. According to the government's self-assessment, the audit report is still being drafted.

**Commitment 14 – Complete:** The budget portal was launched in December 2015, and is currently open to the public at <http://www.mizaniatouna.gov.tn>, thereby completing this commitment. Information from the government's internal financial tracking system (ADEB) is automatically pulled into the user-friendly plain language budget portal.

**Commitment 15 – Substantial:** The open budget portal contains open data sets, and allows users to track budgets and spending by government department.<sup>6</sup> The government's self-assessment reports that the commitment is substantially complete, and an implementation committee has been established to continue progress. However, the portal is still missing a few tools specified in the commitment text. For example, procurement providers are not yet able to follow up and track payments through the portal.

## Did it open government?

### Commitment 13

**Access to information: Marginal**

Publication of the Semi-Annual Budget Report improved Tunisia's ranking in the International Budget Project (IBP) 2015 Open Budget Index, from 89<sup>th</sup> to 66<sup>th</sup> (or a score of 42 out of 100).<sup>7</sup> Although this is a positive step, the delayed audit report has affected Tunisia's OGP eligibility requirements. In 2015, Tunisia fell below the eligibility criteria since it no longer published the audit report in the correct time frame. The government was given a year to increase its score above the threshold. As of May 2016, the Tunisian government submitted a request to the IMF for an extension of funds to continue carrying out economic and fiscal reforms, including updating and improving audit reporting.<sup>8</sup> At the close of the commitment's implementation period in June 2016, however, the audit reports still had not been released.

#### **Commitment 14**

##### **Access to information: Major**

The Tunisian Ministry of Finance launched a new portal, together with the World Bank, to increase the transparency of public spending and enable citizens to monitor government's use of public funds. The Mizaniatouna (Our Budget) portal acts as a single point of entry for all financial information dating to 2008. It is accessible in French and Arabic, and provides texts and graphs to improve citizens' ability to understand budget information, including budget deficits, public debt, and the cost of public subsidies.

ADEB is the Ministry of Finance's internal system used for tracking government financial information. The Mizaniatouna portal pulls information directly from ADEB, and display it publicly in an easy to use format. A World Bank Senior Public Sector Specialist noted, "Tunisia's transition from being one of the most secretive regimes in the region to becoming the frontrunner in terms of fiscal transparency is a very fulfilling experience. It offers great opportunities for deeper citizen engagement to improve the transparency and accountability of key public programs and services."<sup>9</sup>

#### **Commitment 15**

##### **Access to Information: Marginal**

The interactive Mizaniatouna budget site includes transparency tools, such as a "pivot table" with which citizens can download raw data on public spending in open formats.<sup>10</sup> The data have been collected and integrated with the World Bank BOOST database system, and are organised by sector (public remuneration, interest on government debt, public funding, etc.) and year (from 2008). While it is too early to assess how citizens have used the site since it came online, and how this initiative has changed government practice, it does represent a positive step toward greater fiscal transparency. Some members of civil society believe that the portal could still be improved to make data easier to reuse.<sup>11</sup> Developing and implementing the portal has had a major impact on opening government by making fiscal information available, but it is less clear how useful the data tools, in their current format, will be in allowing citizens to analyse public spending.

#### **Carried forward?**

These commitments were not included in the second action plan. The IRM researcher suggests collecting feedback and working with CSOs and Mizaniatouna site users to assess how the portal and data are being used, and whether the tools can be improved.

---

<sup>1</sup> These are audit reports. Please see the IRM Midterm Progress Report 2014-2015 for further details, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>2</sup> International Budget Partnership, "Tunisia," Open Budget Survey 2012, <http://bit.ly/1ZjkNdl>.

<sup>3</sup> Republic of Tunisia, Ministry of Finance, "Semi-Annual Report on 2014 Budget Execution," 2014, accessed, <http://bit.ly/1mTVbrz>.

<sup>4</sup> BOOST, Open Budget Platform of the Minister of Economy and Finance of Tunisia, "Bienvenue sur le portail du budget ouvert du Ministère de l'Economie et des Finances de la Tunisie," [http://salasituacional.net/tunisia/template\\_fr/](http://salasituacional.net/tunisia/template_fr/).

<sup>5</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

---

<sup>6</sup> Portail Mizaniatouna Du Ministere Des Finances De La Tunisie, “Manuel de l'utilisateur de la base de données BOOST de la Tunisie,” [http://www.mizaniatouna.gov.tn/tunisia/template\\_fr/Manuel\\_fr.php](http://www.mizaniatouna.gov.tn/tunisia/template_fr/Manuel_fr.php).

<sup>7</sup> International Budget Partnership, “Tunisia,” Open Budget Survey 2015, <http://bit.ly/1W5odkg>.

<sup>8</sup> International Monetary Fund, “Tunisia: Request for an Extended Arrangement under the Extended Fund Facility—Press Release; Staff Report; and Statement by the Executive Director for Tunisia,” IMF Country Report No. 16/138 (June 2016), <https://www.imf.org/external/pubs/ft/scr/2016/cr16138.pdf>.

<sup>9</sup> The World Bank, “Tunisia's Fiscal Transparency Revolution: from Secrecy to Full Openness”, 23 December 2015, <http://www.worldbank.org/en/news/feature/2015/12/23/tunisia-fiscal-transparency-revolution-from-secrecy-to-full-openness>

<sup>10</sup> Portail Mizaniatouna, [isatabank.info/boost\\_tunisia\\_fr/](http://isatabank.info/boost_tunisia_fr/)

<sup>11</sup> Al Bawsala Interview with IRM researcher, 1 February 2017.

## I8: "Open Data" platform for petroleum and mining sectors

**Commitment Text:** *This platform will include the following categories of data:*

- The updated status of the bonds mining,
- General indicators of investment in the sector,
- All data relating to production, consumption, import and export, distribution and sale contracts, etc.,
- Companies operating in the sector and the size of their investments and
- Activities and their contracts,
- Fiscal crops derived from the state sector.

Responsible Institution(s): Ministry of Industry

Start Date: July 2014

End Date: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm	Did it Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓		✓			✓			✓			✓		✓				✓		

### Commitment aim

This commitment sought to increase transparency by publishing information on mining and energy resources. This information included companies operating in the sector, and all data relating to production, consumption, import and export, distribution, and sale contracts.

### Status

#### Midterm: Limited

It was unclear how many datasets were populated on the data portal the government launched in the first year of the action plan. This resulted in a limited completion level. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>1</sup>

#### End of term: Complete

In September 2015, the Ministry of Industry, Energy, and Mines launched the open data portal (<http://data.industrie.gov.tn/>). The portal was built using CKAN technology and, since the midterm, has been populated with more than 200 datasets, including 50 contracts for oil exploration and exploitation. Numerous organisations involved in the mining and petroleum sector, including the Ministry of Industry, energy companies, and regulatory agencies, contribute data and publish contracts on the site. Information is organised by themes, such as oil contracts, energy balances, oil, gas, electricity, energy management, mines, and phosphate. In addition, users can filter by geographic area, company, or data type.

## Did it open government?

### Access to information: Major

The development of an open data portal is an important step in that it allows civil society to analyse important data on mining resources, and can enhance their advocacy efforts with available public facts and numbers. Furthermore, the open data platform was created because of demands from civil society, a large portion of citizens, and opposing parties in parliament.<sup>2</sup>

Several CSOs, such as e-Gov Society and the Institut Arabe des Chefs d'Entreprises (IACE), have expressed satisfaction with the technical specifications of the portal, and have praised the release of some public contract details with private oil companies.<sup>3</sup> They have determined that the portal meets international open data standards, specifically regarding the availability of the data in a datastore and an Application Program Interface (API). However, other stakeholders (e.g., I-Watch and members of the OpenGovTN group) were sceptical about the platform, and questioned the relevance of the published datasets in exposing and limiting corruption.<sup>4</sup> A recurring criticism from CSOs is the failure to publish all oil contracts (currently, only some are released). According to an interview with Med Dhia Hammami, an activist for access to information in the energy sector, some details about the revenue and expenses per company/permit/project are missing from the portal.<sup>5</sup> Hammami stated that the government is reluctant to publish financial data, and does not respond to information requests regarding the energy sector.

Contracts disclosed on the open data portal notably shed light on the relationships between the state, Tunisian and foreign operators, and ETAP (the state-owned company that manages petroleum exploration and production activities). However, other equally vital actors in the energy and mining sector are absent. For example, the Tunisian Company of Electricity and Gas' (STEG) natural gas purchasing contracts from providers are not published.<sup>6</sup> Unlike the oil sector, the mining sector has not released all exploration permits or exploitation concessions on the portal. Furthermore, environmental impact assessments are required under the Hydrocarbons Code of 1999,<sup>7</sup> which states that all operators must provide studies to both the ministry's Energy Department and the National Agency for Environmental Protection. Environmental information is not widely available on the open data portal, despite its relevance and the challenges facing Tunisia (toxic and phosphogypsum emissions from the phosphate industry, natural gas flaring in oil fields,<sup>8</sup> and oil spills).

I-Watch (a leading anti-corruption CSO), Open Gov group, and Al Bawsala (a Tunisian civic participation CSO) all view the portal as a good first step. However, CSOs believe that the Ministry handpicked some contracts to publish according to non-transparent criteria. Thus, the process for selecting and publishing contracts on the portal could be made more transparent, and installing an accountability mechanism could better equip citizens to request complete contract transparency. A report from the Natural Resource Governance Institute came to similar conclusions. It noted that, because of the inclusion of extractives transparency in the OGP commitments and the creation of the open data portal, "CSOs and the media have turned their attention to more intricate and delicate issues related to the extractive sector, namely contracts and contract disclosure."<sup>9</sup>

In February 2016, the government announced its intention to join the Extractives Industry Transparency Initiative (EITI).<sup>10</sup> Despite some remaining issues of disclosure, the open data portal created under this commitment represents a major step forward for transparency, and is a key component placing Tunisia on the path to EITI compliance.

### Carried forward?

This commitment was completed. In the new action plan, the government has committed itself to joining the Extractive Industries Transparency Initiative (commitment I). Even though the commitment is considered complete, the IRM researcher recommends the following:

- Review published reports and explain the reasons for excluding some contracts; note when certain information has been omitted;
- Consider the publication of all contracts;
- Create space in the platform to allow citizens to interact with the Ministry of Industry.

---

<sup>1</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>2</sup> Hafawa Rebhi, "Oil Contracts Disclosure: Red Lines Limiting Transparency," Nawaat, 1 July 2016, <https://nawaat.org/portail/2016/07/01/oil-contracts-disclosure-red-lines-limiting-transparency/>.

<sup>3</sup> Interview with Abdelhamid Jarmouhi, Open Gov Group, 27 September 2016, and Maher Kallel, E-Gov Society, 18 September 2016.

<sup>4</sup> CSOs interviewed: I-Watch, Open Gov group, and Al Bawsala, October 2016.

<sup>5</sup> Interview with Med Dhia Hammami, 6 February 2017.

<sup>6</sup> Hafawa Rebhi, "Oil Contracts Disclosure: Red Lines Limiting Transparency," Nawaat, 1 July 2016, <https://nawaat.org/portail/2016/07/01/oil-contracts-disclosure-red-lines-limiting-transparency/>.

<sup>7</sup> Republique Tunisienne, "Code des Hydrocarbures," 2011, <http://www.droit-afrique.com/upload/doc/tunisie/Tunisie-Code-2011-hydrocarbures.pdf>.

<sup>8</sup> Hafawa Rebhi, "Tunisie : Le torchage du gaz naturel, une dilapidation qui perdure," 21 April 2014, <http://www.leconomistemaghrebin.com/2014/04/21/tunisie-torchage-gaz-naturel-dilapidation-perdure/>.

<sup>9</sup> Natural Resource Governance Institute, "Tunisia's Second Act: Noting Progress, Accountability Actors Demand Contract Transparency," 30 April 2015, <http://resourcegovernance.org/blog/tunisias-second-act-noting-progress-accountability-actors-demand-contract-transparency>.

<sup>10</sup> Natural Resource Governance Institute, Tunisia EITI Commitment Big Step on Long Path To Improved Governance, 21 November 2016, <http://www.resourcegovernance.org/blog/tunisia-eiti-commitment-big-step-long-path-improved-governance>.

## I9: Transparency in infrastructure projects

### Commitment Text:

- Development of a Geographic Information System for urban development plans and its publication online.

*The implementation of a Geographic Information System for urban development plans containing urban plans approved and containing all related administrative and legal data (legal texts and urban regulation) taking into consideration geographic data to make it available for interested parties (ministries, municipalities, consulting firms...)*

Responsible Institution(s): Ministry of Equipment, Territory Planning, and Sustainable Development  
Start Date: July 2014 End Date: December 2015

### Commitment Text:

- Preparation of land use master plan projects and their publication online.

Responsible Institution(s): Ministry of Equipment, Territory Planning, and Sustainable Development  
Start Date: July 2014 End Date: June 2016

### Commitment Text:

- Online publication of governorates ATLAS including economic, environmental and social data.

*Implementation of a database that includes natural, environmental, demographic, economic, social and urban specific data of each governorate in Tunisia in order to make a current diagnosis of the governorate and to establish specific and appropriate development programs.*

Responsible Institution(s): Ministry of Equipment, Territory Planning, and Sustainable Development  
Start Date: July 2014 End Date: December 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?					
															End of Term							
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding	
			↙		↙			↙			↙					↙				↙		

### Commitment aim

This commitment aimed to improve the accessibility of public geographical information by publishing basic geographical data, urban plans, land use, and atlases. Historically, geographical information published by the government has been scarce in Tunisia, except for limited social and economic data available on the National Statistics Institute (INS) website.



## Status

### Midterm: Substantial

The development of a Geographical Information System (GIS) was limited. In early 2015, the Ministry of Equipment, Housing, and Urban Planning contracted a firm to develop the GIS. This was completed in April 2015. The system was to be deployed before the end of 2015 and the geographical data published online.

Completion of land use master plans was substantial. Over the course of 2015, the Ministry of Equipment, Housing, and Urban Planning published several digital geographical resources on its website.<sup>1</sup> Additionally, the online ATLAS database, including economic, environmental, and social data, was substantially complete. By the time the midterm progress report was written, urban plans for six territorial zones and 16 out of 24 governorate atlases were available in PDF format. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>2</sup>

### End of term: Substantial

According to the government's self-assessment report, implementation of the first commitment activity, the development of a Geographical Information System, is substantially complete. The GIS for urban development planning was developed using mapping and remote sensing technology. It is expected to be fully updated before the end of 2017, and is available at <http://geopau.gov.tn/>.

Since the midterm evaluation, there has been no further progress on the preparation and online publication of land use master plan projects, or the third commitment activity. Therefore, both remain substantially complete. According to the self assessment report, studies on developing economic, environmental, and social data assessments have been published online <http://www.mehat.gov.tn/index.php?id=347>. Only one dataset related to indicators of housing and families has been published (<http://www.equipement.tn/index.php?id=295&L=1>).

## Did it open government?

### Access to information: Marginal

Publically available geographical information has been historically scarce in Tunisia. If fully implemented, this commitment could be a major step in providing public access to information and, thus, helping to expose corruption risks in urban planning.

According to Transparency International,<sup>3</sup> several corruption risks are associated with urban planning. These could have detrimental and, sometimes, fatal consequences (e.g., collapsing structures and lethal mudslides due to bribes paid by developers and slumlords who help dodge building standards and zoning laws, thereby creating extreme vulnerabilities and ineffective disaster responses). Dysfunctional urban planning remains an area prone to corruption. Funds for public works projects, land use, and zoning for vehicle use can be channeled to business, and speculative gains can be leveraged with powerful contractors and developers.<sup>4</sup>

CSOs<sup>5</sup> support the publication of geographic and land-use information online because it allows citizens to hold government officials accountable for calls for tender results and for the choices made regarding infrastructure contracts. The publication of atlases is a welcome step, but there is a need for more targeted promotional efforts so that citizens are aware of the available data and can use them accordingly. Nonetheless, members of the OpenGovTN group found that the publication format of the urban plans and the atlases lacks a re-usability function. While civil society supports the implementation of this commitment, the Ministry of Equipment has been vague on details of publication due to security concerns.

### Carried forward?

This commitment was not carried over to the second action plan. However, to ensure full completion of this commitment and further progress in this area, the IRM researcher suggests continuing to publish and update urban plans and atlases, as well as data related to housing and urban

planning within a pre-set publication schedule. To ensure more accountable spending on infrastructure projects, the government should hold public consultations on major urban planning projects and the related public spending.

---

<sup>1</sup> Ministry of Equipment website, including geographical resources, : <http://www.equipement.tn/index.php?id=3&L=1>

<sup>2</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

<sup>3</sup> Transparency International, "Consultancy to Product 2-3 Case Studies on Urban Corruption Issues that Urban Planners Are Exposed to in Fast Growing Cities in East and Southern Africa," <http://bit.ly/1PVz6Tn>.

<sup>4</sup> Council of Europe Portal, Economic Crime and Cooperation Division, [https://www.coe.int/t/dghl/cooperation/economiccrime/corruption/projects/snac/pdf/tp/SNACtun3%203\\_TP-RAdomaines-frREV.pdf](https://www.coe.int/t/dghl/cooperation/economiccrime/corruption/projects/snac/pdf/tp/SNACtun3%203_TP-RAdomaines-frREV.pdf).

<sup>5</sup> Interview with Open Gov group, E-Gov Society, and Al Bawsala, 1 February 2017.

## 20: Transparency in environment protection

**Commitment Text:** *Creation of an environment and sustainable development observatory that will be responsible for collecting, analyzing, publishing data and statistics and indicators about the environment and about sustainable development and responsible for regular publication to ensure follow up of the situation of the environment (diseases, quality of water, pollution).*

Responsible Institution(s): Ministry of Equipment, Spatial Planning and Sustainable Development, Secretariat of State in Charge of Sustainable Development

**Commitment Text:** *The adhesion of Tunisia to the Aarhus Convention related to access to information and public participation in decision-making and possibility of access to justice in case of environmental matters.*

Responsible Institution(s): Ministry of Equipment, Territory Planning, and Sustainable Development (Secretariat of State in Charge of Sustainable Development)

Start Date: July 2014

EndDate: June 2016

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End of Term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
			✓		✓	✓					✓			✓				✓			
														✓							

### Commitment aim

This commitment aimed to improve the accessibility of public environmental information by creating a dedicated observatory. The observatory was meant to publish environmental and sustainable development data, such as water quality, diseases, and pollution. The commitment also included a pledge that Tunisia join the Aarhus Convention.<sup>1</sup>

### Status

#### Midterm: Limited

The Ministry of Environment and Sustainable Development drafted an Executive Order to create the Observatory. By the midterm review, the Ministry of Finance was planning to present the order to a Ministerial Board for final approval and adoption. Tunisia's application process for joining the Aarhus Convention was pending a review by the Chief of Government. For more information, please see the 2014-2015 IRM Midterm Progress Report.<sup>2</sup>

### **End of term: Limited**

According to the government's self-assessment report, there was no further progress on the implementation of any part of the commitment. The observatory was not set up, and Tunisia has not signed the Aarhus Convention.

### **Did it open government?**

**Access to information: Did not change**

**Civic participation: Did not change**

Historically, environmental information in Tunisia has been limited. This commitment could have opened up government information on the environment for public scrutiny in a major way. Limited progress on the creation of the observatory, and Tunisia not signing the Aarhus Convention, mean that there was no change in government practice related to access to information or civic participation in environmental matters.

### **Carried forward?**

This commitment was not carried forward to the second action plan. However, given the importance of opening up environmental information to public, the IRM researcher recommends accelerating efforts to establish a functioning online observatory. The government should also take the necessary steps to sign the Aarhus Convention.

---

<sup>1</sup> The Aarhus Convention is the United Nations Economic Commission for Europe's Convention on Access to Information, Public Participation in Decision making, and Access to Justice in Environmental Matters. For more information, please see <http://ec.europa.eu/environment/aarhus/>.

<sup>2</sup> OGP, Tunisia IRM Midterm Progress Report 2014-15, [http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15\\_IRM%20Progress%20Report\\_Eng.pdf](http://www.opengovpartnership.org/sites/default/files/Tunisia2014-15_IRM%20Progress%20Report_Eng.pdf).

## METHODOLOGICAL NOTE

Commitments are clustered based on the original OGP action plan. This report is based on a desk review of governmental programmes, draft laws and regulations, governmental decrees, a review of the government's self-assessment report, analysis of the commitments, interviews with the OGP points of contact and CSOs, meeting minutes of the first action plan follow-up committee, as well as on monitoring the process of elaboration of the second national action plan. The IRM researcher also relied on reports from the Tunisian media to evaluate completion of the action plan.

Jazem Halioui is an open government and open data specialist.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

