

Independent Reporting Mechanism (IRM): Tunisia Progress Report 2016–2018

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Executive Summary:

Tunisia Year 1 Report



Action plan: 2016–2018
Period under review: July 2016–September 2017
IRM report publication year: 2018

Tunisia's second action plan covers a wide range of issues from transparency in the extractives sector to establishment of an authority to regulate access to information. While the plan includes several commitments that represent major steps, some lack sufficient detail to be transformative. After the first year of implementation the majority of commitments had limited completion, in part due to frequent changes in public administration. The next action plan would benefit from alignment with the anti-corruption strategy and stronger ownership at all levels of government.

HIGHLIGHTS

Commitment	Overview	Well-Designed? *
1. Join the Extractive Industries Transparency Initiative (EITI)	This commitment will begin the preparatory process for joining EITI, which would increase transparency to the opaque but critical extractives sector of Tunisia's economy.	No
2. Modernize the regulatory framework to enforce the Right to Access to Information	This commitment would have a transformative impact for guaranteeing public access to information by ensuring implementation of the law on access to information.	Yes
9. Elaborate a legal framework for citizens' petitions	This commitment would introduce a new channel for direct political participation of citizens by establishing the means to petition the government regarding policy decisions.	No

* Commitment is evaluated by the IRM as specific, relevant, and has a transformative potential impact

● Commitment is evaluated by the IRM as being specific, relevant, potentially transformative, and substantially or fully implemented

PROCESS

The E-Government Unit under the Prime Minister's office leads the process of public consultations and coordinates the implementation of OGP activities. The multi-stakeholder committee includes representatives of government, civil society, private sector and academia, and oversees development and implementation of the OGP action plan.

Who was involved?

Civil society	Government			
		Narrow/ little governmental consultations	Primarily agencies that serve other agencies	Significant involvement of line ministries and agencies
	Beyond "governance" civil society			
	Mostly "governance" civil society			✓
	No/little civil society involvement			

The multi-stakeholder group was composed of eight representatives of the government, six representatives from civil society, one member from the private sector, one member from academia, and two member-observers from the parliament. All ministries and public agencies were invited to consult on development of the action plan, though the OGP process was mainly driven by executive agencies and several independent agencies.

Level of input by stakeholders

Level of Input	During Development
Collaborate: There was iterative dialogue AND the public helped set the agenda	✓
Involve: The government gave feedback on how public inputs were considered.	
Consult: The public could give input	
Inform: The government provided the public with information on the action plan.	
No Consultation	

OGP co-creation requirements

Timeline Process and Availability Timeline and process available online prior to consultation	Yes
Advance notice Advance notice of consultation	Yes
Awareness Raising Government carried out awareness-raising activities	Yes
Multiple Channels Online and in-person consultations were carried out	Yes

Documentation and Feedback A summary of comments by government was provided	No
Regular Multi-stakeholder Forum Did a forum exist and did it meet regularly?	Yes
Government Self-Assessment Report Was a self-assessment report published?	Yes
Total	6 of 7

Tunisia did not act contrary to OGP process

A country is considered to have acted contrary to process if one or more of the following occurs:

- The National Action Plan was developed with neither online or offline engagements with citizens and civil society
- The government fails to engage with the IRM researchers in charge of the country's Year 1 and Year 2 reports
- The IRM report establishes that there was no progress made on implementing any of the commitments in the country's action plan

COMMITMENT PERFORMANCE

Tunisia's second action plan comprised 15 commitments on topics ranging from open data, youth participation, local government and implementing previously passed key legislation. The majority of commitments focused on increasing access to information, with three that had unclear relevance to OGP values. Year 1 potential impact and completion increased from the previous action plan, with one commitment assessed as transformative and two as complete.

Current Action Plan Implementation

2016–2018 Action Plan	
Completed Commitments (Year 1)	2 of 15 (13%)
OGP Global Average Completion Rate (Year 1)	18%

Previous Action Plan Implementation

2014–2016 Action Plan	
Completed Commitments (Year 1)	0 of 20 (0%)
Completed Commitments (Year 2)	5 of 20 (25%)

Potential Impact

2016–2018 Action Plan	
Transformative Commitments	1 of 15 (7%)
OGP Global Average for Transformative Commitments	16%
2014–2016 Transformative Commitments	
	0 of 20 (0%)

Starred commitments

2016–2018 Action Plan	
Starred Commitments (Year 1)	0 of 15 (0%)
Peak Number of Starred Commitments (All OGP Action Plans)	5

2014–2016 Starred Commitments	0 of 20 (0%)
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RECOMMENDATIONS

1. Approve the action plan by the ministerial council to ensure the engagement of the government
2. Include commitments that directly impact service delivery to citizens
3. Align OGP action plan with the national anti-corruption strategy and government's 'war against corruption'
4. Improve co-creation during the development and implementation of the next action plan
5. Ensure continuity and sustainability of completed projects on open data and transparency

COMMITMENT OVERVIEW

Commitment Title	Well-designed *	Complete	Overview
1. Join the Extractive Industries Transparency Initiative "EITI"	No	No	Implementation of this commitment to complete the preparatory steps for candidature to the EITI would have a moderate impact in Tunisia by increasing transparency in the extractives industry, a sensitive and opaque sector in Tunisia.
2. Modernize the regulatory framework to enforce the Right to Access to Information	Yes	No	Commitment activities to facilitate implementation and application of the country's access to information law would have a transformative impact, including the election of members to the Access to Information Authority, which regulates and enforces requests for information.
3. Completion of the legal and regulatory framework of open data at the national level	No	No	Carried over and modified from the previous action plan, this commitment will develop procedures to appoint those responsible for open data within the public administration and make an inventory of the data to ensure continuous updating of open data sources from various governmental institutions.
4. Improve transparency and local government openness	No	No	Implementation has not started on development of a practical guide and a platform for facilitating open data at the local level as a result of prioritization of municipal elections and finalization of the legal functioning of local authorities.
5. Enhance transparency in the cultural sector: "open culture"	No	Yes	Implementation is complete with the creation of a website for publication of cultural data in open data format 2016, as well as creation of a website dedicated to cultural events and

			updating the website for archived sound recordings with increased content.
6. Enhance transparency in the environment and sustainable development sector	No	No	This commitment aims to achieve Sustainable Development Goal 16 but low specificity of the activities and ambiguous intended results render no potential impact to open government and do not clearly relate to OGP values.
7. Enhance transparency in the transport sector	No	No	This commitment aims to establish an online portal to provide access to transportation data in open data format. The action plan does not specify what information will be made available and which agencies, sectors and companies within the Transport Ministry are the intended targets.
8. Promoting financial and fiscal transparency	No	No	Production of two annual reports, one on tax benefits and one on state-generated income from tax collection, is limited because of changes in the commitment coordinator and challenges in consolidating budget actuals. It is also unclear whether these reports will be made public or not.
9. Elaborate a legal framework for citizens' petitions	No	No	The Presidency of the Government has developed a draft benchmarking note to establish a mechanism for collective petitioning, which has been submitted to parliament but not yet voted on.
10. Develop an integrated electronic civil petition and corruption reporting platform (e-people)	No	No	This commitment will develop a platform for citizens to report cases of alleged corruption, though CSOs and the Anti-Corruption Authority have expressed concern that the Presidency of the Government will have institutional ownership. Civil society participants mentioned in the action plan were not involved in implementation.
11. Develop new mechanisms to promote interaction with the youth and enable them to pursue dialogue about public policies	No	No	To foster youth participation in public policy decision making, this commitment will develop an online platform for youth to provide feedback on public policies and pilot eight local councils with youth representation.
12. Adopt the corporate governance referential on the sectorial level	No	No	Establishing a national corporate governance reference and training auditors and accountants on it is intended to curb corruption but the commitment as written has unclear relevance to OGP values and no potential impact for opening government.

13. Create mobile applications to reinforce transparency of government activities and participatory approach	No	No	To improve service delivery to citizens, the E-Government Unit will develop a series of mobile ICT applications, which have been substantially completed after the first year of implementation, but the lack of specificity in the commitment activities renders an unclear relevance to OGP values.
14. Enhance access to the archive held by the National Archive institute	No	No	Implementation has not started on developing an online portal with digitized National Archive content and a modernized indexation system, though the terms of reference have been drafted for the platform.
15. Electronic mechanism to ensure transparency of Public Servants recruitment	No	Yes	Implementation of this commitment is complete with the launch of a website that aggregates job openings in the Tunisia public sector in summer 2016 though not all public administration bodies publish job postings on the site.

* Commitment is evaluated by the IRM as specific, relevant, and has a transformative potential impact

✱ Commitment is evaluated by the IRM as being specific, relevant, potentially transformative, and substantially or fully implemented

ABOUT THE AUTHOR

Emir Sfaxi holds two MS degrees, one in Development Management from American University and one in Computer Science from the National Institute of Applied Sciences and Technology in Tunis. He served as an advisor at the Ministry of Youth and Sports and has worked as a management consultant in the private sector.

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 (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. Introduction

The Open Government Partnership (OGP) is an international multi-stakeholder initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government.

Tunisia began its formal participation in OGP in 2013, when the Minister for Anti-Corruption and Good Governance Abderrahman Ladgham declared Tunisia's intention to participate in the initiative.

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria. Objective, third-party indicators are used to determine the extent of country progress on each of the criteria: fiscal transparency, public officials' asset disclosure, citizen engagement, and access to information. See Section VII: Eligibility Requirements for more details.

All OGP-participating governments develop OGP action plans that elaborate concrete commitments with the aim of changing practice beyond the status quo over a two-year period. The commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Tunisia developed its second national action plan from March 2016 to July 2016. The official implementation period for the action plan was 1 July 2016 through 30 June 2018. This year one report covers the action plan development process and first year of implementation, from July 2016 to September 2017. Beginning in 2015, the IRM started publishing end-of-term reports on the final status of progress at the end of the action plan's two-year period. Any activities or progress occurring after the first year of implementation will be assessed in the end-of-term report. The government published its self-assessment in July 2017.

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Emir Sfaxi, an independent researcher, who carried out this evaluation of the development and implementation of Tunisia's second action plan. To gather the voices of multiple stakeholders, the IRM researcher held multiple interviews in Tunis. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. Methods and sources are dealt with in Section VI of this report (Methodology and Sources).

II. Context

Development and implementation of the second national action plan occurred during a political crisis that resulted in a major government restructuring. The action plan contained commitments relevant for the challenges identified in the transition period after the 2011 revolution, such as anti-corruption, access to information, budget openness and modernization of government services.

2.1 Background

After the unprecedented transition to democracy in 2011, Tunisia elected a constituent assembly that adopted a constitution in 2015, held free and fair legislative and presidential elections and embarked on major democratic reforms. The country has made significant achievements in political plurality,¹ freedoms² and institutional advances. Tunisia has become the first Arab and North African country to be ranked “free” by Freedom House on the political rights and civil liberties index.^{3 4} However, despite these achievements, Tunisia still faces challenges: corruption, deteriorating economic performance, and frequent changes in government and public administration.

Democratic Transition, Economics and Governance

Since the 2011 revolution, Tunisia has had seven different Prime Ministers and governments. In 2013, the tensions between conservative and liberal political forces almost drove the country into civil war. The Tunisian quartet composed of the General Labor Union (UGTT, Union Générale Tunisienne du Travail), the Tunisian Confederation of Industry, Trade and Handicrafts (UTICA, Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat), the Tunisian Human Rights League (LTDH, La Ligue Tunisienne pour la Défense des Droits de l'Homme), and the Tunisian Order of Lawyers (Ordre National des Avocats de Tunisie) was awarded the Nobel Peace Prize for the dialogue that spared Tunisia a catastrophic scenario.⁵

Political instability and security threats posed by extremism have compromised the protection of civil liberties. Since the series of terrorist attacks in 2015, the Tunisian President has kept extending the state of emergency, which gives security forces greater authority, allows the government more executive flexibility, and restricts citizens' rights, such as those dealing with public assembly and detention.^{6 7}

The infighting between the political forces composing the governing coalition has created challenges in decision making. Since 2014 elections in Tunisia have been governed by a coalition of the secular forces of Nidaa Tounes and the conservatives of Ennahda, the former fierce political rivals. Both benefited from a comfortable majority in parliament from this alliance, leaving little room for opposition. However, Nidaa Tounes, the political party that brought to power the president, prime minister and chair of the parliament, has been in deep crisis since 2015. The party is currently compromised, with governance problems including the son of the president being the head of the party, which contributes to a perception of nepotism that has resulted in a sharp decline in support for the party.⁸

Although Tunisia, constitutionally, is a quasi-parliamentary regime with a strong role for the Prime Minister, the reality is that the President wields significant political power. The Prime Minister needs to constantly seek a consensus between his allies from the coalition party Ennahda, the powerful labor union (UGTT), the employers' association (UTICA) and the camp of progressists that still support him. Due to the problems in Nidaa Tounes, the Prime Minister does not have the full backing of his own party.

The shaky political landscape, the fragile economy and the explosive geopolitical context of the neighboring countries place Tunisia in a very difficult situation that constrains abilities to reform. In 2016 Tunisia and the IMF made a deal for a four-year \$2.8bn IMF loan dependent on a promise by the Tunisian government to carry out economic and social reforms.⁹ As a result, the government imposed strict taxation that increased the price of basic goods, sparking nationwide anti-austerity protests in early 2018. Moreover, the IMF measures imposed on Tunisia, to stop interventionism boosting its national currency, the Tunisian Dinar, and leave it to the market value, severely impacted the economical balance and its deficit. Inflation hit 7.7 per cent in June 2018, the highest level in three decades.¹⁰

In May 2018, the country held its first municipal elections since the revolution. This essential milestone of the democratic transition that would ensure more decentralization was postponed four times. Despite a low turnout of 35.6 percent (compared to the 69 percent turnout in the 2014 legislative elections), the results of Tunisia's May 6 municipal elections were positive overall. There was large representation for youth and women, local leaders emerged at the head of non-partisan and independent lists, fairness and transparency rules were respected (though minor incidents were reported), and local civil society organizations (CSOs) mobilized to monitor the elections.¹¹

Tunisia is reaching breaking point; the sentiment on the streets is that democracy is still not delivering. Young Tunisians, the main actors of the revolution, feel like the governments that followed the revolution did not address their concerns, forcing them to face previously unseen challenges¹² especially in employment and the economic situation. Public services are failing to deliver, for example, Tunisia is facing, for the first time in its modern history, a shortage in medical supplies.¹³ There are high rates of youth migration from the country both skilled and unskilled. According to an OECD report, more than 94,000 Tunisians have left the country since 2011, with an acceleration in the migration of high degree holders in the past few years.¹⁴

Anti-corruption reforms

While he was deeply unpopular in mid 2017, Prime Minister Youssef Chahed declared a "War against Corruption", whose first episode was to arrest the notorious businessman and Nidaa Tounes member Chafik Jarraya.¹⁵ Jarraya is very close to the leadership of Nidaa Tounes and was perceived to be "untouchable." Following this action, other figures, operating mainly in the informal economy, were arrested. However, this campaign did not have significant continuity and what was promised to be spectacular ended up in few arrests and no major measures against corruption on the government's part.^{16 17} CSOs in Tunisia criticized Chahed's campaign as weak and unstrategized, and aiming to eliminate political opponents and serve the interests of established businesses.

Tunisia took progressive steps toward fighting corruption in 2016 and early 2017. These include passing a Freedom of Information law, adopting a national anti-corruption strategy,¹⁸ empowering the National Anti-Corruption Authority to carry out its mandate, allowing space for civil society to influence anti-corruption efforts, and passing the whistleblower protection law in February 2017.¹⁹ The law establishes mechanisms and procedures for denouncing corruption and protects whistleblowers against any act of reprisal against them, regarded as punishable crimes. The law also protects public servants against retaliation from their supervisors.²⁰ While the international community regards the passage of this law as a success, there is no record of its implementation or any statistics on a number of cases brought forth as a result.

In an attempt to save the regime, Mohamed Ghannouchi, the Prime Minister following the revolution, decided on a series of emergency measures. One of these was to establish the National Investigation on Corruption, headed by Mr Abdelfettah Amor, which delivered its report on November 2011. After the end of the special commission, the Tunisian Anti-

Corruption Authority (ACA) was created by a decree to take over this mandate and was regulated by the Presidency of the Government orders.

In 2014, the National Constituent Assembly included the ACA as one of the independent authorities in the Constitution. However, the powers and mandate of ACA was not defined by parliament until 2017. When the law of ACA was passed, Chawki Tebib, its head, judged the prerogatives “weak” and under the spell of the executive and juridical forces.²¹ This view was supported by anti-corruption groups. Nevertheless, ACA is still the main agency in charge of the fight against corruption in Tunisia.

Today, corruption is perceived as even more pervasive than during the Ben Ali regime.²² Tunisia ranks 75/176 on the 2016 Corruption Perceptions Index, higher than its neighboring countries but lower than during the Ben Ali regime.²³

Efforts to recover stolen assets

After the revolution, the government established a committee for recovering assets and illegal proceeds from corruption and in just three years recovered or froze 94 million dollars in cash, and a yacht from Ali and his family.²⁴ Compared to other countries with similar kleptocratic conditions, such as Haiti after Duvalier and Nigeria after Abacha, Tunisia’s rate of recovery is significantly higher.²⁵

Progress has not been steady, however. In September 2017, Parliament passed a law that directly undermines the asset recovery efforts to date. The legislation, which was initially proposed by the President in 2014, widely referred to as the Amnesty Law, grants full amnesty to officials implicated in corruption under the Ali regime if they were simply obeying orders and derived no personal benefit at the time of the offense. For those who benefitted from corrupt dealings, the law identifies a fine as a valid replacement for prosecution.²⁶ Opponents of the law, the movement “Manish Msameh”, including the most prominent anti-corruption watchdog groups, claim that it counters the successful transition efforts of the past six years and allows those that facilitated and benefitted from corruption back into positions of political and economic power. Besides this, officials who had their assets seized or frozen during recovery efforts are now able to access them freely.

Civil Liberties

The protection of civil liberties and political rights is enshrined in law in Tunisia, and the country leads the Middle East and North Africa (MENA) region in upholding freedom of expression, organization and the right to equality before the law.²⁷ According to Freedom House, Tunisia scores 1 out of 7 on the scale for Political Rights, and 3 out of 7 for Civil Liberties²⁸ (1 being most free and 7 least free). Tunisia ranks 123 out of 159 on the Human Freedom Index, the highest score in the region.²⁹

Despite the overall positive scoring on freedom indicators, some rights and freedoms remain problematic. One of the primary challenges to improving civil and political freedoms is the government’s extended use of “state of emergency” to restrict or suspend citizens’ rights to organize and protest. Under a declared state of emergency citizens are still allowed by constitutional law to assemble for cultural, religious and even political events. However, the state of emergency gives officials the power to set curfews and ban public gatherings without judicial approval.³⁰ The government has used this power to deter activists from spreading anti-government sentiment. For example, on 8 September 2015, the Ministry of Interior banned a protest march that political opposition parties and citizens opposed to the Ben Ali regime’s amnesty law had planned for 12 September 2015, seemingly confirming suspicions that the government had imposed an impromptu nationwide ban on protests.³¹

On National Women’s Day in Tunisia, 13 August 2017, President Beji Caid Essebsi announced the creation of a committee that would assess individual liberties and gender

equality in Tunisia as stated in Tunisian laws since independence. The committee released its report in June 2018 in which it highlighted laws that are outdated and anti-freedom and made recommendations. The reactions to the Individual Freedoms and Equality Committee were strong from the conservative and secular side. Indeed, the committee called for measures that go against Islam and Sharia, such as equality in inheritance and homosexual rights.³² However, for these measures to be effective they need to be debated and passed in the assembly.

Freedom of expression and media

Tunisia is often regarded as the most politically progressive country in North Africa. According to Freedom House, in 2017 Tunisia outranked its neighbors in the region, ranking as “free,” reaching an aggregate score of 78/100,³³ compared to 35/100 in Algeria³⁴ and 13/100 in Libya.³⁵ Despite this progress, Tunisia’s press and internet freedom statuses remain only “partly free.”³⁶ One of the major challenges facing freedom of expression is the overly broad application of anti-defamation laws, which are not clearly defined and are applied arbitrarily.³⁷

One of the biggest changes resulting from the Arab Spring uprising in 2011 was the opening of the internet and the lifting of government censorship. Under the former Ben Ali regime, heavy internet censorship and monitoring apparatuses were used to control access to web content. According to Freedom House, the Ben Ali regime blocked access to around 100 websites, including popular social media applications.³⁸ By 2012, internet freedom shifted from “not free” in 2011 to “partly free” for the first time in Tunisia’s history, according to Freedom House.³⁹ Since then, internet access has remained constant, comparable to the access experienced in western Europe and in the United States. Today, the internet penetration rate in Tunisia is approximately 50 percent and is expected to increase as private operators expand networks throughout the country.⁴⁰

Tunisia witnessed an incredible media boom following the revolution, with multiple TV channels and radio stations opening. To regulate all these bodies, the 2014 constitution included the creation and the vote of the High Independent Authority of the Audiovisual Communication (HAICA). However, even with HAICA, Tunisia faces difficult cases of media regulation, for example, a private TV channel, Nessma TV, belonging to the notorious businessman Nabil Karoui, which was founded in 2007 in cooperation with Silvio Berlusconi, is often used as a platform to attack political rivals or civil society. After I Watch revealed the involvement of Karoui in the Panama Papers, the businessman started a defamation campaign against the organization and its leaders using hate speech and intimidation.⁴¹

Access to Information

In March 2016, the Tunisian parliament voted in the law that guarantees the Right to Access to Information. The RTI index ranks this new legal framework 11 out of 110, which makes Tunisia’s law one of the best in the world and the first in the Middle East and North Africa. The law offers mechanisms to request information and appeal any denial. However, the law is weak in terms of the sanctions imposed on public bodies that refuse a request without valid justifications. The parliament voted for the members of the National Authority of Access to Information in July 2017, which guarantees the application of the law.

Budget transparency

According to the International Budget Partnership, the Tunisian government has “minimal information available” with weak public participation, limited budget oversight by the supreme audit institution and a weak budget oversight for the legislature.⁴² As part of the first OGP action plan, the Ministry of Finance, with the support of the World Bank, developed a platform called “mizaniatouna” (our budget). The website is based on the Boost platform.

In 2015 Tunisia fell below OGP eligibility criteria as the government stopped publishing the Audit Report in the established timeframe.⁴³ At the end of the previous action plan's implementation period, in June 2016, the audit report had still not been released. In December 2016, the annual audit report for 2014 was released, but well outside of the 18-month timeframe. As of February 2018, only two of the required three audit documents for budget year 2016 have been released, thus Tunisia still does not meet the OGP eligibility criteria for Budget Transparency.⁴⁴

Asset disclosure of public officials

Public officials in Tunisia, including the President of the Republic, Head of Government, members of the Council of Ministers, members of the Assembly of the Representatives of the People, and members of any of the independent constitutional bodies or any senior public position, are obliged to declare their assets according to the Tunisian constitution of 2014.⁴⁵ Moreover, the country has a law that goes back to April 1987 requesting public officials to declare their assets, but this law does not have any enforcement mechanism or any sanction.⁴⁶ Since 2015, the Tunisian government and the Tunisian parliament have been working on the drafting of asset disclosure laws with the support of the UNDP,⁴⁷ which was the first commitment in Tunisia's first OGP action plan. According to a local anti-corruption watchdog, I Watch, only 18 out of 217 members of the parliament declared their assets, while the current government is the only government that had all its ministers submit declarations.

The parliamentary committee discussed the draft law on assets declaration in June 2017. However, the draft does not include public disclosure of assets and makes the publication of this information by whistleblowers a criminal offense, a principle that, according to the local anti-corruption groups, goes against the best practices of assets disclosure.⁴⁸

2.2 Scope of Action Plan in Relation to National Context

Compared to the previous action plan the second OGP action plan covers a wider range of issues, including areas that are particularly relevant for government transparency and the fight against corruption. The new commitments include transparency in the extractive sector, implementation of the access to information law, and regulatory framework for open data. The action plan also includes commitments that are oriented toward digitizing provision of information on certain services in transport, culture and postal services.

Commitments focusing on transparency in the extractive sector are particularly important in the context of Tunisia's relatively opaque extractives industry.⁴⁹ The country's primary export commodity is phosphate. Extraction is lucrative but has negative effects on the surrounding land and the people who live there, due to poor infrastructure management, poor working conditions and pollution.⁵⁰ Miners continue to strike in protest against poverty, unemployment, environmental damage and corruption in all industrial sectors.⁵¹ The mining sector accounts for approximately 1 percent of the country's total gross domestic product (GDP),⁵² but despite this small proportion of the overall economy, the sector is an essential part of the economic outputs of less developed regions in the south of the country. The sector is viewed by citizens as one of the most corrupt industries in Tunisia, with little data available regarding allocation rights, resource revenues and extraction management. According to the Natural Resource Governance Institute, Tunisia has made some progress toward transparency in this sector: creating an open data portal, disclosing contracts and contracting commitments, and committing to joining the Extractive Industries Transparency Initiative (EITI) as part of their OGP 2016-2018 action plan.⁵³ Commitments to open the extractives sector and intended membership with EITI demonstrate the government's intention to complete the transition to an open extractives sector.

Another important topic addressed by the action plan is the implementation of the access to information law, which entails staffing the constitutional body Access to Information Authority and developing supporting regulations to ensure implementation of the law.

The action plan includes budget transparency but is limited to the publication of two reports. The scope could have been wider to include publication of audit reports on annual basis in accordance with international standards. Another important area for improvement includes the creation of participatory mechanisms for the budgeting process.

An important area that needs further transparency, and was part of the first OGP action plan, is the asset disclosure of public officials, which was not included in the second action plan. Given the importance of a transparent asset disclosure system in the prevention of corruption, it is a missed opportunity not to have this commitment in this action plan.

¹ NPR, Tunisia Seen as Laboratory for Arab Democracy, <https://www.npr.org/2011/05/09/136137821/after-uprisings-tunisia-a-laboratory-for-democracy>

² Freedom House, Freedom in the World 2017, Tunisia Profile, <https://freedomhouse.org/report/freedom-world/2017/tunisia>

³ Freedom House, Democracy in Crisis, <https://freedomhouse.org/report/freedom-world/freedom-world-2018>

⁴ Freedom House, Freedom in the World 2018, Tunisia Profile, <https://freedomhouse.org/report/freedom-world/2018/tunisia>

⁵ The Nobel Peace Prize for 2015, https://www.nobelprize.org/nobel_prizes/peace/laureates/2015/press.html

⁶ Tunisie: Repression de Manifestations Pacifiques, <https://www.hrw.org/fr/news/2015/09/10/tunisie-repression-de-manifestations-pacifiques>

⁷ Reuters, Tunisia's president declares state of emergency after hotel attack, Markey, Patrick and Amara, Tarek, <https://www.reuters.com/article/us-tunisia-security-emergency/tunisias-president-declares-state-of-emergency-after-hotel-attack-idUSKCN0PE0JN20150704>

⁸ Reuters, Tunisia's PM accuse president's son of destroying ruling party, <https://www.reuters.com/article/us-tunisia-politics/tunisias-pm-accuses-presidents-son-of-destroying-ruling-party-idUSKCN1IU2U1>

⁹ Al Jazeera, "Q&A: Tunisia's protest leaders vow to keep up pressure". Kestler-D'amours, Jillian, <https://www.aljazeera.com/news/2018/01/qa-tunisia-protest-leaders-vow-pressure-180114072916448.html>

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III. Leadership and Multi-stakeholder Process

The E-Government Unit under the Prime Minister's office leads the process of public consultations and coordinates the implementation of OGP activities. The multi-stakeholder committee includes representatives of government, civil society, private sector and academia, and oversees development and implementation of the OGP action plan.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Tunisia. Table 3.1 summarizes this structure while the narrative section (below) provides additional detail.

Table 3.1: OGP Leadership

I. Structure	Yes	No
Is there a clearly designated Point of Contact for OGP (individual)?	✓	
	Shared	Single
Is there a single lead agency on OGP efforts?		✓
	Yes	No
Is the head of government leading the OGP initiative?		✗
2. Legal Mandate	Yes	No
Is the government's commitment to OGP established through an official, publicly released mandate?	✓	
Is the government's commitment to OGP established through a legally binding mandate?	✓	
3. Continuity and Instability	Yes	No
Was there a change in the organization(s) leading or involved with the OGP initiatives during the action plan implementation cycle?	✓	
Was there a change in the executive leader during the duration of the OGP action plan cycle?	✓	

Since the revolution of 2011, Tunisia has moved from a presidential regime to a parliamentary regime, with a significant power shift from the president to the parliament and the prime minister. Every five years, Tunisians will head to the polls to elect their parliament and president. The president then appoints a prime minister, who has six weeks to form a government that the parliament approves with more than two thirds.

When Tunisia joined OGP in 2014, it was headed by the Ministry of Anti-Corruption and Governance (MACG). The MACG ordered the E-Government and Open Government Department to create and coordinate the efforts of a multi-stakeholder committee that would oversee the design of the national action plan and the implementation of OGP. The multi-stakeholder committee was composed of five representatives of the government (three members from the Prime Ministry, one from the Ministry of Interior and one of the Ministry of Finance), four representatives of civil society and one from academia. Among the four civil society representatives, three were focusing on open government and transparency-related issues while one member represented the private sector.

Between 2014 and 2016, Tunisia suffered from political instability that led to a change in government. In August 2016, a new government, headed by Prime Minister Youssef Chahed, ordered the creation of a new ministry, the Ministry of Civil Service and Governance, that absorbed the E-government Unit and took over the leadership of the second OGP action plan. For the new action plan, the leadership decided to enlarge the multi-stakeholder committee to eight representatives from government, six CSOs, one member from the private sector, one member from academia and two members-observers of the parliament. The coordination of OGP efforts remained in the E-Government Unit.

However, due to a political disagreement, the Minister of Civil Service and Governance resigned. After failing to substitute this minister, the Prime Minister decided to dissolve the ministry. The E-Government Unit, which had been part of the ministry, returned to the Prime Minister's office. Technically, the Prime Minister was the main lead for OGP Tunisia. Unfortunately, the OGP agenda was not a priority for the Prime Minister's office and is not even included as part of the Tunisian governance and anti-corruption agenda. The Prime Minister's office relocated the offices of the E-Government Unit from the main historical headquarters to a location out of downtown Tunis. The E-Government Unit is in charge of designing e-government reforms in public administration, but it does not have neither legal nor political power to enforce major changes.

It is important to mention that since 2011, Tunisia switched from a presidential to a semi-parliamentary regime in which the legislator endorses the reforms. This is a new reality for Tunisia - the country was led for more than 50 years by a single man's authority and is still developing a culture of plurality. Public administration is not accustomed to working with the parliament on designing and implementing government initiatives.

3.2 Intragovernmental Participation

This subsection describes which government institutions were involved at various stages in OGP. The next section will describe which nongovernmental organizations were involved in OGP.

Table 3.2 Participation in OGP by Government Institutions

How did institutions participate?	Ministries, Departments, and Agencies	Legislative	Judiciary (including quasi-judicial agencies)	Other (including constitutional independent or autonomous bodies)	Subnational Governments
Consult: These institutions observed or were invited to observe the action plan but may not be responsible for commitments in the action plan.	All the Tunisian Ministries and Public Agencies were invited ¹	1 ²	0	1	6
Propose: These institutions proposed commitments	11 ³	0	0	0	6

for inclusion in the action plan.					
Implement: These institutions are responsible for implementing commitments in the action plan whether or not they proposed the commitments.	8 ⁴	1 ⁵	0	2 ⁶	0

In Tunisia, during the first two action plan cycles, the OGP process was mainly driven by executive agencies and several independent agencies.

The E-Government Unit (in charge of OGP coordination) reached out to all ministries and state agencies to invite them to participate in the second action plan, through official letters or in-house meetings with civil society representatives, according to official reports.⁷ Additionally, the committee organized regional workshops to inform and raise awareness of the OGP process and values at the local level.

Moreover, unlike the previous action plan, the Tunisian government added two representatives from parliament to the OGP multi-stakeholder committee to reinforce the presence of the legislator. However, their presence is mainly as observer to not alter the independence of the executive over the legislative power.

All interested stakeholders are free to submit suggestions for commitments as part of the consultation; however, the multi-stakeholder committee decides on the final selection.

Officially, the consultations for the second national action plan were organized by Abid Briki, the Minister of Civil Service and Governance on 23 March 2016. This was an opportunity to raise public structures' and institutions' awareness of the importance of OGP. The E-Government and Open Government Department was in charge of this conference. Three representatives of every ministry participated and this was an opportunity for ministry representatives to suggest commitments.

The OGP coordinator reported to the IRM reporter that the multi-stakeholder committee had met monthly since the beginning of the action plan, however, only the minutes starting from January 2017 were available online.

3.3 Civil Society Engagement

The multi-stakeholder committee that oversaw the implementation of the first action plan, carried out the preparation of the second action plan. The first committee was formed in January 2014 and included the following CSOs: Al Bawsala, one of the main watchdogs for transparency in Tunisia; Touensa, an association focusing on citizenship; and the OpenGov network of Tunisia that includes academia and associations interested in OGP-related matters. It included four civil society representatives, five government officials and one academic. Following the elaboration of the second action plan, the government decided to enlarge the committee to six CSOs, eight government representatives, one from the private sector, one from academia and two members of parliament.

The consultations for the second action plan were launched on 23 March 2016, with a conference dedicated to public sector structures and the launch of an online consultation

platform.⁸ Moreover, the E-Government Unit, in partnership with committee members, organized a series of meeting and conferences both at the regional and central level. Seven meetings took place at the regional level; four in the north in the cities of Beja, Jendouba, Seliana and Testour; two in the center in the cities of Kairouan and Kasserine; and one in the south in the city of Tataouine. Most of these meetings were held in public administrations' offices except in Beja, which was at a CSO headquarters. The invitations to participate in the local consultations were made in collaboration with local authorities and local CSOs. The meetings were open and advertised mostly on social media. Meeting outcomes were to raise awareness of OGP and to suggest action plan commitments.

The consultation with civil society for the second action plan was done in two waves. The first from 23 March to 16 May 2016 and the second from 12 July to 29 July 2016. According to the government POC, the multi-stakeholder group collected 1104 commitments, and the second wave of consultations narrowed down the 15 commitments for the actual action plan. The committee decided which commitments should be selected, in response to the Tunisian context. Some commitments were carried over from the previous action. Seven commitments out of 15 came from CSOs: five were proposed solely by CSOs and two were jointly proposed with the government.

The official announcement of the action plan was revealed during a conference organized in partnership with the OECD⁹ where CSOs were invited to participate. The conference was open to all CSOs, and more than 100 of them participated. The selection of CSOs' representatives to the multi-stakeholder committee was carried out by CSOs themselves at a conference facilitated by the OECD.

Countries participating in OGP follow a set of requirements for consultation during development, implementation, and review of their OGP action plan. Table 3.3 summarizes the performance of Tunisia during the 2016–2018 action plan.

Table 3.3: National OGP Process

Key Steps Followed: 6 of 7						
Before	1. Timeline Process & Availability			2. Advance Notice		
	Timeline and process available online prior to consultation	Yes	No	Advance notice of consultation	Yes	No
		✓			✓	
	3. Awareness Raising			4. Multiple Channels		
	Government carried out awareness-raising activities	Yes	No	4a. Online consultations:	Yes	No
		✓			✓	
				4b. In-person consultations:	Yes	No
		✓				
5. Documentation & Feedback						
Summary of comments provided				Yes	No	
					✗	
During	6. Regular Multistakeholder Forum					
	6a. Did a forum exist?	Yes	No	6b. Did it meet regularly?	Yes	No

		✓			✓	
After	7. Government Self-Assessment Report					
	7a. Annual self-assessment report published?	Yes	No	7b. Report available in English and administrative language?	Yes	No
		✓				X
	7c. Two-week public comment period on report?	Yes	No	7d. Report responds to key IRM recommendations?	Yes	No
		✓				X

Table 3.4: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.¹⁰ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for “collaborative.”

Level of public influence		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.	✓	
Involve	The government gave feedback on how public inputs were considered.		✓
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.		
No Consultation	No consultation		

3.4 Consultation During Implementation

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation. This can be an existing entity or a new one. This section summarizes that information.

The multi-stakeholder steering committee has convened monthly from January 2017 to review progress on OGP commitments. It is important to mention that the announcement of the official action plan was made in November 2016.

The meetings were in person, at the E-government Unit headquarters in Tunis. Most of the CSOs participating are Tunis-based.

CSOs actively attend the steering committee meetings as witnessed by the researcher. During the meetings, CSOs pose questions to the representatives of the government and other implementers, complete a separate report to monitor the steering committee and make recommendations regarding the implementation of the commitments.

The meetings of the steering committee are open to observers. CSOs’ participation in the meetings remained constant. Unfortunately, government officials’ participation was less constant and some government focal points were unable to explain the delays on the commitments’ delivery when asked by CSOs.

Minutes of the meetings are available online on the OGP's government website in the administrative language.¹¹

There are no rules enforcing gender or age in the multi-stakeholder meetings, however, it is female dominated. No rules of exclusion or replacement of absentees were in place.

3.5 Self-Assessment

The OGP Articles of Governance require that participating countries publish a self-assessment report three month after the end of the first year of implementation. The self-assessment report must be made available for public comments for a two-week period. This section assesses compliance with these requirements and the quality of the report.

The Tunisian government provided a self-assessment on time in English, however, the self-assessment was not available in Arabic until July 2018.

3.6 Response to Previous IRM Recommendations

Table 3.5: Previous IRM Report Key Recommendations

Recommendation		Addressed?	Integrated into Next Action Plan?
1	Involve the largest possible number and most geographically diverse CSOs and private sector representatives in the development and implementation of commitments. This should include national, regional and local promotion and awareness-raising activities, as well as allocating the necessary budgets and human resources for all commitments. In addition, the Parliament should be involved in government accountability-related commitments and commitments entailing the drafting of laws	✓	✓
2	Publish detailed information about natural resources and all binding contracts in an easy-to-use format.	✓	✓
3	Implement an "Open Justice" system that would render the legal processes open and transparent to deter inappropriate behavior on the part of the court or an abusive counterpart. This includes making the contents of court files available online.	✗	✗
4	Revise the legal framework to make the National Court of Audit independent from the executive branch to remove the current structural flaw (where the government is its own judge), which is undermining the credibility and accountability of the legal system in Tunisia.	✗	✗
5	Implement an "Open Budget" process at the municipal level in all municipalities. This requires prior publication of all budget-related information online and a clear participatory mechanism that pushes the boundary of participation from mere consultation to citizens' empowerment.	✓	✓

Of the five recommendations, the government addressed four in their self-assessment and integrated three into the next action plan.

The government addressed the first recommendation by enlarging the consultations' geographic areas and adding two members of parliament as observers. The second recommendation, on natural resources was concretized in this action plan by the commitment to joining the EITI.

The third recommendation was addressed in the fourth commitment of this action plan, aiming to promote open government principles at the local level.

¹ Ministries of: Justice, Defense, Interior, Foreign Affairs, Health, Finances, Religious Affairs, Development and International Cooperation, Industry, Commerce, Local Affairs and Environment, Education, Higher Education, Energy and Mines, Agriculture, Equipment, Social Affairs, Employment and Vocational Training, Tourism, Technology, Cultural Affairs, Transports, Youth and Sports, Women and Family, State Properties, Major Reforms, Relationship with Civil Society, Relationship with the Parliament

² The Tunisian Parliament

³ The National Archive, High Authority of the Administrative and Financial Audit, Presidency of the Government: Governance Unit, General Direction of Reforms and Prospective, Relationship with the Citizen; Ministry of: Local Affairs and Environment, Transport, Cultural Affairs, Relationship with Civil Society and Constitutional Bodies, Finance, Religious Affairs

⁴ Presidency of the Government, Ministry of Energy and Mines, Ministry of Local Affairs, Ministry of Culture, Ministry of Transport, Ministry of Finance, Ministry of Youth and Sports

⁵ The Tunisian Parliament

⁶ The Anti-Corruption Authority, National Archive Institute

⁷ OGP Tunisia, <http://www.ogptunisie.gov.tn/?p=1426>

⁸ E-participation, www.consultations-publiques.tn

⁹ OECD is a strategic partner of Tunisia in its agenda of good governance and corruption fighting since 2013.

¹⁰ IAP2's Public Participation Spectrum,

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf

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IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹

What Makes a Good Commitment?

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible. This report details each of the commitments the country included in its action plan and analyzes the first year of their implementation.

The indicators used by the IRM to evaluate commitments are as follows:

- **Specificity:** This variable assesses the level of specificity and measurability of each commitment. The options are:
 - **High:** Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective.
 - **Medium:** Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective.
 - **Low:** Commitment language describes activity that can be construed as verifiable but requires some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be.
 - **None:** Commitment language contains no measurable activity, deliverables, or milestones.
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - **Access to Information:** Will the government disclose more information or improve the quality of the information disclosed to the public?
 - **Civic Participation:** Will the government create or improve opportunities or capabilities for the public to inform or influence decisions?
 - **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions?
 - **Technology & Innovation for Transparency and Accountability:** Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?²
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.

Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:

- Starred commitments will have “medium” or “high” specificity. A commitment must lay out clearly defined activities and steps to make a judgement about its potential impact.
- 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.³
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of “substantial” or “complete” implementation.

Based on these criteria, Tunisia’s action plan contained no starred commitments.

Finally, the tables 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 and all OGP-participating countries, see the OGP Explorer.⁴

General Overview of the Commitments

Tunisia’s second action plan contains 15 commitments, of which five were carried forward directly or modified from the previous plan. Those commitments include: an electronic civil petition and corruption reporting mechanism, Open Data Portal, national corporate governance repository, open governance training, and publication of audit reports. The new commitments include preparations for Tunisia joining the Extractive Industries Transparency Initiative, implementation of the access to information law, and developing a regulatory framework for open data.

¹ Open Government Partnership: Articles of Governance, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf

² IRM Procedures Manual. Available at: http://www.opengovpartnership.org/sites/default/files/IRM-Procedures-Manual-v3_July-2016.docx

³ The International Experts Panel changed this criterion in 2015. For more information visit: <http://www.opengovpartnership.org/node/5919>

⁴ OGP Explorer: bit.ly/1KE2WII

I. Join the extractive industries transparency initiative "EITI"

Commitment Text:

This commitment is intended to promote transparency and accountability in the area of natural resources in order to enhance this sector governance and build trust between the government, business and civil society as well as to improve the business environment and make Tunisia a model of transparency in the MENA region.

Milestones:

- Appoint a high-level official to lead the implementation process of the initiative
- Set up a multi-stakeholder group to oversee the initiative implementation
- Develop an action plan to implement the initiative
- Publish a report on extractive industries in accordance with the standards of the initiative and based on the principles of open data
- Make a demand to join the initiative

Responsible institution: Ministry in charge with Energy and Mines

Supporting institution(s): Natural Resources Governance Institute

Start date: June 2016

End date: August 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
I. Overall				✓	✓	✓					✓		No		✓		

Context and Objectives

Oil and gas exploration and exploitation attracts 60 per cent of the foreign direct investments¹ in Tunisia. Extraction mainly takes place in the interior regions of Tunisia that have lower development, informal economies and high levels of unemployment compared to the coastal areas. While the extractive industry is seen as the only opportunity in the region, it has been historically notorious for its corruption.² Individuals closely associated with the former regime of the ousted President Ben Ali were reported abusing the laws and regulations to give exploration permits in exchange for bribes.³ This discontent was one of the main driving forces of the 2011 revolution.⁴ Despite the importance of the sector, to date there is little publicly available information about the profits made by gas exploitation.

In 2015 CSOs created a movement called "Winou el petrole?" (Where is the Oil?) to raise awareness about the lack of transparency in extractive industries in Tunisia. High visibility of the issue led to public protests in the interior regions demanding employment and development opportunities from the extractive sector. The government responded by publishing numbers about received profits on oil and gas, but the credibility of these numbers was questioned by the public. Discontent related to the operation of the extractive

sector is a continuous problem, often resulting in blockages of exploitation works, closing the railway and the roads.

Joining the Extractive Industries Transparency Initiative (EITI) could be a major step. The transparency measures demanded by EITI standards, including the publication and independent verification of profits received, could bring more openness and accountability of the extractive sector in Tunisia.

With this commitment the government aims to start the preparatory process for joining the EITI. The commitment contains several concrete milestones for Tunisia to attain EITI candidature status. This commitment is relevant to access to information as it will lead to the disclosure of information on production volumes and finances of Tunisia's extractive sector. It is also relevant to civic participation as it creates a multi-stakeholder group that could ensure the participation of CSOs in the formulation of EITI policies.

If fully implemented, this commitment could have a moderate potential impact. It will complete the necessary preparatory steps for Tunisia's application to the EITI as a candidate country. Becoming EITI compliant is a longer process that requires completion of further steps, however, this commitment entails carrying out essential pre-requisite work. According to the National Resource Governance Institute (NRGI), this is a major commitment for the government that could bring transparency to the opaque but critical sector of the country's economy.⁵ It would also send a strong message to other economic sectors.

Completion

The commitment has had limited progress. Out of the five activities, only the first one has been achieved, which is the appointment of the high-level official. Frequent changes of the Minister of Energy and Mines has contributed to the lack of progress on this commitment.

EITI procedures involve the appointment of champions (political actors) and a project coordinator. Tunisia engaged on the EITI commitment in June 2016, when the Minister of Energy and Mines, Mongi Marzouk, and the chairman of the Energy and Natural Resources Committee, Ameer Laarayedh, were designated as champions for the EITI. In August 2016 Marzouk was replaced by Hela Cheikhrouhou and on September 2017, she was replaced by Khaled Kaddour. The project coordinator also changed three times. Since June 2016, three different focal points have led the project.

However, the major roadblock has been the formation of the multi-stakeholder group that is supposed to agree on the action plan and guarantee the voice and participation of civil society. In early 2017, the Tunisian Minister of Energy and Mines appointed the Tunisian Quartet⁶ as the CSO representative. This was heavily contested by CSOs as they claimed that the quartet does not represent civil society and cited a conflict of interest. Indeed, the head of UTICA (part of the quartet) and multiple other board members are chairs of the holdings that operate in the oil and gas field⁷. To resolve this issue, the NRGI facilitated a discussion between major active CSOs and youth-led CSOs and the ministry. The result was the following:

- Elections were expected to be held to elect members that would represent civil society in the committee. The network of Publish What You Pay Tunisia, and I Watch, the Tunisian chapter of Transparency International, would participate in these elections.
- The elections would be supervised by the Tunisian Anti-Corruption Authority.
- A new category of "National Organizations" would be created in the committee to include the quartet.

Although Tunisia has seen a boom in CSO numbers, largely due to the injection of aid money after the revolution, the notion of civil society involvement in decision making is still very recent and CSOs still lack experience and capabilities. Few meaningful civil society groups exist and some classical historical CSOs tend to be polarized, either close to the private sector establishment (as UTICA) or to the administration and government entities (such as UGTT). Therefore, the process of selecting CSOs to the board is sensitive. Selected CSOs need to meet the criteria of representation and technical knowledge while avoiding conflicts of interest.

Next Steps

Joining the EITI is the major commitment of this action plan, and it should be prioritized on the political agenda both by the executive and legislative branches.

The IRM researcher suggests carrying this commitment forward in the next plan with the following recommendations:

- The Ministry of Energy and Mines should maintain a stable focal point to lead the process and ensure continuity
- Elections for the committee should take place for the plan to be carried forward. Ensure there are no conflicts of interest (NGOs members or funders should not be involved or sponsored by oil and gas companies)
- Broaden the base of CSOs to include organizations with anti-corruption profiles, such as I Watch (the chapter of Transparency International in Tunisia), Al Bawsala (a national watchdog of the parliament and government), le Forum Tunisien des Droits Economiques et Sociaux (a national CSO that monitors social movements in Tunisia), and l'Observatoire Tunisien de l'Economie (a national CSO that publishes insights and reports on the Tunisian economy)
- To lead to a major transformation EITI measures need to be supported by a robust legal framework. The current legal framework could be revised to include the following:
 - Publish the data in an open data and exploitable format
 - Ensure stakeholders participating in the extractive industry can be held accountable under Tunisian laws in case of fraud, whether government organizations or exploration and extraction firms

¹ The Unfinished Revolution Bringing Opportunity, Good Jobs And Greater Wealth To All Tunisians

² Reuters, Protesters clash with police in Tunisian mining town over jobs, <https://www.reuters.com/article/us-tunisia-protests/protesters-clash-with-police-in-tunisian-mining-town-over-jobs-idUSKBN1GX32P>

³ Nawaat, <http://nawaat.org/portail/2013/06/12/chiboub-essebsi-une-relation-en-or-noir/>

⁴ Nawaat, Behind Tunisia's Economic Miracle, <https://nawaat.org/portail/2009/06/18/tunisia-behind-tunisias-economic-miracle-inequality-and-criminalization-of-protest/>

⁵ Interview with Wissem Heni, Natural Resource Governance Institute, Tunis, 26 May 2018.

⁶ Composed of The Tunisian General Labor Union (UGTT), The Tunisian Confederation of Industry, Trade and Handicrafts (UTICA), The Tunisian Human Rights League, and the Tunisian Order of Lawyers. A coalition that led the national dialogue of 2013/2014 and was awarded the Nobel Prize for Peace in 2016.

⁷ Groupe Bouchamaoui, the head of UTICA is Wided Bouchamaoui

2. Modernize the regulatory framework to enforce the Right to Access to Information

Commitment Text:

Promote the application of the law on the right of access to information and put all necessary measures to guarantee access to information either proactively or by request.

Milestones:

- Issuing a decree to create public entities in each public department in charge of enforcing FOA
- Establishing an independent public authority - the Commission of Access to Information - to oversee the implementation of the law and examine appeals against refusals by public authorities to disclose requested documents in the first instance
- Creating a commission in order to identify fees should be charged for access to information request (exceptional cases)
- Publication of the complementary regulation of the access to information law
- Drafting of a national action plan to facilitate the implementation of the law
- Completing the organization of the archive and developing a system for the classification of administrative documents

Responsible institution: Presidency of the Government, The ministry of public administration and governance, the National Archive, the Tunisian Parliament

Supporting institution(s):

As mentioned in the NAP: None

As evaluated: Article 19, World Bank, UNESCO, ATCP, FSVC

Start date: June 2016

End date: March 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
2. Overall				✓	✓		✓					✓	No		✓		

Context and Objectives

The Tunisian parliament approved a law of access to information in March 2016.¹ This law guarantees the right to access to information and creates the Authority of Access to Information, as an independent authority.

However, implementation of the law has been problematic. Since the passage of the law, the public administration has had challenges dealing with the requests as there are no uniform procedures and mechanisms within the Tunisian administration. According to the analysis conducted by NGOs,² the application of the law is not systematic and is at the discretion of the institutions. The problem is compounded by the fact that data classification is not standardized or existing in most of the administration bodies. It is rare that information

would be classified from public to confidential or secret and most of the public officials prefer using their personal emails instead of the official ones, which complicates data storage and classification.³

This commitment aims to enforce the right to access to information by providing the necessary decrees, opening the call for candidates for the Authority of Access to Information, and creating an internal access to information body in each institution, and define the standards for public and classified information. The commitment also entails developing a national strategy that would facilitate the implementation of the access to information law while supporting it with complementary legal regulations.

The commitment contains specific milestones and is relevant to access to information as it establishes steps to enforce the law by outlining practical steps to implement it. The commitment entails staffing the authority where citizens or legal entities can appeal denied requests for information. Therefore, this commitment meets OGP values on public accountability.

If fully implemented, this commitment could have a transformative potential impact in guaranteeing the right to information of Tunisian citizens in practice. According to Article 19 and the Tunisian Association of Public Auditors (Association Tunisienne des Controleurs Publics ATCP), the steps described in the commitment are necessary to ensure the implementation of the Law on Access to Information which was passed prior to this action plan. The commitment includes the completion of one of the major steps in the implementation of the access to information law, namely, having a functional authority (Instance Nationale d'Accès à l'Information). The authority has the mandate, through parliament, to enforce the right to access to information within public institutions and reviews the appeals for accessing information by citizens or organizations.

In addition, one of the milestones listed is data classification, which is a fundamental prerequisite needed in every access to information framework. While this commitment is very ambitious, the milestones listed are likely to require longer period of time and would involve a wider spectrum of public bodies. Reforms related to archiving and classifying information fall under the responsibility of the Presidency of the Government, the Ministry of the Public Administration and Governance or the National Archive but the reforms go beyond what is proposed by this commitment and would eventually involve the Ministry of Interior, Ministry of Defense, Ministry in charge of Information Communication Technologies, the National Agency of Computer Security in the first step and the roll out of adopted policies to all the public administration bodies. Traditions of access to information had never existed in Tunisia before the revolution, and the law has always been a demand of local CSOs. The implementation of this law is seen by I Watch as one of the key milestones to fight corruption and provide a legal base to appeal denial of access to information.

Completion

The Tunisian government planned to complete this commitment by March 2017, but it has had limited completion. During the assessment it became evident that some steps of this commitment entailed slightly modified actions, such as selecting the members of the High Authority to Access to Information, having the authority to work directly and develop an action plan to enforce the right to access to information, creating new positions within administration to review the access to information requests, publishing decrees regulating the application of the law and establishing relevant guides. Activities also included classifying the data with the National Archive within a year, and fixing the access to information fees by the Ministry of Finance.

In July 2017, almost five months after the scheduled completion of the commitment, the members of the Authority of Access to Information were selected.⁴ The Authority has nine members, including two members from the judiciary, a lawyer, a representative of academia, two representatives of state bodies, a journalist and one CSO representative.

According to a member of the Authority of Access to Information, a draft of the action plan was completed, and some draft decrees were prepared but have not been made publicly available.

The delay could be explained by three main reasons:

- The commitment was overly optimistic. The commitment entailed carrying out major reform in less than a year. The government capabilities and means dedicated to support the right to access to information did not prove to be sufficient to carry out all activities in the set timeline.
- This commitment was not sufficiently prioritized by the government and the anti-corruption agenda declared by the Prime Minister that announced a war on corruption in July 2017.⁵
- The Ministry of Public Administration and Governance, which was one of the main implementing bodies, was dissolved by the Prime Minister in February 2017 after the Minister's resignation and the refusal of the newly-appointed Minister to undertake the position.⁶ Additionally, the government reshuffle in September 2017 brought some instability within the public administration and complicated the completion.
- The Tunisian parliament is perceived to be slow on reforms and advancement, and the political divide makes it very difficult to advance and multiple consensus needs to be achieved to adopt laws.⁷ ⁸ Likewise, the National Archive is an institution that operates at a slow pace, lacking human and technological resources. For example, the website of the archive is down or functioning in static mode since 2010 due to underfunding.⁹

Nevertheless, some positive changes occurred during the implementation of this commitment. International donors, such as the World Bank and UNESCO, or local NGOs or chapters of international organizations, such as Article 19, Financial Service Volunteer Corp, or the Tunisian Association of Public Auditors (ATCP), stepped in to help the government and the parliament in the implementation through technical support, capacity building and advocacy.

Next Steps

If the commitment is not completed, the IRM researcher suggests carrying it forward to the next action plan.

The World Bank is committed to supporting the efforts to implement this commitment with financial resources budgeted through 2019. This would help the government speed up the implementation process.

Issuing a referential of data classification and reorganizing the data of the archive are complex undertakings that could be considered as separate commitment in the next action plan.

The IRM researcher recommends the following next steps:

- Commit to publish reports on statistics on the number of requests received and processed.
- The Tunisian government should specify the scope of intervention of UNESCO, World Bank, Article 19 and ATCP on this commitment. The commitment was not supported or funded by any local or international partner and it had more than four major players stepping in during implementation without clear results. It is very important to clarify the role and responsibilities of each partner to avoid duplicating the efforts and overlaps.
- Other institutional partners such as the Authority of Access to Information, the National Authority of Anti-Corruption, the National Agency of Computer Security, the Ministry of Interior, the Ministry of Justice and the Ministry of Defense should be involved in the data classification process.
- In the next action plan, the government could involve CSOs as monitoring partners for requests of access to information. Al Bawsala or IWatch could be pertinent partners.

¹ Law of access to information, <http://www.legislation.tn/sites/default/files/news/ta2016221.pdf>

² I Watch, <https://www.iwatch.tn/ar/article/23>

³ In 2015 the Tunisian National Agency of Computer Security issued a call for proposals for a guide of public data classification³ and extended it in 2016, but the winner has not been publicly disclosed.

⁴ Assabah news, <https://bit.ly/2LZ1AC4>

⁵ Jeune Afrique, <http://www.jeuneafrique.com/459003/politique/tunisie-youssef-chahed-parlement-faire-point-campagne-anticorruption/>

⁶ Minister resignation, https://www.huffpostmaghreb.com/2017/03/02/youssef-chahed-ministere-_n_15112472.html

⁷ Middle East Eye, <http://www.middleeasteye.net/fr/reportages/le-parlement-tunisien-un-contre-pouvoir-encore-trop-faible-452447365>

⁸ Adopting laws, https://www.huffpostmaghreb.com/2017/03/31/tunisie-reformes-de-socie_n_15722534.html

⁹ Interview with National Archive Employee, Tunis, 18 May 2018.

3. Completion of the legal and regulatory framework of open data at the national level

Commitment Text:

The aim of this commitment is to make public data open by default, in formats that are usable and interoperable in order to improve Governance, citizen engagement, inclusive development and innovation.

Milestones:

- Adopting a license to organize the public data re-use,
- Developing a network of the persons in charge of open data in the various public departments and agencies,
- Defining a national open data Charter,
- Elaborating an inventory by a number of sectors of data that can be opened and which could be published on the web while specifying the frequency of their updates and the departmental targets for the publication.

Responsible institution: Presidency of the Government

Supporting institution(s):

As mentioned in the NAP: Parliament.

As assessed: World Bank, Article 19, ATCP, FSVC

Start date: June 2016

End date: March 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
3. Overall			✓		✓			✓			✓		No		✓		

Context and Objectives

This commitment was carried forward from the previous action plan, where it saw limited completion. Originally the commitment included the elaboration of an open data portal only. 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. The commitment was modified for the second action plan to include more specifics, such as re-developing the open data portal to improve usability and data relevance.¹

Moreover, in December 2016, the Tunisian government published its E-Government strategy, called Smart Gov 2020. Smart Gov implementation was planned for 2016 to 2020. The action plan includes the implementation of this commitment as a priority and was planned to be completed in early 2017.²

Tunisia is ranked 66 in the Open Data Index (ODI) with a weak score of 22 percent. The ODI indicates 0 percent score in multiple areas such as procurement, government spending

and land ownership. Tunisia ranked 39 on the Open Data Barometer (ODB)³ in 2015, with a score of 33.37, far from the average of the MENA region (19.31) or the Moroccan score (16.17). The implementation of the portal in 2014 increased the Tunisian score from 21 in 2013 to 33 in 2015, while the average score of the MENA region continued to decrease. According to the ODB, while Tunisia's readiness is high, implementation and impact are low.

The objective of this commitment is to put in place procedures that would guarantee a continuous update of the open data resources from various government entities. The commitment aims to re-arrange the existing datasets on the portal.

The commitment contains specific milestones, with details of the targets and periodicity of data update. The commitment has a moderate potential impact. Tunisia has had a Presidential Decree on Open Data since 2011 but regulations and procedures are necessary to enforce it. This commitment identifies the steps needed to reinforce the existing framework. It is relevant to access to information as it entails making government data available in an open and re-usable format. Additionally, the commitment is relevant for technology and innovation as it specifies using digital best practices. Therefore, this commitment meets OGP values on access to information and technology and innovation for transparency and accountability.

Completion

This commitment completion is limited and is not on time. The E-Government Unit drafted procedures to obtain a license of data re-use and an open data charter. Besides the strong engagement of the E-Government Unit, there should be points of contact in charge of open data issues in the various public ministries and agencies.

The World Bank's government unit in Tunisia provided technical assistance to help the E-Government Unit accomplish this commitment. During the interview, the World Bank project officer confirmed that funds would be available through 2019 to speed up completion.

Next Steps

This commitment should be carried forward in the next action plan. Given the support provided by the World Bank, the government should prioritize completing all the milestones.

The IRM researcher recommends the following:

- Narrow down the commitment scope and develop a pilot project for specific datasets that could be published and updated regularly. By narrowing the commitment to certain ministries this objective could be completed in important sectors like education, interior, defense and health. Certain ministries have already appointed personnel on open data but would require a data inventory.
- In the next action plan, the government could involve other stakeholders, such as the Authority of Access to Information, National Authority of Anti-Corruption, and the National Agency of Computer Security.

¹ Tunisia: 2014-2016 End of Term Report,

https://www.opengovpartnership.org/sites/default/files/Tunisia_EOTR_2014-2016_for-public-comment.pdf

² Portail du Gouvernement Tunisien, <http://fr.tunisie.gov.tn/101-pr%C3%A9sentation-g%C3%A9n%C3%A9rale-de-l-e-strat%C3%A9gie.htm>

³ Open Data Barometer 2016, <https://opendatabarometer.org/>

4. Improve transparency and local government openness

Commitment Text:

Developing practical mechanisms to facilitate the access to information and enshrine the principles of accountability and participation in the design and implementation of programs and projects at the local level.

Milestones:

- Drafting a practical guide to explain the principles of open government and various applications at the local level in order to encourage projects and initiatives which could be launched in this field.
- The development of an electronic platform for open data at the local level

Responsible institution: Services of governance, Presidency of the government, Ministry of local affairs and environment.

Supporting institution(s):

As mentioned in the NAP: Tunisian Association for Local Governance

As evaluated: Tunisian Association for Local Governance, Article 19, ATCP, FSVC

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
4. Overall			✓		✓					✓			No	✓			

Context and Objectives

Decentralization is part of the main political agenda of post-revolution Tunisia. The Tunisian constitution introduced the principles of decentralization through 12 articles.¹ Historically, local affairs were always part of the powerful Ministry of Interior. However, since 2016, the Tunisian government, under Prime Minister Habib Essid separated local affairs to a dedicated ministry. The first Minister of Local Affairs was Youssef Chahed, the Prime Minister at the time of writing this report.

In 2014, Tunisia drafted the “Urban Development and Local Governance Program” planning to finance it through a loan from the World Bank.² On October 2015, the program was officially launched³ with a budget of 1,220 million TND (USD 530 million), with a USD 263 million loan from the World Bank.⁴ This program aims to support local authorities and build their capacities by developing mechanisms for financial management, and reinforce the relationship with citizens to foster inclusiveness.

The reform of local affairs went through multiple complicated steps. The government merged and created new municipalities through decrees and planned to have local elections since 2014. These were postponed four times and were re-planned for May 2018.⁵ Yet, the “code of municipalities”, to regulate municipalities, is not ready yet and the Tunisian

parliament is being particularly slow in passing this major reform. Critics were severe about holding local elections without the code.

A website for local municipalities was developed as part of the “Urban Development and Local Governance Program” in 2015. This website includes open data, however, without any codebook accompanying the csv and excel files. The mid-term government self-assessment report does not mention if this portal was part of the commitment.

This commitment is relevant to the OGP value of access to information. Its specificity is medium, and it has a minor potential impact. Having a platform and a guide without having trained personnel at the local level means that this commitment is not likely to lead to major impact.

Completion

This commitment is not started. Neither a draft for a practical guide nor a platform for open data have been developed.

The government has prioritized organizing municipal elections and completing the fundamental laws related to local municipalities. Moreover, after the government change in 2016, Prime Minister Chahed, who was the Minister of Local Affairs, merged his former ministry with the Ministry of the Environment. This resulted in changes of multiple heads of departments.

The self-assessment report mentions that the Ministry of Environment and Local Affairs will put this commitment under the Tunisian-French cooperation to provide enough funding to execute the project.

Next Steps

Commitments related to Open Local Governance are important to the Tunisian democratic transition and the decentralization process. Therefore, if not completed under this action plan, this commitment should be expanded, clarified and carried forward. The IRM researcher recommends the following:

- Ensure this commitment is part of the Urban Development and Local Governance Program.
- Familiarize the upcoming municipal councils (the ones that will be elected in 2018) with open government principles.
- Involve the to-be-elected local officials following the local elections in May 2018 and develop a pilot project with limited municipalities across the country. This could be done with the municipalities of Tunis, Sousse, Marsa and Bizerta from the coastal regions, as well as the municipalities of interior regions such as Tozeur, Sidi Bouzid, Seliana and Kasserine.
- Focus on financial data of local governments, as is proposed by one of the five recommendations from the previous action plan.

¹ Tunisia's Constitution of 2014, https://www.constituteproject.org/constitution/Tunisia_2014.pdf

² Urban Development and Local Governance Program, <http://documents.worldbank.org/curated/en/575401468113068837/pdf/886890PGID0FRE0Box385268B00PUBLIC0.pdf>

³ <https://www.leconomistemaghrebin.com/2015/10/16/tunisie-bm-lancement-officiel-du-programme-de-developpement-urbain-et-de-gouvernance-locale/>

⁴ World Bank, Note d'Orientation, <http://documents.worldbank.org/curated/en/977541467992498655/pdf/100147-REVISED-10-14-FRENCH-BRI-PUBLIC-Box393225B-Overview-Apercu.pdf>

⁵ Jeune Afrique, <http://www.jeuneafrique.com/550492/politique/tunisie-pourquoi-le-code-des-collectivites-locales-traîne-a-l'assemblée/>

5. Enhance transparency in the cultural sector: “open culture”

Commitment Text:

The aim of this commitment is to promote openness in the cultural sector in order to facilitate access to the culture heritage and stimulates innovative reuse in this field. This could generate several benefits especially an economic value by promoting foreign investment and tourism.

Milestones:

- Opening public cultural data:

The openness and sharing of public cultural data is guaranteed through the development of a central website. The website will include a set of data concerning all cultural fields (music, dance, books, scenic arts, audiovisual arts, cultural patrimony, fine arts, cultural institutions activities...) and boosting it with statistical results, ministry interventions, the budget, and public funding.

- Disseminating data about events and cultural festivals using modern technologies (cultural Agenda system):

The system of cultural agenda will provide users with digital information about cultural festivals and events on the central and regional level. The content will be comprehensive and easy handling as it will be joined by photos, posters and the festival's program. This system can be browsed through various digital bearings enabling users to evaluate and give their opinion about it.

- Opening sound recordings and musical archive of the “Arab and Mediterranean Music Center”:

Disseminating and facilitating the access to the sound recordings and material archive of the Arab and Mediterranean Music Center through the development of two web sites in order to allow users especially journalists and researchers to exploit the digital data bases as well as paper and audiovisual documents. It could enhance the cultural heritage in this field and develop new high value uses of these data.

Responsible institution: Ministry in charge of culture

Supporting institution(s): “e-governance society” association

Start date: August 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5. Overall			✓		✓					✓			Yes				✓

Context and Objectives

With more than 3,000 years of historical heritage, Tunisia has numerous classified historical sites and museums that are often unknown to the public due to the absence of a meaningful and exploitable cartography. The Tunisian Ministry of Culture funds the maintenance of cultural sites and helps to promote and subsidize local and national festivals, movie productions and other relevant art work. Often, budgets allocated to these subsidies are not publicly available and have become the subject of contested discussions. Information on multiple cultural events funded by taxpayers' money is not centralized.

This commitment aims to disclose information about the location of cultural facilities and open access to the electronic sound archive of the Center of Arab and Mediterranean Music. The commitment also includes disclosure of allocations for cultural subsidies. The commitment is overall relevant to the OGP value of access to the information. If all milestones were to be fully implemented, the commitment overall would have a minor potential impact. While milestones on the cultural agenda system and opening of audio archives are not likely to have major impact in making the culture sector more transparent, the part of the commitment on disclosing state subsidies allocated for cultural events could be a major development for transparency of government spending on culture. However, the commitment is not specific about the number of the datasets, the frequency of updates and if a process to obtain, verify and upload the datasets will be in place.

Completion

All the deliverables stated under this commitment are completed and available online.

In summer 2016 the Ministry of Culture created a website (<http://www.openculture.gov.tn/>) for the publication of cultural data. The website includes 59 datasets on 11 cultural sites. The ministry started publishing information on subsidies allocated for cultural events according to years. Twenty datasets about subsidies provided to festivals and associations are available, however, these are only for 2014, 2015 and 2016. Moreover, some datasets are simply the summary of a larger dataset, for example, “Subsidies by Sector” or “Subsidies by Region”. These could have been simple macros or separate Excel sheets among the main dataset. The datasets appear to be collected from different departments of the ministry without further work done on harmonization or merging.

For the second milestone, the cultural agenda system, a website was launched in June 2016 displaying information about cultural events, such as festivals and concerts¹.

The third milestone, the website with the archive of sound recordings, was already in place before the start of the action plan in June 2016. The Phonotheque Nationale² is an online music and sound archive containing historical recordings of Mediterranean and Arab music. According to the government self-assessment report, the website was updated with more content during the first year of implementation.

Websites created under this commitment are not well referenced and need search engine optimization. In addition, while the general website of the ministry is in both Arabic and French, the agenda is only in Arabic and the open government platform is only in French.

Early Results

The publication of open data about the infrastructure of the ministry, its budget and its subsidies represent major developments. The Ministry of Culture has also published an interactive map that allows geo-localization of cultural sites, however, at the time of writing this report, the data is still missing some sites.

The ministry held an event to launch its open-gov platform without visible interaction with civil society. Most of the interviewed CSOs were not aware of the existence of the open government portal.

Next Steps

The effectiveness of this commitment could be enhanced by raising awareness of the new websites and reinforcing search engine optimization. In addition, the websites' content should be bilingual; the official administrative language in Tunisia is Arabic, however, the open culture website is in French, while the official website is bilingual, and the electronic agenda is in Arabic. The Ministry of Culture could put in place internal rules and procedures

to keep populating the portal with up-to-date information on budgets and complete the list of sites and facilities in geo-localized maps. Moreover, work should be done to harmonize the databases and make more compelling datasets.

¹ <http://www.agendaculturel.gov.tn/>

² <http://www.cmam.nat.tn/content/fr/14/Phonothèque-Nationale.html>

6. Enhance transparency in the environment and sustainable development sector

Commitment Text:

This action aims to promote the principles and tools of good governance in the elaboration of Tunisian development plans, through the adoption of the objective indicators and the establishment of the three pillars of "Policy Brief" that have been formulated within the framework of the implementation of the goal of sustainable development "ODD 16" in collaboration with the National Institute of Statistics and institutions intervening in the project.

Milestones:

- Reaching the goal of sustainable development focused on the field of corporate governance "ODD 16";
 - Drafting the "policy briefing" of the ninth component of target 16 and its ratification by all stakeholders,
 - Elaborating of a governance study reference in Tunisia in the bases of policy briefing,
 - Elaborating indicators fixed by all stakeholders,
 - Monitoring and Implementing of 9th components of target 16
 - Integrating policy briefing in the elaboration of the Tunisian development plan
 - Evaluating the efficiency of these policies.
- Developing and deploying an open data platform related to environment and Sustainable Development;
- Developing and deploying a geographic information system about environment and sustainable development.

Responsible institution: Ministry in charge of Civil Service, Governance and Fight against Corruption.

Supporting institution(s):

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6. Overall		✓			✓					✓			No	✓			

Context and Objectives

This commitment contains two broad milestones and another vaguely formulated one that doesn't clearly identify intended results or specific activities. The general idea is to develop milestones that would provide data on environment and sustainable development. The first milestone aims to reach SDG 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels), which extends beyond the end of the action plan cycle in 2018.¹ The second milestone involves the development of an open data platform that is linked to the environment and sustainable development, with the third milestone developing a

geographic information system about the environment and sustainable development. The commitment goal touches upon multiple policy areas, but it is not clear what these milestones are targeting more specifically.

Since two of these milestones aims to develop open data and geographical information systems, the commitment is relevant to access to information. During the field research, the IRM researcher possessed more details from the OGP point of contact, Khaled Sellami,² on this commitment, and the Ministry responsible for the environment and local affairs was responsible for developing these two systems.

Though the commitment is linked to the Open Data Platform and Geographic Information System, which aims to disseminate data that can assist civil society organizations and the private sector working on environmental matters and sustainable development,³ the specificity of the commitment is low and given the lack of clarity on intended results, the potential impact is minor.

Completion

During implementation the lead ministry agency, the Ministry of Civil Service, Governance and Fight against Corruption, which was assigned to this commitment, was dissolved after the minister's resignation.⁴ The responsibility over the commitment went to the Ministry of Environment and Local Affairs.

As the different milestones are still being discussed and negotiated by the different levels of the Ministry of Environment and Local Affairs, implementation of the commitment is considered not started.

Next Steps

Addressing SDG 16 is a worthwhile initiative and could make for a strong and ambitious commitment. However, the IRM researcher recommends that the next action plan includes clearly formulated commitments that communicate intended results and measurable milestones linked to the most pressing aspects of this particular SDG.

¹ "Goal 16: Peace, Justice And Strong Institutions", United Nations, <https://www.undp.org/content/undp/en/home/sustainable-development-goals/goal-16-peace-justice-and-strong-institutions.html>

² Interview with Khaled Sellami, May 10th, Tunis, Tunisia

³ Ibid.

⁴ "Abid Briki démissionne du gouvernement", Mosaique FM, <https://www.mosaiquefm.net/fr/actualite-national-tunisie/100483/abid-briki-demissionne-du-gouvernement>

7. Enhance transparency in the transport sector

Commitment Text:

Providing access to public data related to the transport sector (land, sea, air) in an open format and facilitating its reuse to develop new systems and added value services, especially in the field of passenger Media (via WAP, smart phones ...).

Milestones:

- The elaboration of a study on the project to determine the organizational and procedural priorities and to prepare the back office of the portal,
- The definition of the technical and functional specifications of the portal,
- Development of the portal and put it on line

Responsible institution: Ministry of transport

Supporting institution(s): None

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
7. Overall		✓			✓			✓		✓			No		✓		

Context and Objectives

Most of the public transportation services in Tunisia are state-owned companies. The Tunisian transport sector, except the international marine and air lines, is overall archaic. There is no online scheduling for internal land or marine public transportation services, it is impossible to buy tickets from automated machines or plan a journey using a website or an application. The general public perception is that the public transportation in Tunisia is unreliable, overcrowded and underfunded.

The websites of the different transportation agencies do not offer updated data and the little information available is not in an open format.

This commitment lacks specificity as it does not list which agencies affiliated with the ministry are targeted by the open data portal. Although the English version does not specify this, the Arabic version lists the type of data that would be available on the portal, such as bus, metro, ports and airports stations locations, timetables as scheduled and real-time, ticket pricing and itineraries.

The commitment is relevant to access to information and technology and innovation for transparency and accountability, as it includes the creation of web platforms and GPS services. If fully implemented, this commitment would have a minor potential impact. A

more ambitious commitment in this area would be to provide information about the budget spending in public transportation or the profitability of companies or lines.

Completion

The commitment completion is limited. According to the representative of the Ministry of Transport, the ministry is currently doing a needs assessment study of the portal.

Digitizing the data of the Ministry of Transport is a vast undertaking. When asked about further details the ministry plans to do the following:

- Mapping of all the train, bus and metro stations and inserting them in a geographical database
- Mapping of all the train, bus and metro lines in the database
- Equipping the bus, metro and trains with GPS and connecting them to the stations to calculate delays and timing
- Designing and implementing a portal that would aggregate the data from all the steps above

Next Steps

This commitment could be important to the daily life of Tunisians and any visitor to Tunisia. The country suffers from the poor quality of its ground and air transportation. Complaints about the national air carrier and its low quality of service are regular, impacting directly on tourism, one of the main pillars of the Tunisian economy. In greater Tunis, which is home for more than 25 percent of the total population, the lack of quality of public transportation is often pointed out as one of the main problems of the capital's development. However, considering the progress made so far, it is unlikely that this commitment will be finished on time.

The IRM researcher recommends not carrying forward this commitment in its current form due to the lack of specificity and ambition. The new form of the commitment could include detailed budgeting on spending for each transportation company affiliated and in direct funding from the Ministry of Transportation, as most of the investment in public transportation is taxpayers' money. The data could also include revenues of these public institutions.

8. Promote financial and fiscal transparency

Commitment Text:

This commitment tends to devote the principle of fiscal justice and encourage the tax payers to respect their fiscal duties. It also aims at the increase of the state budget resources through better exploitation of the tax energy, especially by reducing tax expenditures.

Responsible institution: Ministry of finance

Supporting institution(s): None

Start date: August 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
8. Overall		✓			✓						✓		No		✓		

Context and Objectives

Since the revolution of 2011, Tunisia has been trying to reform its fiscal and opaque taxation system. The country's fiscal deficit is high at 5.9 percent of GDP in 2017.¹ The tax system is perceived to be unfair, favoring businessmen that benefit from fiscal advantages, and independent workers like doctors, lawyers, architects and consultants.² Reforms to expand the fiscal base faced tremendous pushbacks; in 2016 the lawyers went on strike to protest the finance bill draft that put more pressure on them to pay their taxes.³ The UGTT, the powerful labor union of Tunisia, criticized the governments that followed the revolution for putting pressure on good payers instead of making bad payers pay.⁴ The International Monetary Fund (IMF), the main lender, is pressuring the government to reduce public expenditures and expand the taxation base. The IMF insists, however, that without fiscal transparency, reforms will be much harder to achieve.^{5,6}

The objective of this commitment is to produce two annual reports. The first would be on tax benefits and advantages provided by the state to state and private bodies, however, the commitment text does not specify which years this report would cover.

The second report concerns fiscal obedience, which would disclose information about the amount of collected taxes and the sources from which these taxes were generated. However, the commitment does not provide additional information on how these reports would be developed and in which format they would be presented.

The commitment is relevant to the OGP value of access to information as it will disclose important data on fiscal obedience and state-generated income. CSOs from the OGP Steering Committee in Tunisia view this commitment to be important. However, since the commitment is not specific about how this data will be disclosed, or whether this data would be public or not, and what type of details will be provided, it is not clear if it will allow

meaningful analysis on how state income is generated and which companies receive tax advantages. Therefore, the potential impact of this commitment, as written, will be moderate.

Completion

The progress on this commitment is limited. The commitment had no focal point for several months and the project coordinator has changed three times in a year. The first designated person, Aicha Karrafi, General Director at the Ministry of Finance, was in the process of retiring during the assessment and had to transfer the responsibility of the commitment to another responsible person within the ministry. The IRM researcher's interview with Mrs Karrafi talked about the complexity of the production of the two reports. The Ministry of Finance has faced challenges in publishing consolidated actuals for the state's budget closing of 2013 and 2014, and 2015⁷ was still pending at the time of writing this report.

Watchdog groups, such as I-Watch, Al-Bawsala and Article 19, have expressed concerns about the lack of communication on the progress of this commitment.

Next Steps

This is an important commitment and if not completed under the current action plan, it should be carried forward to the next one. For implementation to advance, the Ministry of Finance needs to specify what information would be published in the reports, which fiscal years would be covered and whether the report is going to be produced by the Ministry of Finance or the Auditor General's Office. The IRM researcher recommends the following:

- Specify the deliverables of the commitment in more detail
- Publish the report in exploitable open data format
- Organize an open public debate to discuss the budget details with CSOs before publication of the final report

¹ World Bank, Tunisia's economic outlook, <http://www.worldbank.org/en/country/tunisia/publication/economic-outlook-april-2017>

² Business News, <http://www.businessnews.com.tn/reforme-fiscale-en-tunisie-il-existe-un-systeme-de-fraudeurs-tres-developpe%2C520%2C49906%2C3>

³ Huff post, https://www.huffpostmaghreb.com/2016/12/02/avocats-tunisie_n_13364246.html

⁴ Web Manager Center, <https://www.webmanagercenter.com/2016/04/25/169297/tunisie-economie-la-reforme-fiscale-est-sur-la-voie-de-l-equite/>

⁵ Tunisia Systematic Country Diagnostic, <https://openknowledge.worldbank.org/bitstream/handle/10986/23112/102298.pdf?sequence=5&isAllowed=y>

⁶ IMF, Tunisia Fiscal Transparency Evaluation, <https://www.imf.org/external/pubs/ft/scr/2016/cr16339.pdf>

⁷ Web Manager Center, <https://www.webmanagercenter.com/2018/05/23/420258/tunisie-larp-adopte-le-projet-de-loi-sur-la-cloture-du-budget-de-letat-2013/>

9. Elaborate a legal framework for citizens' petitions

Commitment Text:

Establishing a new mechanism for collective petitions in order to regulate and organize citizen participation in the process of making public decisions. This commitment represents an essential mechanism that will enhance citizen participation in the design, implementation and evaluation of public policies.

Milestones:

Preparing a legal framework to regulate collective petitions.

Responsible institution: Presidency of the Government

Supporting institution(s):

As mentioned in the NAP: Parliament

As assessed: Parliament and the World Bank

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
9. Overall			✓			✓					✓		No		✓		

Context and Objectives

Seven years after the revolution in 2011, Tunisian citizens still do not have an effective mechanism to directly petition elected officials and government. The new constitution, adopted in 2014, still does not include any legal framework for citizen petition. This essential tool of direct democracy, that could give Tunisian citizens a voice in decision making, remains a missing piece in the Tunisian democracy model. The only mechanism that CSOs or citizens could use to mobilize the government, or the parliament, is through lobbying or advocacy with members of parliament. For example, to force parliament to review a law, citizens need to gather signatures from MPs.

The commitment would create the legal basis for citizens to address government and parliament with petitions, therefore it is relevant to the OGP value of civic participation. This commitment could change the way Tunisians exercise democracy and participate in political life. If fully implemented, this legal framework will provide, for the first time, the opportunity to petition the government directly and put issues on the policy agenda. Therefore, it has a moderate potential impact. According to the non-governmental organization Tunisian Forum for Economic and Social Rights (FTDES), this commitment is a major piece in participatory democracy that has been missing since the revolution. However, this commitment could have been transformative with more information on the petition mechanism, which would have to include a description and features that would make it more likely that citizens would utilize it and ensure government responses.

Completion

The completion of this commitment is limited. The Presidency of the Government developed the note about drafting the law on petitions. At the time of writing this report, the Tunisian parliament had not started the process of drafting the text of the law. According to civil society the Tunisian parliament has not so far prioritized this issue for its agenda.

The World Bank office in Tunisia will be supporting the completion of this commitment through 2019.

Next Steps

The IRM researcher recommends the following:

- The Tunisian government should prioritize this commitment and urge parliament to review the text and pass the law
- Meanwhile, CSOs could start a public campaign about the importance of this commitment and advocate with the political parties and parliament to accelerate the passage of the law

10. Develop an integrated electronic civil petition and corruption reporting platform (e-people)

Commitment Text:

Contributing in the efforts oriented to fight corruption and promote citizen participation. The system will be a one stop shop 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 these petitions throughout the treatment process. In addition, This Platform will allow the publication of accurate and categorized statistics about complaints and corruption cases notifications treated by different public structure.

Milestones:

- Develop the platform and use it as a pilot phase in 10 facilities including the National Anti-Corruption Authority and the Central Bureau in charge of the relation with the citizens

Responsible institution: Presidency of the Government

Supporting institution(s):

As mentioned in the action plan: The National Anti-Corruption Authority, Al Bawsala, I Watch

As assessed: Anti-Corruption and Civil Rights Korea, The Republic of Korea

Start date: June 2016

End date: March 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
10. Overall			✓		✓	✓	✓	✓			✓		Yes		✓		

Context and Objectives

This commitment was carried forward from the first Tunisian action plan. In December 2012, the Anti-Corruption and Civil Rights of Korea agreed on an MOU with the Tunisian government, via its Prime Minister's office, to exchange experts in governance and help Tunisia in combatting corruption. One of the selected projects was "e-people," a platform where citizens could interact with the administration, lodge complaints about its service delivery and suggest improvements.¹ E-people already exists in Korea <https://www.epeople.go.kr/> and the idea behind this cooperation was to apply the same model in Tunisia.

To report a corruption case to the ACA, one must use classical methods, such as phoning a toll-free hotline or making a complaint in person. The Tunisian NGO I-Watch developed an online platform named [Bilkamcha](#) that allows anyone to report a corruption case. I-Watch would then follow-up, investigate and transfer the case to the court.

The commitment's title could be misleading. Unlike the Korean version, E-people Tunisia does not include a petition component. In fact, the Tunisian legal system does not have a mechanism for civil petitions. Moreover, I-Watch and Al Bawsala, the two main anti-corruption CSOs in Tunisia, who are listed as partners in this action plan's commitment, have not participated in the implementation of this commitment.

This commitment is relevant to the OGP values of access to information, civic participation and public accountability. It offers an opportunity for citizens to report cases of misconduct and corruption in public administration and access statistics of how cases have been resolved. The commitment also mentions the responsibility of the government to follow up on received requests, which makes this commitment relevant to public accountability.

If fully implemented, this commitment would have moderate potential impact. In the context of high levels of public sector corruption, providing an electronic platform for citizens to report corruption cases could be an important tool, if government were to act upon submitted complaints. However, the institutional set-up for ownership of the platform causes concern among major anti-corruption CSOs due to the fact that the implementation of this commitment is the responsibility of the Presidency of the Government. This, in their opinion, constitutes a conflict of interest since the platform is hosted and managed by the Unit of Relationship with the Citizen, which is within the Presidency of the Government and reviews reports on misconduct or corruption in the government, rather than an independent, anti-corruption agency, which would be better placed to deal with such complaints. In addition, CSOs have concerns related to confidentiality and security of the platform. Due to CSOs' complaints, the ACA withdrew from this commitment and joined the voices of civil society that ask for an audit and a form of engagement from the government that will ensure the confidentiality for citizens' reporting.

Completion

This commitment has been completed to a limited extent. After the first year of action plan implementation the platform was at an advanced stage of preparation. The Korea International Cooperation Agency (KOICA) allocated USD 5 million to complete this commitment with the Presidency of the Government of Tunisia. At the time of writing, the website was online but not all sections of the website were functional.

Nevertheless, the governance of the platform is still an issue. Both CSOs and ACA believe that the platform should not be hosted and managed by the Presidency. From the government's perspective, this commitment is an opportunity that would provide a tool for interaction with citizens and so would initiate programs of self-improvement. The CSOs do not trust that the government will be able to effectively sanction abuses while ensuring the privacy of complainants.²

The milestones specify that the platform would have a pilot phase and would be implemented in 10 facilities. At the time of the evaluation, this was not the case.

Next Steps

For the commitment to be carried forward to the next action plan, it should be reformulated, taking into consideration the concerns of CSOs and the ACA. The IRM researcher recommends the following:

- The government should consult with ACA and the CSOs to reach a common ground on the platform governance. The host server of this solution should be a neutral and independent authority that could ensure confidentiality and security.
- Define a dual back-end to the platform, for ACA to receive and manage complaints submitted on corruption cases.

¹ Anti-Corruption & Civil Rights Commission,
<http://www.acrc.go.kr/en/board.do?command=searchDetailPrint&menuId=020505&boardNum=69406&confId=1008>

² Interview with the CSOs of the OGP Tunisia multistakeholder committee, May, 2018

11. Develop new mechanisms to promote interaction with the youth and enable them to pursue dialogue about public policies

Commitment Text:

Involving youth in the development and implementation of open government principals in order to foster their participation and find tools to enable them to express their aspirations and express their voice to public officials and decision-makers regarding different public policies.

Milestones:

- Development of an e-platform allowing youth to provide feedback on the delivery of selected public services and that requires the responsible public structures to respond and address the issues raised.
- Co-creation (Government/CSO) of local councils which must include representatives of civil society and public authorities with a significant presence for the young people. The main goal of this action is to create a space facilitating discussion about key pain points and opportunities as articulated by youth CSOs which government could respond to.

Responsible institution: Ministry of Youth and Sports

Supporting institution(s):

As mentioned in the NAP: Jamaity Association

As evaluated: World Bank, UNESCO, OECD

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
11. Overall		✓				✓		✓		✓			No		✓		

Context and Objectives

Tunisia's revolution of 2011 has been dubbed a youth revolution, with young Tunisians going out to the streets to express their disenchantment with Ben Ali's regime and contributing to his fall. Since then, the relationship between the state and the youth has been fragile. Tunisian youth have been underrepresented on the political landscape dominated by an older generation.¹

The fracture between the youth and the state was characterized by three major alarming findings. First, youth participation in the latest elections (2014) in both parliamentary and presidential was low. Youth did not run for positions and did not vote either. Second, Tunisia suffers from high rates of legal and illegal migration to Europe, brain drain and smuggling, affecting mostly the youth. Third, there is a growing concern that Tunisian youths

are being recruited to extremist militant groups like ISIS or Al Qaida, domestically and abroad.

Recognizing the problem, international organizations and Tunisian authorities started programs to increase youth participation and motivate them to take part in the democratic process. With this commitment, the Tunisian Ministry of Youth and Sports is hoping to find a new way to foster youth participation via an online platform and to establish a pilot of eight youth councils.

Since 2010, the Tunisian Ministry of Youth and Sports has tried to come up with a national strategy for youth but has not been able to deliver any substantial result.²³

This commitment contains two milestones. The first entails creation of an e-platform for providing government feedback to youth on public policies, but it is not clear which policies would be selected and assessed. This is relevant to the values of Tech and Innovation for transparency and accountability. The second milestone involves creation of local councils with youth representation, but without specifying what these councils would do and how youth selection and participation would be ensured. This commitment is relevant to the OGP value of civic participation. When interviewed, youth-led NGOs in Tunisia expressed their skepticism, due to previous failed experiences of the Tunisian Ministry of Youth and Sports with online platforms and creation of youth councils' pilots. Prior to this commitment, the ministry had initiated a number of projects to involve youth, however, these projects have not led to the expected meaningful outcomes in terms of youth reach out. Therefore, youth CSOs interviewed for this report are not convinced that this commitment represents a departure from the previous practices of the ministry. Hence, the potential impact of the commitment if fully implemented is minor.

Completion

This commitment completion is limited. The researcher confirmed that the Terms of Reference for the e-platform have been developed.

Commitment implementation has suffered from the lack of clear definition of roles and responsibilities. Since the start of the action plan, four different focal points have changed within the ministry.

In addition, during the interview with partners for the IRM research, coordination between different partners has been a challenge. Multiple development partners have been helping the Ministry of Youth and Sports with overlapping projects for the creation of a platform and youth councils. UNESCO, OECD and the World Bank are directly or indirectly involved on this commitment. UNESCO is indirectly involved as it recruited a consultant that is working to develop Terms of References for the new e-platform. OECD held a conference that gathered youth leaders from NGOs, government officials and staff from the Ministry of Youth and Sports to discuss the implementation of a platform. The World Bank agreed to partner with the ministry to implement this commitment as part of its engagement to support Tunisia in its OGP efforts.

Organizations listed as partners do not seem to be involved in the implementation of this commitment. For example, Jamaity Association were surprised to be mentioned in the OGP action plan and confirmed to the IRM that they are not participating in the project.

Next Steps

This commitment could be carried forward due to its potential impact on open government and on the engagement of multiple multilateral agencies to support it along with the ministry.

To ensure successful implementation of the commitment:

- The Ministry of Youth and Sports needs to coordinate with OECD, UNESCO and the World Bank to define specific roles and contributions.
- The ministry needs to include CSOs in the implementation of this commitment.
- The commitment should be reviewed to include more specific details and clarify the milestones in the next action plan.

¹ Washington Post, https://www.washingtonpost.com/news/monkey-cage/wp/2017/09/21/why-tunisia-just-passed-controversial-laws-on-corruption-and-womens-right-to-marry/?utm_term=.0da9f6762273

² UNFPA Tunisie, <http://www.unfpa-tunisie.org/images/file/Newsletter%20UNFPA%20March%2010%20French.pdf>

³ Business News, <http://www.businessnews.com.tn/tunisie--le-site-web-du-ministere-de-la-jeunesse-et-du-sport-en-dialecte%2C520%2C26015%2C1>

12. Adopt the corporate governance referential on the sectorial level

Commitment Text:

After the drafting of the national reference for corporate governance “RNG” during the period of implementation of the first national OGP action plan, this aims to establish the principles and mechanisms of governance, in both public and private sectors. The work will be focused on instituting this national reference on a certain number of public and private institutions.

Milestones:

- Organizing a training for trainers (10), auditors (10) and assistants (10) in the field of technical assistance in accordance with national reference for corporate governance,
- Establishing the national reference for corporate governance on publicly owned companies and a private enterprise.
-

Responsible institution: Presidency of the Government

Supporting institution(s):

Government:

CITET (Centre International des Technologies de l'Environnement de Tunis).

CSOs:

IACE (Institut Arabe des Chefs d'Entreprises)

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
12. Overall		✓			Unclear				✓				No		✓		

Context and Objectives

This commitment builds on the previous action plan which introduced a repository of corporate governance and resulted in the development of a guide on ethics-based practices to prevent corruption. As reported in the end of term report of the first action plan it was unclear how widely the repository had been used.

The commitment promises to train auditors and accountants and to have state-owned enterprises use the national reference on corporate governance. However, the commitment does not specify intended policy changes or results, therefore its specificity is low. This commitment does not contain any element that would advance any of the OGP values of access to information, citizen participation or public accountability. Additionally, the CSOs that are part of the OGP steering committee have questioned the reasoning behind charging 30TND (15 USD) for the corporate governance guide. This does not represent a

substantial income for the National Institute for Standardization and Industrial Property (Institut National de la Normalisation et de la Propriété Industrielle- INOPRI) and discourages use of the guide.

Completion

This commitment completion is limited. The government self-assessment report mentions that some trainings were conducted but does not specify the number of participants. The report also mentions that some agencies requested the implementation of the reference, but none were selected until now.

Next Steps

The IRM researcher recommends to not carry forward this commitment in the next action plan.

13. Create mobile applications to reinforce transparency of government activities and participatory approach

Commitment Text:

Recognizing the potential of m-services for improving the transparency, accountability and efficiency of public services, the fulfillment of this commitment tend to facilitate access to, and the use of, mobile ICT services in several fields such as education, transport, health, etc.

Milestones:

- Defining a list of public services that will be developed through mobile phone technology,
- Developing the selected mobile ICT services,
- Promoting the developed m-services.

Responsible institution: Presidency of the Government

Supporting institution(s): Tunisian association for development and training

Start date: October 2018

End date: August 2020

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
13. Overall			✓		Unclear					✓			No			✓	

Context and Objectives

The Presidency of the Government prepared a 2020 strategy that aims to modernize the administration and the use of e-government principles. To reinforce this strategy, the E-Government Unit decided to develop a series of mobile applications that would improve service delivery to citizens. Tunisian citizens are not very familiar with the use of technology for service delivery, and the uptake on digital service delivery is usually low.

Commitment milestones do not specify which apps will be developed and what specific functionalities they will have. Without these details it is impossible to say whether this commitment contains any elements that will make it clearly relevant to any of the OGP values. The apps that would be developed are using a series of already existing services. If completed, this commitment could have a minor potential impact on improving citizen interaction with online government services.

Completion

The E-Government Unit commissioned a private company to develop 10 applications that they selected. The apps developed include: Madressati, an app for parents and schoolchildren to follow their academic performance timetables, weather forecast data and an app for postal service geo-localization. One of the apps also includes SNCFT, which allows users to submit complaints about train services, for example, when reporting delays. Therefore, the completion of this commitment is substantial.

The apps are available on IOS and Android, however, they are not functional due to a problem of server hosting. The E-Government Unit did not receive sufficient funds to host the apps on an application server.

Next Steps

While development of apps is useful for solving citizens' everyday problems, the next action plan should include commitments that clearly articulate activities and results contributing to opening government.

To open government, it would be more beneficial if the Tunisian government considered developing technological tools that allow citizens to provide feedback to government on various public services, such as schools and transport.

14. Enhance access to the archive held by the National Archive institute

Commitment Text:

The aim is to facilitate access to a significant volume of historical documents since the Husseinid period until today. These documents are characterized by their originality, uniqueness and diversity of their content, dates, languages (Arabic, French, English, Turkish, Italian, and Hebrew).

Opening up these documents will offer enumerable benefits for many users, especially for researchers and developers of web/mobile applications in several fields.

Milestones:

- Developing an archival platform to allow access to documents that have been digitized,
- Organizing training in this field for all dealers with documents in order to have the necessary skills regarding organizing classifying and coding documents.

Responsible institution: Tunisian National Archive

Supporting institution(s): None

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
14. Overall			✓		✓						✓		No	✓			

Context and Objectives

The Tunisian National Archive holds a document collection that goes back to the Ottoman Empire. However, the maintenance and functioning of the institution is archaic, relying more on classical methods of storage and indexation.

The objective of this commitment is to develop a platform for providing access to the National Archive by creating a new portal with digitized archives, and to train its staff for digitization, coding and classification, which is an essential step for publishing information. Therefore, this commitment is relevant to the OGP value of access to information.

The National Archive started to develop a more modern project allowing visitors to research part of their digitalized content online, though this service is no longer available due to technical issues and underfunding. The current website is static and often unavailable.¹ If fully implemented, this commitment will have a minor potential impact. It will allow Tunisians, mostly researchers and academia, to access the content of the National Archive online.

Completion

This commitment is not started.

According to the National Archive officials, Terms of References have been developed for the platform, however, no documentation has been made publicly available.

Next Steps

The IRM researcher recommends the following:

- This commitment overlaps with commitment 2 of this action plan. Therefore, they should be combined to address the challenges of implementing the access to information law.
- Seek other implementing partners to support the National Archive financially and technically, such as: The Presidency of the Government, the Ministry of Higher Education and Research, the Tunisian Institute for Strategic Studies (part of the presidency) and UNESCO.

¹ Interview with an employee at the National Archive, May 18, 2018

15. Electronic mechanism to ensure transparency of Public Servants recruitment

Commitment Text:

This commitment aims to facilitate access to information for all job seekers especially job opportunities in public sector. It will foster the principles of transparency and equal opportunity to ensure that the most capable person is selected for a position on the basis of merit and refers to the right of every individual to be given fully fair consideration for any job in public sector for which they are qualified and skilled.

The goal of this commitment is also to reduce the risk of corruption and nepotism, as the lack of transparency could give the opportunity to receive bribes or enable certain people to benefit from the opportunities offered in this area.

Responsible institution: General directorate, Ministry of Vocational Training and Employment

Supporting institution(s): None

Start date: June 2016

End date: July 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
15. Overall				✓	✓					✓			Yes				✓

Context and Objectives

Jobs in the Tunisian public sector are in high demand because they offer stability and good social security. Prior to 2011, the public servant recruitment process was marred by nepotism and corruption.¹ The revolution revealed great public discontent with corruption in the public sector and demanded more transparency in the announcement and publication of the results in favor of competitiveness and equity.

With this commitment, the Ministry of Vocational Training has planned to create a website that will aggregate all the job openings in the public sector. This commitment is highly specific and is relevant to the OGP value of access to information.

If fully implemented this commitment would have a minor potential impact in bringing transparency to the recruitment process in the public sector. The website was under development prior to the start of the action plan² and was supposed to be launched at the end of 2015. The commitment would see it become operational as a platform that offers the possibility of publishing offers in the public sector, from ministries, public institutions and public enterprises.

Completion

The website for positions opening in the public sector was launched in summer 2016 at <https://www.concours.gov.tn/>. The website lists active job openings with their respective deadlines, qualifications, required paperwork for submission and status of the results announcements.

Early results

The website lists some job offers for public servants. However, despite a decree issued by the Prime Minister in August 2016 requesting all public administration bodies to collaborate and publish their vacancies on the centralized portal, the researcher found that not all ongoing job offers were listed. For example, the High Authority for Audiovisual Communication issued a call for applications to recruit a front desk agent. This should have been published on the website.

Moreover, due to the absence of internet certification, the website appears to be “unsafe” in most of internet navigators. Search engine optimization is also an issue as the website does not appear in search engines.

Next Steps

The IRM researcher recommends the following:

- The government commit to passing a decree reminding and obliging all public administration bodies to publish their job offers on this website.
- Certification for the website must be provided to avoid technical hurdles in accessing the website.
- The SEO of the website needs to be optimized. A link to it should be provided on every public administration website.
- Further development should make online applications possible via the website.

¹ <https://www.leconomistemaghrebin.com/2017/08/17/i-watch-25-des-plaintes-de-corruption-recus-concerne-la-fonction-publique/>

² African Manager, <https://africanmanager.com/tunis-le-portail-national-des-concours-de-recrutement-pour-le-secteur-public-operationnel-des-fin-mai-annonce-zied-laadhari/>

V. General Recommendations

Tunisia's second action plan covers a wide range of issues, both carried forward from the previous action plan as well as new initiatives. The OGP process in Tunisia could receive a bigger boost by ensuring high-level ministerial support for commitments and aligning the action plan closely with the anti-corruption agenda of the government.

This section aims to inform development of the next action plan and guide completion of the current action plan. It is divided into two sections: 1) those civil society and government priorities identified while elaborating this report and 2) the recommendations of the IRM.

5.1 Stakeholder Priorities

The priorities of civil society groups were loosely grouped into public service delivery and transparency regarding corruption-prone areas such as extractives, management of public financial resources, and recruitment of civil servants. As a cross-cutting issue, the access to information law was also a key priority for the CSOs interviewed for this report. Two CSOs actively involved in the OGP process cited improved service delivery for public registries, payment of taxes, registration of civil acts, etc.

5.2 IRM Recommendations

1. Approve the action plan by the ministerial council to ensure engagement of the government

The E-Government Unit is deploying considerable efforts for Tunisia's membership of OGP, and developing commitments and coordinating efforts with multilaterals and donors to fund the realization of commitments. The unit needs more recognition of its efforts and considerable political support from the head of the government to enforce the realization of the commitments.

The OGP action plan does not have sufficient support at the ministerial level. This could be due to the change in government, ministerial reshuffles and the complicated political situation in Tunisia. To ensure the continuity and sustainability of OGP commitments in cases of government change or elections, the OGP action plan should be approved in a ministerial council to ensure engagement of the ministers and involved institutions.

2. Include commitments that directly impact service delivery to citizens

This recommendation comes mainly from the NGOs that participated in the first and second action plan elaboration. To make OGP more impactful in Tunisia, CSOs suggest including commitments that are closely related to everyday lives of Tunisians, such as initiatives that would improve public service delivery.

3. Align OGP action plan with the national anti-corruption strategy and the government's 'war against corruption'

The National Strategy for Good Governance and the Fight Against Corruption 2017-2019, developed by the Tunisian Anti-Corruption Agency (INLUUC), lists six targeted areas, including citizen participation, transparency and access to information, the fight against impunity, capacity building for administration, and

coordination of efforts between public stakeholders. The next action plan could embed the objectives of the anti-corruption strategy to translate them into specific, achievable and measurable actions. This would allow the current policy objectives of the state to go further and to benefit from the structure and process of OGP.

4. Improve co-creation during the development and implementation of the next action plan

When developing the third national action plan, the government should adhere to the basic requirements outlined in the OGP Participation & Co-creation Standards.

- The multi-stakeholder forum could become more effective by involving high-level decision makers from relevant ministries and public institutions and expand outreach to new actors. Enlarge the CSO coalition and ensure the participation of the main watchdog groups.
- The Anti-Corruption Authority (INLUC) and the Authority of Access to Information need to be part of the co-creation and implementation of the third action plan.
- During implementation, the government should utilize the OGP multi-stakeholder forum as a regular platform for monitoring the plan, publishing regular updates on the progress of commitments and raising public awareness on open government initiatives.

Make sure that the stakeholders mentioned in the action plan are directly involved in the implementation phase of the Commitments.

5. Ensure continuity and sustainability of completed projects on open data and transparency

The Tunisian government has built multiple portals and initiatives with the support of multilateral organizations. These portals are often not updated or continue to encounter technical issues. For example, one of the most developed portals of the Ministry of Interior does not include updated data and some of the initiatives presented in this report do not have sufficient financial and technical backing.

The government should re-assess the already-created open data platforms and introduce mechanisms of continuity (for data but also for technological and managerial continuity).

A more comprehensive, all-of-government approach would ensure a stable and coherent action plan.

Table 5.1: Five Key Recommendations

1	Approve the action plan by the ministerial council to ensure engagement of the government
2	Include commitments that directly impact service delivery to citizens
3	Align OGP action plan with the national anti-corruption strategy and the government's 'war against corruption'
4	Improve co-creation during the development and implementation of the next action plan

5	Ensure continuity and sustainability of completed projects on open data and transparency
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VI. Methodology and Sources

The IRM progress report is written by researchers based in each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each IRM researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency and therefore, where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each report.

Each report undergoes a four-step review and quality-control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology.
2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole. (See below for IEP membership.)
3. Prepublication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report.
4. Public comment period: The public is invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.¹

Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Researchers should make a genuine effort to invite stakeholders outside of the “usual suspects” list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g., online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than is provided in the self-assessment or is accessible online.

The IRM researcher interviewed 35 people, 29 in person and six online. Fifteen people were from civil society, nine from multilateral organizations, seven from government and four from other areas (e.g. former ministers).

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on an annual basis. The design of research and quality control of such reports is carried out by the International

Experts Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Hazel Feigenblatt
- Mary Francoli
- Brendan Halloran
- Hille Hinsberg
- Anuradha Joshi
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Ernesto Velasco

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

I IRM Procedures Manual, V.3 : <https://www.opengovpartnership.org/documents/irm-procedures-manual>

VII. Eligibility Requirements Annex

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.¹ When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

In September 2012, OGP officially encouraged governments to adopt ambitious commitments that relate to eligibility.

Table 7.1: Eligibility Annex for Tunisia

Criteria	2011	Current	Change	Explanation
Budget Transparency ²	2	4	Increase	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information ³	4	4	No change	4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration ⁴	3	2	Decrease	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	2 (3.24) ⁵	3 (5.88) ⁶	Increase	<i>EIU Citizen Engagement Index</i> raw score: 1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total / Possible (Percent)	11/16 (100%)	13/16 (100%)	Increase	75% of possible points to be eligible

¹ For more information, see <http://www.opengovpartnership.org/how-it-works/eligibility-criteria>.

² For more information, see Table 1 in <http://internationalbudget.org/what-we-do/open-budget-survey/>. For up-to-date assessments, see <http://www.obstracker.org/>.

³ The two databases used are Constitutional Provisions at <http://www.right2info.org/constitutional-protections> and Laws and draft laws at <http://www.right2info.org/access-to-information-laws>.

⁴ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009), <http://bit.ly/19nDEfK>; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009), <http://bit.ly/13vGtqS>; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009), <http://bit.ly/1cl0kyf>. For more recent information, see

<http://publicofficialsfinancialdisclosure.worldbank.org>. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and de facto public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at <http://bit.ly/1EjL4Y>.

⁵ "Democracy Index 2010: Democracy in Retreat," The Economist Intelligence Unit (London: Economist, 2010), <http://bit.ly/eLC1rE>.

⁶ "Democracy Index 2014: Democracy and its Discontents," The Economist Intelligence Unit (London: Economist, 2014), <http://bit.ly/18kEzCt>.