

# Independent Reporting Mechanism (IRM): Tunisia Design Report 2018 – 2020

---

This report was prepared by the IRM in collaboration with Emir Sfaxi, an independent researcher.

## Table of Contents

<b>Executive Summary: Tunisia</b>	<b>2</b>
<b>I. Introduction</b>	<b>5</b>
<b>II. Open Government Context in Tunisia</b>	<b>6</b>
<b>III. Leadership and Multi-stakeholder Process</b>	<b>9</b>
<b>IV. Commitments</b>	<b>14</b>
1. Strengthen the right of access to information	16
2. Completion of the legal and regulatory framework to enhance the public data opening up	19
3. Strengthen access to geographic information	21
4. Standardize identifiers and nomenclatures of the land transport stations and disseminate the relevant public data in an open format	23
5. Improve water resource governance	25
6. Enhancing transparency in the extractive industries sector	27
7. Applying the Principles of Open Contracting in the hydrocarbons field	29
8. Establish mechanisms contributing to applying integrity in the public sector and combating corruption	31
9. Applying a participatory approach in the State Budget drafting process	33
10. Developing new mechanism to promote interaction with the youth and enable them to pursue dialogue about public policies	35
11. Implement initiatives to apply the OGP at the local level	37
12. Approximate administrative services through putting them online	39
13. Facilitate access to services provided by the civil service	41
<b>V. General Recommendations</b>	<b>43</b>
<b>VI. Methodology and Sources</b>	<b>46</b>
<b>Annex I. Overview of Tunisia performance throughout action plan development</b>	<b>47</b>



## Executive Summary: Tunisia

To develop Tunisia’s third action plan, the country increased participation of CSOs, however, they did so without deepening their involvement to share in the decision-making power and increasing the ambition of the plan. It contains four notable reforms to carry forward on extending the OGP process to 10 municipalities, facilitating access to information in the extractives industry and on anticorruption measures to protect whistleblowers. Moving forward, Tunisia could consider expanding the scope of commitments to include other relevant national priorities, like opening the budget process for COVID-19 recovery efforts, contributing to tracking expenditures, tax benefits, and focus on transparent and accountable delivery of public services.

The Open Government Partnership (OGP) a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Tunisia joined OGP in 2014. Since, Tunisia has implemented two action plans. This report evaluates the design of Tunisia’s third action plan.

### General overview of action plan

Tunisia formed a multi-stakeholder forum (MSF) that developed the second and third action plan, and has convened monthly meetings from March 2018 until the end of the action plan cycle. The purpose is to review the progress on the implementation of OGP commitments. While Tunisian CSOs actively attended MSF meetings, government representatives, members of parliaments, and private sector were less regular participants. The CSO members of MSF received the OGP’s Multi-Donor Trust Fund (MDTF), which contributed to improving the co-creation process.

The Tunisian third national action plan provides measures to extend the OGP process to 10 municipalities, facilitate access to information in the extractives industry, hydrocarbons, and others, and promote public engagement in the state budgetary process. While some of the commitments are ambiguous in terms of their scope and ambition, overall, they offer relatively robust measures to bring transparency and reduce corruption in the government.

### Table 1. At a glance

Participating since: 2014  
Action plan under review: 3  
Report type: Design  
Number of commitments: 13

### Action plan development

Is there a Multistakeholder forum: yes  
Level of public influence: involve  
Acted contrary to OGP process: no

### Action plan design

Commitments relevant to OGP values 13 (100%)  
Transformative commitments 1  
Potentially starred: 1

### Action plan implementation

Starred commitments: N/A  
Completed commitments: N/A  
Commitments with Major DIOG\*: N/A  
Commitments with Outstanding DIOG\*: N/A

\*DIOG: Did it Open Government



**Table 2. Noteworthy commitments**

Commitment description	Moving forward	Status at the end of implementation cycle.
<p><b>Commitment 11: OGP at the local level</b></p> <p><i>“establish initiatives on open government at the level of ten (10) municipalities... through adopting the same participatory approach”</i></p>	<p>Consider developing specific strategies to ensure participation from groups such as women, youth, and other marginalized groups to reflect their needs in the resulting open government local actions.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>
<p><b>Commitment 6: Transparency in the extractives industry</b></p> <p><i>“preparing to join the EITI initiative” by strengthening the EITI Multi Stakeholder Group (MSG) and expediting the process of submitting a request to EITI</i></p>	<p>The IRM suggests promoting proactive publication of information on this sector to support CSO and citizen oversight. This would ensure that the multi-stakeholder groups address concerns regarding the private sector’s commitment to participation in the initiative; finding a balance of different interests; and—in accordance with National Resource Governance Institute (NRGI) recommendations—CSOs on the MSG should establish a rigorous communication strategy with wider civil society in order to ensure that priorities truly represent civil society needs and interests.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>
<p><b>Commitment 8: Anticorruption measures</b></p> <p><i>“Establish mechanisms contributing to applying integrity in the public sector and combating corruption”</i></p>	<p>Consider promoting a public consultation process on new legislation to combat corruption; proactively publishing declarations of assets or other relevant information that can contribute to facilitate oversight by civil society organizations; and providing further information on the establishment of the authority of good governance and anticorruption to see if it aims to build on previous work by the INLUCC, a temporary anticorruption body.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>

## Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

Table 3. Five KEY IRM Recommendations

1	During the co-creation process, strengthen ownership of: CSO organizations in drafting commitments and milestones, parliamentarians and private sector members of the MSF and public servants at the ministerial level to improve the sustainability of the OGP process.
2	Use a results-oriented approach to develop commitments by including greater precision in descriptions of the problems and expected outcomes for each commitment.
3	Design commitments as policy solutions for public problems by expanding their focus from developing mechanisms (such as platforms) to include activities to implement the theory of change and address the underlying policy problems.
4	Incorporate public participation mechanisms into commitments that aim to engage citizens in dialogue on public policies, programs, or laws. Request their contributions and ensure their use during decision-making processes.
5	Expand efforts to open the budget process in COVID-19 recovery efforts contributing to tracking expenditures, tax benefits, and focus on transparent and accountable delivery of public services.

## About the IRM

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.

**Emir Sfaxi** collaborated with the IRM to conduct desk research and interviews to inform the findings in this report. Emir is a public policy consultant and a monitoring and evaluation specialist.



## I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

Tunisia began its formal participation in OGP in 2013. This report covers the development and design of Tunisia's third action plan for 2018–2020.

The Independent Reporting Mechanism of OGP partnered with Emir Sfaxi, an Independent Researcher, who carried out interviews and an initial draft of this assessment. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

## II. Open Government Context in Tunisia

The Tunisian third national action plan provides measures that localize the OGP process, facilitate access to information in various sectors, and promote public engagement in the decision-making process. While some of the commitments struggle with ambiguity in terms of their scope and ambition, overall they offer relatively robust measures to bring transparency and reduce corruption in the government.

### Background

Tunisia held presidential and parliamentary elections in 2019.<sup>1</sup> No party or list received more than 20% of the vote,<sup>2</sup> posing a challenge to passage of major reforms.<sup>3</sup> In terms of public opinion, a 2019 International Republican Institute (IRI) poll reflected increasingly pessimistic attitudes toward the electoral process.<sup>4</sup> On the local level, Tunisia held its first free and fair municipal elections in 2018. According to the Carnegie Endowment for International Peace, this step towards decentralization could begin to address long-standing regional disparities by empowering local actors to make decisions regarding local needs.<sup>5</sup>

The economy is expected to contract by 4% in 2020,<sup>6</sup> with an inflation rate of 5.8%.<sup>7</sup> In 2019, the unemployment rate was 15.5%,<sup>8</sup> mostly impacting young people. According to 2018 IRI polling, the economic crisis in Tunisia is a main issue of concern, followed closely by unemployment. During this crisis, the government has focused its efforts on stabilizing the economy and combating terrorism.<sup>9</sup> Tunisia faces the challenges of regional instability caused by conflict in Libya, including a growing influx of refugees.<sup>10</sup> There is not a political consensus on what major economic or anticorruption reforms should include and decisions about these issues have been left out of political parties' priorities.<sup>11</sup>

### Accountability and Anticorruption

In 2019, the Corruption Perceptions Index ranked Tunisia 73 out of 180 countries, increasing to a score of 43 out of 100.<sup>12</sup> This slight increase is attributed to government measures to counter corruption, most importantly to the passage of the law on the declaration of assets, combatting illicit enrichment and conflicts of interest.<sup>13</sup> However, according to I-WATCH, this law has not achieved expected results.<sup>14</sup> To improve implementation, the current action plan includes a commitment to issue a regulatory decree on this law, as well as on the new law on corruption reporting and whistleblowers protection (Commitment 8). Additionally, in October 2019, the Financial Action Task Force (FATF) removed Tunisia from its blacklist of high-risk countries for money laundering and terrorism financing.<sup>15</sup> FATF stated that although Tunisia's status will remain "enhanced follow-up," the country has complied with 29 of the FATF recommendations for the Middle East and North Africa.<sup>16</sup> In terms of transparency in the extractives sector, the 2017 Resource Governance Index ranked Tunisia as the best performer in the Middle East and North Africa region, with a global ranking of 26 out of 89 countries.<sup>17</sup> The current action plan includes two commitments continuing to build transparency in the extractives and hydrocarbons sectors (Commitments 6 and 7). It also aims to increase accountability in the budget process by activating the joint committee for financial transparency, as well as publishing an audit report and an organic law on the budget (Commitment 9).

### Access to information

According to the Global Right to Information Rating, Tunisia's Right to Access Information Law (Law No. 2016-22) is among the best in the world, ranking 13 out of 128 countries.<sup>18</sup> Responding to lobbying by activists, Tunisia passed the law in 2016, becoming the third Arab country with such legislation. Tunisia's law requires all institutions that use government funding to publish information publicly upon request. The scope includes organizational charts, legal texts, state agreements, public policies and programs, procurement processes, statistics, and any information relating to public finances.<sup>19</sup> Tunisia's law also established an independent commission called the Access to Information Authority (INAI) to oversee compliance—the first such commission in the Arab world. For a public

agent who intentionally blocks access to information, the law imposes a fine of 500–5,000 DT (170–1,700 USD) and disciplinary sanctions. By 2019, INAI had issued more than 200 rulings in response to over 600 requests (almost two-thirds in favor of the petitioner) and no prosecution had taken place for violation of sanction provision.<sup>20</sup> The current action plan includes a commitment to further operationalize Law No. 2016-22 (Commitment 1).

In terms of open data, by 2016, the Open Data Barometer found that most government datasets analyzed were available online, with the exception of map data, land ownership data, detailed data on government spending, and health sector performance. However, these datasets were largely not regularly updated or machine-readable and reusable as a whole, with an overall score of 32 out of 100.<sup>21</sup> The current action plan intends to issue a regulatory framework on open data (Commitment 2) and develop online portals for access to geographic data (Commitment 3), land transport data (Commitment 4), water consumption data (Commitment 5), and land property data (Commitment 12).

### **Civic Space**

In April 2019, Tunisia ranked 72 out of 182 countries in the World Press Freedom Index, rising 25 ranks since the previous year.<sup>22</sup> Overall, the press are able to operate freely in Tunisia, although there are some obstructions to government monitoring, especially in terms of national security and police coverage.<sup>23</sup> There is wide diversity in media ownership in the country.<sup>24</sup> However, data on funding sources is not publicly available.<sup>25</sup> Tunisia has a strong Journalist Association/Labor Union that actively defends civil liberties.<sup>26</sup>

Since the Jasmine Revolution, civic space has widened substantially, with Tunisia ranked the highest in region in the 2019 Freedom House Index (69 out of 100) and the Human Freedom Index (109 out of 162).<sup>27</sup> Public demonstrations on political, social, and economic issues regularly taking place, although they face restrictions due to the 2015 counterterrorism law and state of emergency (renewed in 2018). These restrictions allow security forces to ban strikes, meetings, and large gatherings considered likely to incite disorder.<sup>28</sup> In January 2018, more than 900 demonstrators were arrested while protesting the government decision to reduce a budget deficit to meet an agreement with its international donors.<sup>29</sup>

Despite the challenges, a wide, active and diverse network of civil society organizations and citizen-led initiatives work in the area of transparency and integrity in Tunisia.<sup>30</sup> Tunisia has the most progressive legal framework for civil society in the Arab world (Decree 88).<sup>31</sup> However, on July 2018, the parliament passed a law that required the Tunisian CSOs to register with the new National Registry for Institutions. This law has been criticized by local and international CSOs as obstructing freedom of association. The law mandates that CSOs report their activities to the state and subjects CSO personnel who submit false registration information to five years in prison and a maximum fine of 50,000 DT (18,000 USD).<sup>32</sup>

The current action plan intends to enhance civic space by co-creating municipality-level OGP plans (Commitment 11), as well as engaging youth in local councils and an online feedback platform (Commitment 10).

---

<sup>1</sup> "Tunisia election: Kais Saied to become president", BBC News, 14 October 2019, <https://www.bbc.com/news/world-africa-50032460>.

<sup>2</sup> Sharon Grewal, "Winners and losers of Tunisia's parliamentary elections", The Washington Post, 8 October 2019, <https://www.washingtonpost.com/politics/2019/10/08/winners-losers-tunisias-parliamentary-elections/>.

<sup>3</sup> Fadil Aliriza, Middle Eastern Affairs expert residing in Tunisia, interview by IRM researcher, October 2018.

<sup>4</sup> "New Poll: Tunisians Pessimistic About Electoral Process", International Republican Institute, 28 March 2019, <https://www.iri.org/resource/new-poll-tunisians-pessimistic-about-electoral-process>.

<sup>5</sup> Sarah Yerkes and Marwan Muasher, "Decentralization in Tunisia: Empowering Towns, Engaging People", Carnegie Endowment for International Peace, 17 May 2018, <http://bit.ly/2SEH0LA>.

<sup>6</sup> "Tunisia's Economic Update – April 2020", The World Bank, 16 April 2020,

<https://www.worldbank.org/en/country/tunisia/publication/economic-update-april-2020>.

<sup>7</sup> "Tunisia Inflation Rate", Trading Economics, February 2020, <https://tradingeconomics.com/tunisia/inflation-cpi>.

<sup>8</sup> "World Bank Data", Tunisia, December 2019, <https://data.worldbank.org/indicator/SL.UEM.TOTL.ZS?locations=TN>.

- 
- <sup>9</sup> Jihen Laghmari, “Tunisia’s New Cabinet Deepens Rift Between President and PM”, Bloomberg, 6 November 2018, <https://www.bloomberg.com/news/articles/2018-11-06/tunisia-s-new-cabinet-deepens-rift-between-president-and-pm>.
- <sup>10</sup> “Tunisia prepares to receive additional refugees from Lybia”, Infomigrants.net, 13 January 2020, <https://www.infomigrants.net/en/post/22037/tunisia-prepares-to-receive-additional-refugees-from-libya>.
- <sup>11</sup> Fadil Aliriza, Middle Eastern Affairs expert residing in Tunisia, interview by IRM researcher, October 2018.
- <sup>12</sup> Transparency International, Tunisia, <https://www.transparency.org/country/TUN>.
- <sup>13</sup> “Tunisia Rises One Place in Corruption Perceptions Index”, allAfrica, 29 January 2019, <https://allafrica.com/stories/201901290862.html>.
- <sup>14</sup> “Tunisia Rises One Place in Corruption Perceptions Index”, allAfrica, 29 January 2019, <https://allafrica.com/stories/201901290862.html>.
- <sup>15</sup> “Tunisia removed from FATF blacklist”, Xinhua, 18 October 2019, [http://www.xinhuanet.com/english/2019-10/18/c\\_138483664.htm](http://www.xinhuanet.com/english/2019-10/18/c_138483664.htm).
- <sup>16</sup> “Tunisia to be removed from money laundering blacklist in October”, Middle East Monitor, 22 June 2019, <http://bit.ly/2V1GGqn>.
- <sup>17</sup> “2017 Resource Governance Index - Tunisia”, Natural Resource Governance Institute, <https://resourcegovernanceindex.org/country-profiles/TUN/oil-gas>.
- <sup>18</sup> Global Right to Information Rating, <https://www.rti-rating.org/>.
- <sup>19</sup> “Tunisia: Citizens Testing Right-to-Information Law”, Human Rights Watch, 15 February 2019, <https://www.hrw.org/news/2019/02/15/tunisia-citizens-testing-right-information-law#>.
- <sup>20</sup> “Tunisia: Citizens Testing Right-to-Information Law”, Human Rights Watch, 15 February 2019, <https://www.hrw.org/news/2019/02/15/tunisia-citizens-testing-right-information-law#>.
- <sup>21</sup> “Open Data Barometer – Tunisia (2016),” World Wide Web Foundation, [https://opendatabarometer.org/4thedition/detail-country/?\\_year=2016&indicator=ODB&detail=TUN](https://opendatabarometer.org/4thedition/detail-country/?_year=2016&indicator=ODB&detail=TUN).
- <sup>22</sup> Reporters Without Borders, Tunisia, <https://rsf.org/en/tunisia>.
- <sup>23</sup> “Upcoming elections could make or break Tunisia’s fledgling free press”, Robert Mahoney, Committee to Protect Journalists, 25 June 2019, <https://cpj.org/blog/2019/06/tunisia-elections-press-freedom-arab-spring.php>.
- <sup>24</sup> Media Ownership Monitor, Tunisia, <https://www.mom-rsf.org/en/countries/tunisia/>.
- <sup>25</sup> “Upcoming elections could make or break Tunisia’s fledgling free press”, Robert Mahoney, Committee to Protect Journalists, 25 June 2019, <https://cpj.org/blog/2019/06/tunisia-elections-press-freedom-arab-spring.php>.
- <sup>26</sup> “Tunisia’s tough lesson for Mohammed bin Salman”, The Brookings Institute, December 2018, <https://www.brookings.edu/blog/order-from-chaos/2018/12/01/tunisias-tough-lesson-for-mohammed-bin-salman/>.
- <sup>27</sup> “The Human Freedom Index 2016”, CATO, Vasquez, Ian and Porčnik, Tanja, <https://object.cato.org/sites/cato.org/files/human-freedom-index-files/human-freedom-index-2016-update-3.pdf>.
- <sup>28</sup> “Freedom in the World 2019 REPORT MAP COUNTRIES”, Tunisia, Freedom House, <https://freedomhouse.org/report/freedom-world/2019/tunisia>.
- <sup>29</sup> “Freedom in the World 2019 REPORT MAP COUNTRIES”, Tunisia, Freedom House, <https://freedomhouse.org/report/freedom-world/2019/tunisia>.
- <sup>30</sup> “U4 Anti-Corruption Resource Center”, Tunisia, <https://www.u4.no/publications/country-profile-tunisia>.
- <sup>31</sup> “Fact Sheet – Is Civil Society in Tunisia Under Threat? Fact-Checking the Arguments for a New NGO Law in Tunisia”, Project on Middle East Democracy, 21 June 2018, <https://pomed.org/fact-sheet-is-civil-society-in-tunisia-under-threat/>.
- <sup>32</sup> “A murky state-civil society relationship in Tunisia”, Maro Youssef, Open Democracy.



### III. Leadership and Multi-stakeholder Process

Tunisia formed a multi-stakeholder forum (MSF) that, thus far, has developed the second and third action plan and has convened monthly meetings since March 2018 to review the progress on the implementation of OGP commitments. While Tunisian CSOs actively attend MSF meetings, government representatives, members of parliaments, and private sector are less-regular participants. The CSO members of MSF received the OGP’s Multi-Donor Trust Fund (MDTF), which improved the co-creation process.

#### Leadership

Since February 2014, the E-Government and Open Government Department has been OGP’s focal point in Tunisia,<sup>1</sup> and it was mandated to form and oversee the steering committee (the multi-stakeholder forum). The unit operated under the office of prime minister from 2017, and while the steering committee is responsible for the design of the national action plan and its implementation, the E-Government and Open Data unit prepared the government self-assessment reports and end-of-term self-assessment.<sup>2</sup> The coordination of OGP efforts remained within the E-Government Unit. Mr. Khaled Sellami, General Director of the E-Government and Open Data unit has continued to be the Point of Contact for OGP Tunisia since the first action plan.

#### Multi-stakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP’s Articles of Governance also establish participation and co-creation requirements a country or entity must meet in their action plan development and implementation in order to act according to OGP process. Tunisia **did not** act contrary to OGP process.<sup>3</sup>

Please see Annex I for an overview of Tunisia performance implementing the Co-Creation and Participation Standards throughout the action plan development.

**Table [3.2]: Level of Public Influence**

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.<sup>4</sup> 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 “collaborate.”

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

## Multi-stakeholder forum

The steering committee (the multi-stakeholder forum) is in charge of preparing the action plan and following up its implementation.<sup>5</sup> The first steering committee, established in July 2014 for the development and implementation of the first national action plan, included 10 members, five members representing the government, and five members representing civil society.<sup>6</sup> During the development of the second national action plan, the steering committee was established in October 2016 and enlarged to include new members for a total of 16: eight representing the government and eight representing civil society.<sup>7</sup> This steering committee served in the development of the third action plan.

The meetings of the steering committee were open to observers. The IRM researcher witnessed CSOs' active participation in steering committees.<sup>8</sup> Women actively participated in MSF meetings, and in some of them they outnumbered male participants. Overall, the government officials' participation was less regular.<sup>9</sup> Moreover, the private sector (voting members of steering committee) and parliament representatives (observers and not voting members) did not attend most of the meetings.<sup>10</sup> No rules of exclusion or replacement of absentees were in place.

The E-Government and Open Data Unit created a website in Arabic, English, and French dedicated to OGP.<sup>11</sup> The website contains actions plans, minutes of the steering committee's meetings, self-assessment reports, IRM reports, and information on implemented commitments. It has also published some information on the steering committees for the previous two action plans, but has not yet been updated to reflect the third action plan. Additionally, the website serves as a communication tool for OGP-related activities, blogs, pictures, videos, and reports<sup>12</sup>. Two CSO members of the steering committee, the Tunisian Network of Associations for Citizenship and Development (TACID) and Association Tunisienne de la Gouvernance Locale (ATGL), also produced independent reports to monitor the steering committee regarding the implementation of the commitments and the attendance.

In March 2019, Tunisia participated in the OGP week with several daily activities, organized by the government and CSOs.<sup>13</sup> This was an opportunity to present the commitments at Higher Institute of Administration and the Tunisian Parliament in two separate events. Moreover, an awards ceremony was organized by members of the MSF to recognize the contribution of key stakeholders in the OGP process.<sup>14</sup>

## Participation and engagement throughout action plan development

The government conducted its consultations to collect proposals in two phases.<sup>15</sup> The first phase of the consultations was carried out in March 2018 both through an online platform and in person.<sup>16</sup> For online consultation, the government used the website e-participation.tn to collect citizen feedback on different public policy matters.<sup>17</sup> The in-person consultations included meetings in ministries and affiliated institutions with the participation of CSOs.<sup>18</sup> During July and August 2018, the government also organized several workshops and open days at the local level.<sup>19</sup> These events included a workshop in the municipality of La Goulette, an open day in Kef governorate and a meeting in the municipality of Sfax.<sup>20</sup> During this phase, more than 600 proposals were collected.<sup>21</sup> In order to evaluate the proposals and select the final list, a working group comprised of CSOs and government representatives was established.<sup>22</sup> Using a list of assessment criteria such as timeliness, measurability, potential impact, relevance, and others, the working group selected 32 proposals and sent the list to the second phase of the consultation.<sup>23</sup>

The government put the list of 32 proposals on the same online portal in August 2018 (for the duration of two weeks) and for the second phase of consultation.<sup>24</sup> The government also carried out the consultation through several workshops and forums where members of CSOs participated.<sup>25</sup> Using these two approaches, 13 commitments were selected for the third national action plan. The selected commitments are in four themes:

- Enhancing the right on access to information and opening up public data;
- Promote transparency in the natural resources' management field;
- Devoting integrity, participatory approach, and local governance;

- Improving the administrative services quality.

To some extent, the government also provided its reasoned responses for selecting the 13 commitments for the third action plan.<sup>26</sup> Based on available minutes of meetings, the government presented and discussed the content of the action plan in order to make final amendments with the participation of the various parties involved. However, it is unclear how final feedback on the selection of commitments was provided to the broader public.

The government designed a dedicated communication plan for the action plan. The government designed a new visual identity and logo for the OGP, the OGP website, and several branded items such as pens, notepads, flyers, and folders containing information on the co-creation process. The E-Government and Open Data unit used the social media platforms publishing posts and videos to raise awareness about open government. The government also carried out online consultations through sharing links in order to collect public feedbacks.<sup>27</sup>

ATGL and TACID received financial and technical support from the World Bank, the French Development Agency, and the Media French Development agency.<sup>28</sup> The CSO members of the steering committee also received the OGP's Multi-Donor Trust Fund (MDTF). The OGP support unit<sup>29</sup> and the Tunisian government both supported the CSOs in the application process and provided recommendations and guidance. As a result, CSO members of the MSF could overcome the budget restrictions and leveraged funds to support the co-creation process of the OGP.

Between June and November 2018, the CSOs recipient of the funds organized workshops in the 20 municipalities across Tunisia, with the participation of representatives from 100 municipalities.<sup>30</sup> The workshop programs included a general introduction to OGP as an organization, the OGP values, the different processes and reports, and the record of Tunisia with OGP (action plans, commitments realized, etc).<sup>31</sup> The workshop had three main objectives:<sup>32</sup>

- Introduce the participants to the OGP process;
- Raise the awareness about open government principles and values;
- Receive inputs and feedback about the third action plan.

The MDTF helped CSOs and government officials to extend their outreach to additional regions and more organizations in comparison to the previous action plan. Town halls meetings were attended by various local civil society organizations. Training the local officials helped to raise their awareness about the OGP process and open government principles in general and trigger their interests in OGP process.<sup>33</sup> As a result, the action plan included a commitment on implementation of initiative to apply OGP in the local level.

### **Co-creation and participation recommendations throughout development**

Tunisia showed evidence of achievement and strong performance in areas of MSF conduct and communication and outreach during development. The MSF composed of the government representatives and CSOs meet at least monthly. For the third action plan, the MSF tried to broaden the participants' umbrella to include government agencies and CSOs that didn't participate in previous action plan's co-creation process.<sup>34</sup>

The most notable change in this third action plan is the incorporation of a commitment that will be carried out by local governments (commitment 11). In fact, in June 2018, a trust fund was awarded by the World Bank and OGP to Association Tunisienne de la Gouvernance Locale (ATGL) and Toile des Associations pour le Civisme et le Développement (TACID) to improve the co-creation process. It helped reaching out to various remote regions and organizing several workshops and trainings.

However, when comparing both of the action plans of 2016–2018 and 2018–2020, it is noticeable that the stakeholders from the government and CSOs with direct involvement in commitments are similar and only few commitments expanded ownership from new actors.

For future process, the IRM recommends the followings:

- **Maintain support and engagement with CSOs:** During the third action plan, Tunisia benefited from several support channels that made a difference in the ability to reach broader audiences. A challenge moving forward is sustaining this level of outreach for future action plans. For example, the MSF could create a database of participants from this process to create a permanent channel of communication and information for future opportunities to participate in OGP. The MSF may also consider sharing lessons and experiences from the implementation of the action plan with specific CSOs or government institutions that do not participate yet but that would directly or indirectly benefit from the information to create momentum for the next action plan.
- **Strengthen participation rules in MSF meetings:** The current composition of the MSF includes members of the parliament and representatives of the private sector; however, they do not participate regularly in the MSF meetings. The MSF could benefit from participation of both, either in the capacity of the member or observer. The MSF could request the attendance of a representative from the bureau of the parliament to have a steady and regular attendance from parliament. This could reinforce their ownership of the action plan.

---

<sup>1</sup> “Tunisia End-of-Term Report 2014-2016”, Open Government Partnership, <https://www.opengovpartnership.org/documents/tunisia-end-of-term-report-2014-2016/>.

<sup>2</sup> Abdelhamid Jarmouni, interview by IRM researcher.

<sup>3</sup> Acting Contrary to Process - Country did not meet (1) “involve” during the development or “inform” during implementation of the NAP (2) government fails to collect, publish, and document a repository on the national OGP website/webpage in line with IRM guidance.

<sup>4</sup> “IAP2’s Public Participation Spectrum”, IAP2, 2014, [http://c.yimcdn.com/sites/www.iap2.org/resource/resmgr/foundations\\_course/IAP2\\_P2\\_Spectrum\\_FINAL.pdf](http://c.yimcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf).

<sup>5</sup> Steering Committee, Open Government partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=50>.

<sup>6</sup> Steering Committee, Open Government partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=50>.

<sup>7</sup> Idem.

<sup>8</sup> Meeting Minutes of 25 November 2019: Meeting of the joint committee in charge of following-up of the OGP program, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=51>.

<sup>9</sup> Meeting Minutes of 25 November 2019: Meeting of the joint committee in charge of following-up of the OGP program, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=51>.

<sup>10</sup> Open Government Partnership Tunisia, English Page, <http://www.ogptunisie.gov.tn/en/>.

<sup>11</sup> Open Government Partnership Tunisia, Arabic Page, <http://www.ogptunisie.gov.tn/>.

<sup>12</sup> Meeting Minutes of 25 November 2019: Meeting of the joint committee in charge of following-up of the OGP program, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=51>.

<sup>13</sup> Observation from field visit, Tunisia, March 2019.

<sup>14</sup> Observation from field visit, Tunisia, March 2019.

<sup>15</sup> “Tunisia Action Plan 2018–2020”, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=54>.

<sup>16</sup> Asma Cherifi, Civil Society Member of the MSF, interview by IRM researcher, March 2019.

<sup>17</sup> “Portail de la participation publique”, Tunisian government, <http://www.e-participation.tn/>.

<sup>18</sup> “Tunisia Action Plan 2018–2020”, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=54>.

<sup>19</sup> “Tunisia Action Plan 2018–2020”, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?cat=54>.

<sup>20</sup> Idem.

<sup>21</sup> Idem.

<sup>22</sup> Idem.

<sup>23</sup> Idem.

<sup>24</sup> Idem.

<sup>25</sup> Idem.

<sup>26</sup> Meeting Minutes of 12 October 2018: Meeting of the joint committee in charge of following-up of the OGP program, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?p=1162>.

<sup>27</sup> Meeting Minutes of 12 October 2018: Meeting of the joint committee in charge of following-up of the OGP program, Open Government Partnership Tunisia, <http://www.ogptunisie.gov.tn/en/?p=1162>.

<sup>28</sup> Asma Cherifi and Aysha Karrafi, Mangers of ATGL, interview by IRM researcher, March 2019.

<sup>29</sup> Call with the OGP support unit, October 2018, Washington, DC.

<sup>30</sup> Asma Cherifi, “Bringing Democracy to the People, One Municipality at a Time – Tunisia”, Open Government Partnership, 28 January 2020, <https://www.opengovpartnership.org/stories/bringing-democracy-to-the-people-one-municipality-at-a-time-tunisia/>.

<sup>31</sup> Asma Cherifi, Aisha Karrafi and Rim Garnaoui, interview by IRM researcher, March 2019.

<sup>32</sup> Mission Reports from donors about the activities undertaken under the fund received.

---

<sup>33</sup> Asma Cherifi, “Bringing Democracy to the People, One Municipality at a Time – Tunisia,” Open Government Partnership, 28 January 2020, <https://www.opengovpartnership.org/stories/bringing-democracy-to-the-people-one-municipality-at-a-time-tunisia/>.

<sup>34</sup> Khaled Sellami and Asma Cherifi, interview by IRM researcher.

## 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 Tunisia'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.<sup>1</sup> The indicators and method used in the IRM research can be found in the IRM Procedures Manual.<sup>2</sup> A summary of key indicators the IRM assesses is below:

- **Verifiability:**
  - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
  - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **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 or policies?
  - Public Accountability: Will the government create or improve public facing 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?
- **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.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.

### What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., ‘Misallocation of welfare funds’ is more helpful than ‘lacking a website.’).
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., “26 percent of judicial corruption complaints are not processed currently.”)?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment’s implementation (e.g., “Doubling response rates to information requests” is a stronger goal than “publishing a protocol for response.”)?

### Starred commitments

One measure, the “starred commitment” (★), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment’s design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **Substantial** or **Complete** implementation.

This variable is assessed at the end of the action plan cycle, in the *Implementation IRM report*.

### General Overview of the Commitments

Tunisia’s second action plan contains 13 commitments, of which two were carried forward directly or modified from the previous plan. The commitments are divided in the following areas: 1) Enhancing the right on access to information and opening up public data (four commitments), 2) Promote transparency in the natural resource’s management field (three commitments), 3) Devoting integrity, participatory approach, and local governance (four commitments), and 4) Improving the administrative services quality (two commitments).

---

<sup>1</sup> “Open Government Partnership: Articles of Governance”, OGP, June 2012 (updated March 2014 and April 2015), [https://www.opengovpartnership.org/sites/default/files/attachments/OGP\\_Articles-Gov\\_Apr-21-2015.pdf](https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf) .

<sup>2</sup> “IRM Procedures Manual”, OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.



## I. Strengthen the right of access to information

### Language of the commitment as it appears in the action plan:

“Enforcing the right of access to information according the organic law provisions on the right of access to information requires several practical procedures within the administration in order to instill a new culture based on openness and information sharing. Therefore, this commitment aims to outline a number of procedures aimed at managing the change brought up by the implementation of the access to information law through implementing the following actions:”

#### Milestones:

- Setting up guidelines on access to information for civil servants and public institutions and all entities governed by the provisions of the organic law No. 22, as well as for the benefit of citizens and civil society organizations;
- Establishing a coordination working group between the Access to Information Authority and civil society, which will coordinate the shared actions and activities in the area of applying the right of access to information;
- Capacity building on access to information through the establishment of training programs that will be implemented throughout the whole action plan and will include various categories of civil servants and public institutions subject to the related law;
- Preparing a draft assessment report for Tunisia regarding the implementation of the Goal No. 16.10.2 of the Sustainable Development Goals (SDGs) on the promotion of access to information in Tunisia;
- Establishing common rules for the classification of administrative data.

**Responsible institution:** Access to Information Authority, General directorate of reforms and prospective administrative studies at the Presidency of the Government, National Agency for computer Security

**Supporting institution(s):** Democracy Reporting International “DRI”, Tunisian Association of Public Auditors, Article 19 organization, Tunisian Association of Local Governance.

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	✓	✓				✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				



## Context and Objectives

This commitment continues the Tunisian government's efforts to strengthen enforcement of the right to access information, as formulated in Law No. 2016-22. This law was passed in March 2016,<sup>1</sup> and the Authority of Access to Information (INAI), an independent commission, was subsequently established to oversee compliance.<sup>2</sup> Following Commitment 2 of the previous action plan, the government published complementary regulations in May 2018, translating the law from complex legal language into technical administrative language.<sup>3</sup> Despite these efforts, several obstacles posed significant challenge to implementation of the law.<sup>4</sup> For example, in January 2017, Prime Minister Yousef Chahed faced criticism over a circular that prescribed all civil servants (except media spokespersons) to request permission from their superiors before sharing information with journalists.<sup>5</sup>

This commitment includes five milestones. The first milestone plans to establish a guideline on access to information for civil servants, public institutions, and all entities governed by the law. According to Judge Issam Sghaier, responsible for the guideline's development, it "is a practical guide on the procedures for filing the request for access, the guidelines for drafting the request, the deadlines for processing the request, and the deadlines for filing an appeal against administrations."<sup>6</sup> The second milestone intends to form an Access to Information Authority and civil society coordination working group for shared actions on access to information. The third milestone entails capacity building on the law for civil servants and public institutions. The fourth milestone aims to prepare a draft assessment report for the implementation of SDG 16.10.2, which relates to promotion of the access to information law. The final milestone covers establishment of common rules for the classification of administrative data. Despite some ambiguities in the scope and coverage of some milestones, they are specific enough to be verifiable.

This commitment is relevant to the OGP value of access to information because it aims to facilitate implementation of the law on access to information by providing guidelines and capacity building for civil servants. The commitment is also relevant to the OGP value of civic participation, since the coordination working group intends to include civil society in shared actions on access to information.

This commitment could represent a positive step on improving access to information. The milestone on data classification may ameliorate certain technical and management challenges, as the government did not previously have a standardized security and data classification protocol.<sup>7</sup> The training for public officials may contribute to a shift in perspective,<sup>8</sup> responding to cultural issues with compliance. Achref Aouadi, President of I-Watch, reported: "Some public administration officials still see requests of access to information as an offense, in their minds."<sup>9</sup> However, the commitment's potential impact is limited by a number of shortcomings. The commitment does not specify how many public officials will be trained or the content of the training. The commitment does not describe enforcement measures for the guidelines, common rules, and reports, which could undercut their ability to guide government practices. Also, although engaging CSOs in the coordination working group would be a positive step, the milestone does not specify how shared actions would be implemented. Overall, the milestones lack sufficient measures to materialize execution of Law No. 2016-22.

## Next steps

The IRM recommends that this commitment is carried forward in future action plans, with the following measures to maximize impact:

- Develop clear guidelines for involvement of CSOs in the coordination group (i.e., frequency of the meetings and members invited), and make meeting minutes publicly available, so that citizens can monitor its activities.
- Strengthen INAI's authority to ensure executive agencies' robust compliance with Law No. 2016-22. This would address INAI's lack of enforcement power, improving current issues

with executive bodies' non-compliance that persist even after orders from INAI and administrative courts.<sup>10</sup>

- Building on this commitment's capacity building for civil servants on implementation of Law No. 2016-22, include milestones focusing on public access to information and measures for facilitating this process for citizens.
- Address important challenges to implementation of Law No. 2016-22, such as lack of effective grievance mechanism and enforcement of sanctions/penalties for its violations.

---

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

<sup>2</sup> "Tunisia: Citizens Testing Right-to-Information Law", Human Rights Watch, 15 February 2019, <https://www.hrw.org/news/2019/02/15/tunisia-citizens-testing-right-information-law#>

<sup>3</sup> Khaled Sellami, Member of the Authority of Access to Information, interview by IRM researcher.

<sup>4</sup> Aly Mhenni, Democracy Reporting International, interview by IRM researcher, 30 July 2019.

<sup>5</sup> "U4 Anti-Corruption Resource Center", Tunisia, <https://www.u4.no/publications/country-profile-tunisia>.

<sup>6</sup> "Right of access to information : A new practical guide for journalists and citizens", Web Manager Center, 19 June 2018, <http://www.webmanagercenter.com/2018/06/19/421222/droit-dacces-a-linformation-un-nouveau-guide-pratique-pour-journalistes-et-citoyens/>.

<sup>7</sup> Mehdi Rehaïem, Senior Management Consultant, interview by IRM researcher, 30 July 2019.

<sup>8</sup> Khaled Sellami, Member of the Authority of Access to Information, interview by IRM researcher.

<sup>9</sup> Achref Aouadi, interview by IRM researcher.

<sup>10</sup> "Tunisia: Citizens Testing Right-to-Information Law", Human Rights Watch, 15 February 2019, <https://www.hrw.org/news/2019/02/15/tunisia-citizens-testing-right-information-law#>.

## 2. Completion of the legal and regulatory framework to enhance the public data opening up

### Language of the commitment as it appears in the action plan:

“This commitment will enable the establishment of several organizational and practical foundations which provide additional and necessary support for the opening up of public data. This is in view of the importance of this process in entrenching the principles of transparency, reinforcing participatory approach, and promoting integrity in the public sector, in addition to the role of open data in encouraging innovation and technological research.”

### Milestones:

- Issuing a regulatory text that organizes the opening up of public data in Tunisia and clarifies the technical and organizational specifications to be adopted;
- Continuing the implementation of the public data inventory project with the establishment of a preliminary list of public data that will be identified according to a participatory approach, to be published during the first year of implementation of the 3rd OGP action plan for the benefit of several sectors,
- Developing and executing an open data training program for the benefit of various civil servants' categories.

**Responsible institution:** E-Government Unit at the Presidency of the Government

**Supporting institution(s):** Cartographie Citoyenne, Tunisian Association of Public Auditors, Tunisian Association of Local Governance.

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	✓	✓				✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

### Context and Objectives

This commitment aims to establish procedures on government open data resources and to further develop the public data inventory. It builds on Commitment 3 of the previous action plan, carrying forward the milestone on implementation of the public data inventory project (Milestone 2).<sup>1</sup> Under the previous action, the government, with the support of the World Bank, selected five ministries and one public agency to participate in the inventory (Agriculture, Local Affairs and Environment, Industry, Culture, Transport, and Social Security Fund). However, the inventory was not completed.<sup>2</sup>

Under the current action plan, this commitment includes three milestones addressing issuance of the regulatory text for public data, continuing implementation of the public data inventory project, and offering training programs for public servants. All milestones are specific enough to be verifiable.

The commitment is relevant to the OGP value of access to information as it aims to open up public data through a regulatory text, inventory, and training for public servants. The commitment is also relevant to the OGP value of civic participation, as it plans to identify a preliminary list of public data through a “participatory approach”—assuming this would include the public and CSOs in the process.

This commitment could offer significant progress on open data. The 2011 presidential decree on open data lacked specific enforcement mechanisms,<sup>3</sup> leaving a regulatory gap that presents a major obstacle to opening up public data. Under this commitment, issuance of a regulatory text that could bring necessary technical and organizational specifications to the decree. The commitment could also prepare civil servants for the regulation’s implementation, although it does not discuss the specifics of the training. Additionally, the commitment does not sufficiently clarify public participation in development of the regulation or inventory.

### Next steps

The IRM recommends that future commitments on open data are designed with greater specificity, including:

- The quantity of datasets and their sectors (health, education, etc.);
- Information on the public servants to be targeted by trainings and selection criteria;
- Whether the regulatory texts are intended to be a law submitted to parliament or a decree issued by the Prime Minister.

For milestones that require parliamentary approval, including representation from parliamentary officials can support lobbying for regulations’ approval.

---

<sup>1</sup> “Tunisia Mid-Term Report 2016-2018”, Open Government Partnership, <https://www.opengovpartnership.org/documents/tunisia-mid-term-report-2016-2018-for-public-comment/>.

<sup>2</sup> Ibrahim El Ghandour, World Bank and Khaled Sellami, interview by IRM researcher.

<sup>3</sup> Ibrahim El Ghandour, World Bank and Khaled Sellami, interview by IRM researcher.

### 3. Strengthen access to geographic information

#### Language of the commitment as it appears in the action plan:

"Access to information through geomatics mechanisms and facilitating opening up of public data related to several sectors such as transportation, security, local development, health, agriculture, equipment and tourism has become a priority working area for public institutions, given the importance of produced data in these sectors as well as increasing demand from citizens and actors involved in the geomatics field."

#### Milestones:

- Develop a portal for access to geographic information within the framework of the GIS infrastructure project;
- Establish basic databases as an output of this project (topographic databases, flat aerial photos, addresses...) that will be adopted by public and private structures as a foundation and common reference to establish thematic databases (transportation, health, security, development, tourism, agriculture...).

**Responsible institution:** Ministry of the National defense, the National Mapping and Remote Sensing Center

**Supporting institution(s):** Public structures represented in the project steering committee (Ministry of Transport, Ministry of ICT, Ministry of Interior, Ministry of Tourism, Ministry of Local Affairs and Environment, Ministry of Equipment, Ministry of Development and International Cooperation and Investment, Ministry of Finance, Ministry of Agriculture), Cartographie Citoyenne, Tunisian Association of Local Governance

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

#### Context and Objectives

The commitment includes two milestones. The first milestone covers the development of an online portal for access to geographic information, and the second milestone provides for the preparation of basic databases as an output of this project. Both milestones are relatively verifiable, although more information is needed on the exact number of databases that will be made available and their formats.

The commitment is relevant to the OGP value of access to information, as it aims to publish government held geographic information. It is also relevant to the OGP value of technology and innovation, as the resulting databases and portal entail the adoption of Geographical Information Systems (GIS) software to inform public policy decisions and citizen monitoring.

This commitment could represent a major step on improving access to geographic information. Lack of availability and precision of geographic data is a challenge for public, private, and civil society stakeholders in Tunisia. Preceding this commitment, requesting government geographic data required an in-person application in Tunis at the National Mapping and Remote Sensing Center (NMRSC)<sup>1</sup> and several days of waiting. NMRSC did not offer exploitable numeric data—only paper-based physical maps.<sup>2</sup> According to Mr. Escander Nagazi, a knowledge management expert, these were unusable for advanced data analytics using GIS software.<sup>3</sup> The commitment’s intended GIS platform would address this issue, and could be utilized in response to development challenges, such as transport, agriculture, and health and sanitation.<sup>4</sup> Additionally, as the Tunisian Ministry of Defense does not often share data for civil use, this could be a first step for further cooperation in the OGP process.<sup>5</sup> However, the commitment’s potential is limited to some degree, given that it only plans to publish “basic databases” and lacks measures to encourage uptake of newly available information.

### **Next steps**

In future action plans, the IRM recommends that commitments focused on increasing access to geographic information incorporate milestones focused on enabling widespread uptake of newly available information. Involving academia, CSO, and private sector representatives that are working on Tunisian geographic systems during the design of this type of commitment may increase uptake and usability of data.

---

<sup>1</sup> National Center for Cartography and Remote Sensing, <http://www.cnct.defense.tn/>.

<sup>2</sup> Tunisian Military Personnel based in the US, interview by IRM researcher, 24 March 2019.

<sup>3</sup> Escander Nagazi, Knowledge Management Expert, interview by IRM researcher, 3 March 2019.

<sup>4</sup> Rob Marty, Data Analyst in Geographic Information systems, interview by IRM researcher, 16 May 2019.

<sup>5</sup> Asma Cherifi, Civil Society Activist, interview by IRM researcher, 1 April 2019.

## 4. Standardize identifiers and nomenclatures of the land transport stations and disseminate the relevant public data in an open format

### Language of the commitment as it appears in the action plan:

"This commitment aims to promote the opening up and reuse of public data and informing travelers in the land transport field through designing and establishing a unified database for land transport stations at the national level as well as its dissemination in an open format "National Repository of Stations". In fact, establishing this database will enable the unifying of identifiers and nomenclatures and the collection of all data on geographical coordinates and other information. In addition, data will be disseminated in an open format to facilitate its reuse in order to develop services for travelers (via web or smartphones...)."

### Milestones:

- Undertaking an inventory of stations on regular transport means (buses, metro, trains,...) and irregular transport means (individual or collective taxis, rural transport means,...) at the national level and the collection of all data related to stations such as type, characteristics, equipment, lighting, methods of access especially for people with special needs, geographical coordinates, administrative reference, owner of the station, entity in charge of the station exploitation, and photos of the concerned station;
- Unifying identifiers and nomenclatures especially for the stations shared between different transport companies;
- Designing and establishing a unified database on land transport stations at the national level;
- Publishing a database in an open format to facilitate its reuse in order to develop passenger-oriented services.

**Responsible institution:** Ministry of Transport

**Supporting institution(s):** Cartographie Citoyenne, Tunisian Association of Local Governance, Tunisian Association of Public Auditors

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment aims to enhance transparency in the land transport sector, building on Commitment 7 of the previous action plan. Under the previous action plan, in August 2018, the Ministry of Transport launched a website with datasets<sup>1</sup> on 27 enterprises under the Ministry of

Transport. The published information included details on the fleet inventory of national enterprises including marine, air, and ground transportation. Schedules, prices, and timetables were only available for five of the enterprises. As the need for access to information on the transport sector remains pressing, the current action plan narrows its focus to land transport.

The four milestones under this commitment intend to prepare an inventory of the stations, unify identifiers, and nomenclatures; develop a database; and publish the database in an open format for public use. All the milestones are specific enough to be verifiable. This commitment is relevant to the OGP value of access to information, as an open format database is one of its key deliverables. This database would be available through a website, which makes the commitment relevant to the OGP value of technology and innovation as well.

This commitment could offer significant progress on improving accessibility of usable land transport data. According to Mr. Escander Nagazi, a knowledge management expert, “this commitment would allow the use of advanced apps and other technologies to calculate cost/effectiveness that could inform on budgeting and cost savings. In addition, this would allow the use of the mapping to facilitate the transit for locals and tourists.”<sup>2</sup> However, the mere publication of information does not guarantee its utilization. This commitment’s potential impact is limited to some degree by lack of measures to encourage uptake of newly available information.

### **Next steps**

In future action plans, the IRM recommends that commitments focused on increasing access to transport data incorporate milestones focused on enabling widespread uptake of newly available information. Involving CSO and private sector representatives that work on customer defense issues during the design of this type of commitment may increase uptake and usability of data. Additionally, opportunities like data hackathons could motivate the use of newly published data to develop solutions that address issues in the transportation sector.

---

<sup>1</sup> “Tunisie le Ministère du Transport adopte un portail Open Data”, L'économiste Maghrebin, 29 October 2018, [in French] <https://www.leconomistemaghrebin.com/2018/10/29/ministere-transport-open-data/>.

<sup>2</sup> Escander Nagazi, Knowledge Management Expert, interview by IRM researcher, 3 March 2019.



## 5. Improve water resource governance

### Language of the commitment as it appears in the action plan:

"Tunisia has faced major challenges in recent years in water resources, such as increased and excessive consumption, limited water quality in some areas, in addition to the world-wide decline of national water reserves. Given the strategic value of this wealth, this commitment aims to implement some projects that will contribute to enhancing water resource governance and encourage all actors involved in this field to implement initiatives to achieve this strategic goal through a participatory and open approach."

### Milestones:

- Publishing data that enable the monitoring of water consumption by sector (drinking water, agricultural field, industrial field, tourism ...) and by geographical distribution across the Tunisian territory,
- Developing an electronic platform to report violations and abuses related to the consumption or water resource management,
- Establishing and implementing a policy according to a participatory approach in order to rationalize distribution and consumption of water

**Responsible institution:** Ministry of Agriculture, Water Resources and Fisheries

**Supporting institution(s):** Authority of Access to Information, React Association, "Dynamique autour de l'eau" Association, Tunisian Association of Local Governance, Tunisian Association for Development and Training

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
	✓		✓	✓		✓					Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment aims to improve Tunisia's water resource governance. Tunisia is a water-stressed country with per capita renewable water availability well below the regional average.<sup>1</sup> Since 2011, dam water levels have been alarming and Tunisia has faced multiple water crises, including riots and strikes blocking major roads, especially in underdeveloped regions.<sup>2</sup> Excessive and sometimes illegal groundwater extraction has led to salinization of available water resources,<sup>3</sup> which has caused

conflict in many communities. Poor water governance and mistrust between parties sharing water resources have been cited as main contributors to the country's water crisis.

This commitment intends to publish data enabling the monitoring of water consumption by sector, develop an electronic platform to report violations, and use a participatory approach to establish a policy on water distribution and consumption. While the first two milestones are verifiable, the third milestone does not clarify who would participate in the creation of the policy or the process for developing the policy. Given the relevance of this information to the commitment's objective, this commitment is not specific enough to be verifiable.

The commitment is primarily relevant to the OGP value of access to information, since it offers measures to publicly publish information on water consumption. The participatory approach to policy development also makes this commitment relevant to the OGP value of civic participation.

This commitment could represent a positive step on improving water resource governance. Publication of information regarding water quality and quantity suffers from major gaps and is critical to the problem of groundwater over-exploitation.<sup>4</sup> However, it is not clear what this commitment intends to add to the information already available from the Tunisian National Statistics Institute, which publishes water consumption disaggregated by sector in Tunisia. In terms of the electronic platform, the commitment text does not specify whether necessary corrective and redress mechanisms will be established to ensure that all complaints are addressed properly. Using a participatory approach to develop a water policy could ensure that needs of different groups and sectors are addressed, but the commitment does not specify what will constitute the participatory approach. Overall, this commitment lacks adequate accountability mechanisms and offers limited clarity on the policy development process.

### Next Step

For related commitments in future action plans, the IRM recommends that:

- The government should provide further details on the type and number of datasets to be provided; mechanisms that will ensure all complaints receive an adequate response; and methodology for policy development, ensuring a participatory approach, more details are also needed in relation to the process for its approval.
- The Ministry of Agriculture could consider holding meetings to hear the NGOs and appoint a focal point that would help put the procedures in place and facilitate the execution of the commitment to the front-line officers.

Additionally, according to Fairouz Slama and Jamel Chahed of University of Tunis El Manar, tools used to analyze and transform available information in order to orient national water policy must be modernized through establishing structured databases and dynamic and interactive geographical information systems.<sup>5</sup>

---

<sup>1</sup> "Water in Tunisia: A National Perspective", Ameer Horchani, The National Academies Press, <https://www.nap.edu/read/11880/chapter/12#89>.

<sup>2</sup> "L'eau en Tunisie: Entre pénurie et mauvaise gouvernance ... la crise continue!", Huffpost Maghreb, [in French] [https://www.huffpostmaghreb.com/entry/leau-en-tunisie-entre-penurie-et-mauvaise-gouvernance-la-crise-continue\\_mg\\_5b6381e3e4b0eb29100e59d9](https://www.huffpostmaghreb.com/entry/leau-en-tunisie-entre-penurie-et-mauvaise-gouvernance-la-crise-continue_mg_5b6381e3e4b0eb29100e59d9).

<sup>3</sup> "Water Security in Tunisia: Debated Issues", Fairouz Slama and Jamel Chahed, 5 August 2019, <http://www.globalwaterforum.org/2019/08/05/water-security-in-tunisia-debated-issues/>.

<sup>4</sup> "Water Security in Tunisia: Debated Issues", Fairouz Slama and Jamel Chahed, 5 August 2019, <http://www.globalwaterforum.org/2019/08/05/water-security-in-tunisia-debated-issues/>.

<sup>5</sup> Idem.

## 6. Enhancing transparency in the extractive industries sector

### Language of the commitment as it appears in the action plan:

"The extractive industries sector is considered one of the most strategic sectors and the highest level of interest from citizens and civil society organizations. These actors are exerting continued pressure to enhance sector transparency and enable access to information especially that related to production, collected resources, in addition to signed contracts and the companies benefiting from them.

Within the framework of enhancing the achieved initiatives in this sector, such as the open data portal for the energy and mines sector, Tunisia will also continue process of preparing to join the extractive industries transparency initiative "EITI". Membership in this initiative represents an indication of Tunisia's completion of the required criteria on extractive industries transparency and its readiness to carry out continued reforms to ensure good governance of this sector and transparency promotion. This can be achieved through publishing all reports and required data, as well as helping build trust between all relevant stakeholders, which will improve the investment climate in the sector."

### Milestones:

- Completion of the selection of company representatives as well as government representatives in the multi-stakeholder group;
- Supporting the multi-stakeholder group by preparing a study on the diagnosis of the governance system of hydrocarbons and mining sectors;
- Developing an action plan for the multi-stakeholder group;
- Submitting a request to join the EITI initiative;
- Inter-communication between the Ministry of Finance and the Ministry of Industry and Small and Medium-Sized Enterprises;
- Capacity building of the multi-stakeholder group representatives.

**Responsible institution:** Ministry of Industry and Small and Medium-Sized Enterprises

**Supporting institution(s):** Access to Information Authority, Natural Resource Governance Institute, Tunisia Coalition for Transparency in energy and Mines, Tunisian Association of Development Law

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓		✓				✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

## Context and Objectives

This commitment aims to enhance transparency in the extractive sector. It has been carried forward from Commitment I of the previous action plan. Under the previous action plan, implementation of the commitment was limited, and the focal point and project coordinator were each replaced three times.<sup>1</sup> The current action plan's commitment includes slightly different milestones, but overall, it continues to offer measures to strengthen the Extractive Industries Transparency Initiative (EITI) multi-stakeholder group (MSG) and expedite the process of submitting a request to EITI for Tunisian membership in the initiative.

The milestones under this commitment address selecting private sector and government MSG representatives, conducting a study to identify the challenges in the mining sector, developing an action plan for MSG, submitting a request to join EITI, and inter-communication between related ministries. Except for the last milestone regarding inter-communication between related ministries, the milestones are verifiable and can be measured.

This commitment is relevant to the OGP value of civic participation, as reflected by the multi-stakeholder group with participation from CSOs and the private sector.

This commitment could represent a major step on enhancing transparency in the extractive sector. Joining EITI could substantially increase the sustainability of reforms in this sector. According to the Natural Resource Governance Institute (NRGI), this commitment responds to an urgent need to build trust in the extractive sector. NRGI also emphasizes the importance of MSG in filling a gap in dialogue among stakeholders, which has significantly obstructed reform in the past.<sup>2</sup> However, the commitment does not clarify whether MSG will go beyond meeting the requirements of the EITI and how it will reconcile the interest of the private sector, CSOs, and the government. Reportedly, the private sector has not welcomed the EITI initiative, and has lobbied parliament and government officials to block its implementation, which is likely to pose a challenge to this commitment.<sup>3</sup> Additionally, while new information will be developed through the study on the governance system of hydrocarbons and mining, the commitment does not clarify how this information will be made available to the general public.

## Next step

Extractive sector transparency is a key area for reform, with further potential to leverage the OGP process to achieve impact. For future action plans, the IRM recommends the following:

- Promote proactive publication of information on this sector to support CSO and citizen oversight;
- Make sure the multi-stakeholder groups addresses concerns regarding private sector commitment to participation in the initiative, finding a balance of different interests;
- In accordance with NRGI recommendations, CSOs on the MSG should establish a rigorous communication strategy with wider civil society in order to ensure that priorities truly represent civil society needs and interests.<sup>4</sup>

---

<sup>1</sup> "Tunisia Mid-Term Report 2016-2018", Open Government Partnership,

<https://www.opengovpartnership.org/documents/tunisia-mid-term-report-2016-2018-for-public-comment/>.

<sup>2</sup> Hanen Keskes, "Civil Society Helps Tunisia Toward a Multi-stakeholder Approach in Extractives Governance", Natural Resource Governance Institute, 15 June 2018, <https://resourcegovernance.org/blog/civil-society-tunisia-MSG-EITI>.

<sup>3</sup> Mohamed Dhia Hammami, Wesleyan University, interview by IRM Researcher, 26 April 2019.

<sup>4</sup> Hanen Keskes, "Civil Society Helps Tunisia Toward a Multi-stakeholder Approach in Extractives Governance", Natural Resource Governance Institute, 15 June 2018, <https://resourcegovernance.org/blog/civil-society-tunisia-MSG-EITI>.

## 7. Applying the Principles of Open Contracting in the hydrocarbons field

### Language of the commitment as it appears in the action plan:

"Applying open contracting principles in the hydrocarbons field represents one of the most important initiatives adopted at the international level as a criterion for transparency and governance of natural resource management. To further support the launched initiatives that aim to promote extractive industries transparency, this commitment is intended to facilitate Tunisia's joining of the open contracting project in the hydrocarbons field."

### Milestones:

- Including open contracting principles in the draft of Hydrocarbon Code revision, such as improving transparency in selecting investors by resorting to competition if necessary, clarifying and disseminating criteria adopted in the selection process and generally publishing all necessary documents and information that explain the contractual process since starting negotiations with investors to the end of contract, including Meetings Minutes of the advisory Committee on hydrocarbons;
- Developing an electronic platform to apply the open contracting principles through publishing all concluded contracts in an open format accompanied by all annexes and associated decisions, in addition to the dissemination of documents about contracts that explain the contracting process with investors;
- Preparing a benchmark study and drawing on international experiences in the open contracting area.

**Responsible institution:** Ministry of Industry and Small and Medium-Sized Enterprises

**Supporting institution(s):** Natural Resources Governance Institute

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia National Action Plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment is another step undertaken by the government to address transparency issues in the hydrocarbon sector. The government aims to adopt international standards to prove its willingness to address corruption in the hydrocarbons and reassure investors.

The first milestone includes a commitment to consider open contracting principle in the drafting of hydrocarbon contracts, tender process, and publication of related documents. Although overall the milestone is specific, the use of the word “if necessary” makes the milestone ambiguous, since it does not clarify what standard would be used to hold competition for selecting investors. The two remaining milestones cover the launch of an online platform and publication of the contracts and other related documents in it, as well as conducting a benchmark study to draw international experiences in the open contracting area. These milestones are specific and can be verified.

Adopting open contracting in the hydrocarbon sector is relevant to the OGP values of Access to Information and Technology and Innovation for Transparency and Accountability. It aims to publish the contracts of oil and gas firms in an open and exploitable contract, and to amend the law to include this formatting. Development of a platform to apply open contracting principles makes the commitment relevant to technology and innovation.

This commitment could offer significant progress for Tunisia’s hydrocarbon field and could be a blueprint for other extractive industries. According to the Natural Resource Governance Institute (NRGI), the commitment to disclose extractive contracts is a critical step in promoting improved governance of Tunisian natural resources sector as well as an important move toward improving trust between the government, investors, and extractive project-affected communities.<sup>1</sup> However, this commitment may not address wider challenges faced by the sector. According to Mr Achraf Aouadi, President of I-Watch and representative of Transparency International in Tunisia, the problem with the hydrocarbon industry is the lack of state control of drilling and exploitation sites. Companies provide inputs and data, but the government does not verify their accuracy. Also, the government does not publish the revenue it receives, and therefore civil society does not have necessary tools to verify government revenue against the data provided by the private sector.<sup>2</sup>

In terms of the planned electronic platform, this commitment may replicate ResourceContracts.org, launched in 2016. ResourceContracts.org was developed by NRGI, the Columbia Center on Sustainable Investment, and the World Bank, in partnership with Tunisia’s Ministry of Energy, Mines and Renewable Energies, to publish hydrocarbon investment contracts and associated documents.<sup>3</sup> Documents on this website are available as open data in a text-based format, and are therefore easily searchable.<sup>4</sup> The contracts also come with comprehensive metadata.<sup>5</sup> The website currently includes 297 contracts.<sup>6</sup>

### Next steps

If this commitment is carried forward in future action plans, it could bolster access to information by publishing government revenue to provide civil society with the tools to verify government revenue against the data provided by the private sector. The IRM also recommends that the MSF contributes to ensure that legislators are on board in reforming the hydrocarbon legislative code, while the government could publish additional information to address the gaps identified by civil society groups that would facilitate oversight activities. Additionally, the IRM recommends ensuring that contracts reveal the names of companies’ owners, published publicly to prevent conflict of interests.

---

<sup>1</sup> “Tunisians Can Now Access Hydrocarbon Contracts in Open Data Format”, National Resource Governance Institute, 7 October 2017, <https://resourcegovernance.org/blog/tunisians-can-now-access-hydrocarbon-contracts-open-data-format>.

<sup>2</sup> Achraf Aouadi, I Watch Organization, interview by IRM Researcher, 9 March 2019.

<sup>3</sup> “Tunisians Can Now Access Hydrocarbon Contracts in Open Data Format”, National Resource Governance Institute, 7 October 2017, <https://resourcegovernance.org/blog/tunisians-can-now-access-hydrocarbon-contracts-open-data-format>.

<sup>4</sup> “Tunisians Can Now Access Hydrocarbon Contracts in Open Data Format”, National Resource Governance Institute, 7 October 2017, <https://resourcegovernance.org/blog/tunisians-can-now-access-hydrocarbon-contracts-open-data-format>.

<sup>5</sup> Idem.

<sup>6</sup> A repository of Resource Contracts of Tunisia, <https://tunisia.resourcecontracts.org/>.

## 8. Establish mechanisms contributing to applying integrity in the public sector and combating corruption

### Language of the commitment as it appears in the action plan:

"Integrity in the public sector and fighting administrative corruption are considered among the focus of all administrative actors as well as other actors such associations and non-government organizations active in this field. In order to continue with achieved reforms, and given the continued complaints and criticisms on corruption in the public sector, this commitment is intended to contribute to addressing this issue through implementing two projects."

### Milestones:

- Issuing regulatory decrees concerning the new anti-corruption laws, namely:
  - o Organic Law on corruption reporting and whistleblowers protection,
  - o Law on the declaration of assets and liabilities and preventing illicit enrichment and conflict of interests in public sector,
- Establishing the constitutional "Authority of good governance and anti-corruption".

**Responsible institution:** The National Anti-Corruption Authority, The governance department at the Presidency of the Government

**Supporting institution(s):** The parliament, Civil Coalition against corruption

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓			✓				✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment aims to combat corruption in the public sector. Tunisia took progressive steps toward fighting corruption in 2016 and early 2017. These include passing a Freedom of Information law, adopting a national anticorruption strategy, empowering the National Anti-Corruption Authority to carry out its mandate, and passing the Whistleblower Protection Law in February 2017.<sup>1</sup> The Whistleblower Protection 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.<sup>2</sup> In addition, the Tunisian parliament passed a law in July 2018 of declaration of assets that obliges



politicians, media, and NGOs to declare their assets to the Authority for Good Governance and the Fight against Corruption (*Instance nationale de lutte contre la corruption*—INLUCC).<sup>3</sup>

INLUCC was a temporary anticorruption body that was put in place immediately after the revolution of 2011 to investigate corruption under the Ben Ali regime. This body was institutionalized by the 2014 constitution. INLUCC investigates public and private sector corruption cases and refers them to state ministries, relevant organizations, and courts. INLUCC is under-resourced and understaffed. In July 2017, the president of the commission, Chawki Tabib, testified before parliament's Finance, Planning and Development Committee that the budget (less than 2 million dinars or 820,000 USD) was insufficient to carry out its mandate to conduct investigations, support civil society, and establish a research center.<sup>4</sup>

This commitment includes two milestones. The first milestone covers the issuance of regulatory decrees concerning the new anticorruption laws. The second milestone entails establishing the constitutional "Authority of good governance and anticorruption." While the first milestone is specific and verifiable, the second milestone does not provide sufficient information on what is meant by "establishing" the authority.

This commitment is relevant to the OGP value of public accountability, as it aims to operationalize new anticorruption laws contributing to whistleblower protection, public sector declaration of assets and liabilities, and prevention of illicit enrichment and conflict of interests.

This commitment could represent a major step for combatting corruption in the public sector. The issuance of regulatory decrees is a necessary measure that can expedite implementation of the anticorruption laws. However, their efficacy depends on their inclusion of enforcement mechanisms, which is not clarified by the commitment. In terms of establishing the constitutional authority of good governance and anticorruption, this milestone's impact is ambiguous. Considering that INLUCC has existed since 2011 and was institutionalized by the 2014 constitution, it is unclear if the commitment aims to strengthen the legal structure of INLUCC or merely provide additional operational resources, such as budget or staff.

### Next Step

For future commitments in this policy area, the government could increase impact through the following measures:

- Promote a public consultation process on new legislation to combat corruption;
- Proactively publish declarations of assets or other relevant information that can contribute to facilitate oversight by civil society organizations;
- Provide further information on the establishment of the authority of good governance and anticorruption and if it aims to build on previous work by the INLUCC.

---

<sup>1</sup> "Middle East and North Africa: A very Drastic Decline", Transparency International, 25 January 2017, [https://www.transparency.org/news/feature/mena\\_a\\_very\\_drastic\\_decline](https://www.transparency.org/news/feature/mena_a_very_drastic_decline).

<sup>2</sup> "Tunisia- Corruption", Export.gov, <https://www.export.gov/apex/article?id=Tunisia-Corruption>.

<sup>3</sup> "Tunisia approves illegal enrichment law to strengthen anti-corruption fight", Tarek Amara, Reuters, 17 July 2018.

<sup>4</sup> "U4 Anti-Corruption Resource Center", Tunisia, <https://www.u4.no/publications/country-profile-tunisia>.



## 9. Applying a participatory approach in the State Budget drafting process

### Language of the commitment as it appears in the action plan:

"The participatory approach has become a working methodology allowing preparing and follow-up several public projects such as drafting the budget project by public institutions. Particularly the experience was adopted at the local level by several municipalities that elaborate their budgets based on periodic meetings arranged with citizens and civil society representatives to consult them about projects that could be included within the budget draft according to Article 29 of the code of local authorities. To further reinforce this participatory approach in the budget drafting process, this commitment aims at establishing new mechanisms to apply this concept and to render citizens an active partner in determining the main axes and general orientations of the state budget, from the launching of its preparation process.

Therefore, this commitment will enable the establishment of new mechanisms or the implementation of existing ones such as activating the work of the joint committee for financial transparency created at the Ministry of Finance according the decision of Minister of Finance dated March 1st, 2013."

### Milestones:

- Activating the work of the joint committee for financial transparency created at the Ministry of Finance according the decision of Minister of Finance dated March 1<sup>st</sup>, 2013;
- Following-up the publication of the audit reports;
- Publication of the organic law on the budget.

**Responsible institution:** Ministry of Finance

**Supporting institution(s):** Associations represented in the joint committee for financial transparency established in the Ministry of Finance

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

### Context and Objectives

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
	✓		✓	✓				✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

This commitment aims to apply a participatory approach to the state's budget drafting process. Its first milestone plans to reactivate the joint committee for financial transparency, formed in 2013. This committee of CSO and government representatives was tasked with supporting and

accompanying the endeavors of the ministry of finance to ensure compliance with fiscal transparency and participation requirements, and to submit the proposals and recommendations that it considers appropriate in this regard. The committee's mandate includes promoting civil society consultation, preparing the citizen's budget, as well as monitoring the publication of budgets and data on the budgetary implementation of revenue and expenditure operations.<sup>1</sup> The commitment's second milestone is about the publication of an audit report. However, it does not provide sufficient information about the related sector where audit is conducted and it also does not specify the timeline when this audit must be carried out and delivered. The third milestone intends to publish the organic law on budget.<sup>2</sup> Overall, this commitment is specific enough to be verifiable.

The commitment is relevant to the OGP value of access to information, since it includes a milestone on publication of the audit and budget law. The commitment is also relevant to the OGP value of civic participation, as the mandate of the joint committee for financial transparency indicates that the committee should engage CSOs in the decision-making process in the area of public finance.

This commitment could offer significant progress on enhancing public participation in the budget process. Sources indicate that the inactivity of the joint committee has been a challenge. The website of the ministry of finance published the minutes of the committee's meetings, but the last published meeting was in January 2016.<sup>3</sup> Under this commitment, reactivating the committee would represent a significant step towards giving the public an effective platform to voice opinions on transparency in public finance and other budgetary issues. However, beyond the committee, this commitment does not provide significant opportunities for citizens to participate actively in decision making and budget monitoring, or offer strong, independent, institutionalized oversight. Additionally, publication of the audit report and the law on budget are important steps toward making the budget process more transparent. Improving the audit process and the quality of audit report in Tunisia has been identified as a significant need by donors such as the Organization of Economic Cooperation and Development (OECD).<sup>4</sup> However, the commitment's scope is limited by its intention to publish only one audit report.

### Next Steps

Ongoing efforts in this policy area can include strengthening the joint committee through the following measures:

- To institutionalize the joint committee and revise its composition as well as its responsibilities and operating procedures;
- To ensure a clear and precise agenda focused on priority themes;
- To make the structure and leadership of the committee more representative and inclusive and committee to be co-chaired with civil society representation;
- To establish the necessary mechanisms to allow input from the general public.

In future action plans, commitments can also improve the audit process on a wider scale. The International Budgetary Partnership recommends publishing the audit report online in a timely manner, ensuring its review by an independent agency, and providing opportunities for the public assist in developing the audit program, contribute to audit investigations, and testify during parliamentary hearings.<sup>5</sup>

---

<sup>1</sup> "Fiscal Transparency and Participation in Tunisia; Current Status and Priorities for Reform", CABRI, October 2014, <http://bit.ly/37BstDe>.

<sup>2</sup> "Budget Law for year 2020", Ministry of Finances, <http://bit.ly/2Hx27aT>.

<sup>3</sup> "Commission mixte pour la transparence financière", Ministry of Finances, <http://www.finances.gov.tn/fr/commission-mixte-pour-la-transparence-financiere>.

<sup>4</sup> "Good Governance and Anti-Corruption in Tunisia; Project Highlights", September 2019, <http://bit.ly/38Fxf3S>.

<sup>5</sup> "Open Budget Survey 2019: Tunisia", International Budget Partnership, <https://bit.ly/3xZ51Oi>.

## 10. Developing new mechanism to promote interaction with the youth and enable them to pursue dialogue about public policies

### Language of the commitment as it appears in the action plan:

"In order to further activate youth participation in public affairs and given the existence of several issues that threaten this category, such as illegal immigration, terrorism, addiction and other social deviances and threats, this commitment aims to create frameworks for dialogue. These frameworks aim to enable young people to express their opinions, concerns, and ideas freely and transparently as well as to influence decision-makers to carry out reforms intended to solve these problems. Therefore, the purpose is to complete the commitment drafted in the 2<sup>nd</sup> OGP action plan by implementing the following actions:"

### Milestone:

- 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.
- Developing 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.

**Responsible institution:** Ministry of youth and Sports Affairs

**Supporting institution(s):** Ministry of Local affairs and Environment, Tunisian Institute for Democracy and Development, CSOs, private sector, multilaterals

**Start date:** October 2018

**End date:** October 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
	✓			✓	✓	✓		✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment aims to motivate youth participation in the democratic process. It was carried forward from commitment 11 of the previous action plan, which had limited implementation. Under the previous action plan, the Ministry of Youth and Sports, the Organization of Economic Cooperation and Development (OECD), the World Bank, and the United Nations Educational, Scientific and Cultural Organization (UNESCO) created a pilot for this project by selecting five houses of youth in Ettadhamen, Testour, Douar Hicher, Kalaat Senan, and Hazoua.<sup>1</sup> By the end of term, besides the selection of the targeted localities and draft of terms of references for the online

platform, the implementation of the actual youth councils and the development of the website were not completed.<sup>2</sup>

Under the current action plan, this commitment includes two milestones. The first aims to establish local councils through a co-creation approach, although it does not specify the number of councils. The second milestone proposes development of an online platform that will allow youth to provide feedback on delivery of selected public services. Overall, this commitment is not specific enough to be verifiable.

This commitment is relevant to the OGP value of civic participation because it seeks to involve youth in the government decision-making process, although the extent of this involvement remains unclear. Development of the online platform makes this commitment relevant to the OGP values of technology and innovation, as well as public accountability. While details are not provided on enforcement mechanisms, the commitments aim to provide citizens with responses from authorities on the issues they report through the online platform.

This commitment could represent a positive step in activating youth participation in public affairs. Although the commitment could offer opportunities for youth participation, it represents a replication of previous efforts to engage youth, which have not succeeded in the past. Additionally, the commitment does not include necessary measures to ensure the creation of councils and the online platform would lead to change of practice by the government, as there are no details on how their contributions and complaints will be taken into consideration.

### **Next steps**

In the design of future commitments seeking to enhance civic participation, commitments should offer explicit details on aspects such as the number of councils to be established during implementation, the response and redress mechanisms to follow up on complaints and the methodology to ensure all contributions are considered in policy development.

In addition, communications campaigns could be included as milestones in such commitments, implemented to reach different youth segments in the country beyond those involved in organizations that work in youth issues.

---

<sup>1</sup> Ibrahim El Ghandour and Mootaz Chaouachi, World Bank Tunisia, interview by IRM Researcher, 10 March 2019.

<sup>2</sup> Salma Ben Khalifa Negra, UNESCO, interview by IRM Researcher, 10 May 2018.

## II. Implement initiatives to apply the OGP at the local level

### Language of the commitment as it appears in the action plan:

"This commitment comes within the framework of the exercise of local governance, which has become possible thanks to the several articles in the 2014 Constitution that promote this approach, as well as the provisions related to the transparency and open government included in the Code on Local Authorities adopted on May 2018. This commitment aims to establish initiatives on open government at the level of ten (10) municipalities, in a similar fashion to the OGP initiative launched at the national level, through adopting the same participatory approach.

The specificity of this initiative is its potential to enable municipalities to develop commitments more in line with the region's characteristics and requirements, as well as rendering the administration more accessible to citizens by involving them in defining commitments and following up their implementation. This will occur through regular meetings of a joint committee comprising of representatives of the administration at the municipality level and representatives of the region's residents.

Moreover, a communication action plan will be established to further disseminate information about initiatives that will be implemented within the framework of this commitment, in addition to involving all active government and civil society stakeholders."

**Responsible institution:** Municipalities involved within the OGP initiative in cooperation with the civil society coalition for Tunisia's OGP program, Tunisian Association of local governance, TACID Network

**Supporting institution(s):** Ministry of Local Affairs and Environment.

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	✓	✓					✓	Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

### Context and Objectives

This commitment aims to apply the OGP at the local level, dovetailing with Tunisia's ongoing decentralization process. The country's first local elections took place in May 2018. According to the Carnegie Endowment for International Peace, this decentralization process has the potential to address long-standing issues of dramatic regional disparities in healthcare, education, poverty, and infrastructure by empowering local actors to make decisions regarding their regions' specific needs.<sup>1</sup>

This commitment intends to develop open government plans at the local level in 10 municipalities through regular meetings of joint committees consisting of representatives of the municipalities and the region's residents. The Tunisian Association of Local Governance plans to support participating municipalities and local CSOs by providing training on the co-creation process.<sup>2</sup> The commitment also entails a communication plan that will disseminate information about initiatives to be implemented, in addition to involving all active government and civil society stakeholders. These milestones are specific enough to be verifiable.

This commitment is relevant to the OGP value of civic participation, as the local open government plans are meant to be developed by joint committees including local citizens. It is also relevant to the OGP value of access to information due its communication plan.

This commitment could have a transformative potential impact on involving local actors in the OGP process. During the co-creation process, the focus on leveraging commitments from the local level to serve the national action plan led the multi-stakeholder forum to realize that there was a need for action plans tailored to the local level.<sup>3</sup> Considering the highly centralized structure of the Tunisian government and the need for decentralization, this commitment offers a first-time opportunity for local actors to facilitate this shift. Action plans created at the local level with participation of local actors have the capacity to better reflect local needs and can build stronger collaboration of local citizens in the implementation phase.

### **Next steps**

Given the opportunity this commitment represents to introduce open government principles at the local level, the IRM recommends that specific strategies are put in place to ensure participation from groups such as women, youth, and other marginalized groups to reflect their needs in the resulting open government local actions.

---

<sup>1</sup> Sarah Yerkes and Marwan Muasher, "Decentralization in Tunisia: Empowering Towns, Engaging People", Carnegie Endowment for International Peace, 17 May 2018, <http://bit.ly/2SEH0lA>.

<sup>2</sup> Asma Cherifi, Tunisian Association of Local Governance and TACID Network, interview by IRM Researcher, 2 April 2019.

<sup>3</sup> Asma Cherifi, Tunisian Association of Local Governance and TACID Network, interview by IRM Researcher, 2 April 2019.

## 12. Approximate administrative services through putting them online

### Language of the commitment as it appears in the action plan:

"In addition to initiatives and projects aiming to develop electronic services at the national level and horizontally, this commitment is intended to establish a package of e-services at several sectors."

### Milestones:

- Develop an application (m-Agri) enabling citizens to obtain several services remotely in the agricultural sector;
- Further improve and make more closer and accessible public services offered by the Land Property Register to citizens through developing some of them, receiving requests, delivery and online payment, such as consulting titles online, and obtaining various documents electronically (copies of titles, certificates of no property, certificates of property ownership and co-property, certificates of reference of acts);
- Interactive service through the National Defense Portal to view and follow-up postponement and exemption situations;
- Setting up an electronic service to monitor the distribution of support costs granted in the cultural field.

**Responsible institution:** Ministry of Agriculture, Water Resources and fisheries, Ministry of State Property and Land Affairs, Ministry of the National Defense, Ministry of Cultural Affairs

**Supporting institution(s):** Ministry of Local Affairs and Environment, CSOs, private sectors, Multilaterals, Tunisian association for development and training

**Start date:** October 2018

**End date:** August 2020

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	✓			✓		✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

## Context and Objectives

This commitment is a compilation of four e-services that the government intends to provide in the sectors of agriculture, land registration, military service, and art. It aims to contribute to the effectiveness and transparency of provided services, making them easily and quickly available to citizens.

The first milestone covers the development of an application called m-Agri that enables citizens to obtain several services remotely in the agricultural sector. The IRM could not find any information about the application and therefore the type of services the application would provide remains unclear. The second milestone aims to improve the services that the Tunisian Land Property administration provides in its online portal. The third milestone plans to add an online service to the existing Ministry of Defense website to facilitate the follow-up process for military exemption and postponement applications. The fourth commitment concerns an online system to centralize information on grants awarded by the Ministry of Culture to artists that apply for financial aid, intended for use by the decision makers and artists. The final three milestones are specific enough to be verifiable.

The commitment is relevant to the OGP value of access to information, as the Land Property Register Website intends to provide new online access to titles, land operations, certificates of ownership and non-ownership, certificates of inquiry, and certificates of reference of acts.<sup>1</sup> It is also relevant to the OGP value of technology and innovation for transparency and accountability because it plans to develop e-services for the sectors of agriculture, land registration, military service, and art.

Improvements to the Land Property Register Website and the National Defense Portal and could help begin to streamline land registration and military exemption and postponement. Preceding this action plan, exemptions and postponements from military service were possible, but the follow-up process was usually long, bureaucratic, and complicated. For land registration, access to an electronic Land Property Register was restricted to the computers at the Land Registry office, and the Land Registry took a month to respond to land registration applications, according to the Doing Business index.<sup>2</sup> This commitment could limit the in-person requirements for land registration applications and military exemption and postponement. However, it may not significantly accelerate the timeline of either process, given that delays stem from bureaucratic practices. Additionally, development of m-Agri and the Ministry of Culture electronic service are not coupled with milestones to support uptake. For the electronic service, the text of the commitment does not clarify whether the information it publishes will be made available to the public, meaning that it may not introduce the external monitoring process necessary for accountability. Overall, this commitment does not incorporate assessment of citizen needs to determine the direction of e-service provision.

## Next steps

To increase the impact of future commitments in this policy area, the IRM recommends the following:

- Identify government-held information in these services areas that could be proactively published as part of implementation;
- Promote mechanisms to allow citizen input to prioritize services or elements in each service area;
- Implement an outreach strategy to promote use of new online services and disseminate government held information.

---

<sup>1</sup> “Commitment 12: Approximate administrative services through putting them online”, Open Government Partnership–Tunisia, <http://www.ogptunisie.gov.tn/en/?p=1326> (accessed 19 August 2020).

<sup>2</sup> “Doing Business 2018 : reforming to create jobs – Tunisia”, Washington, DC: World Bank Group, 2018, <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/518811510213629431/doing-business-2018-reforming-to-create-jobs-tunisia>.



### 13. Facilitate access to services provided by the civil service

#### Language of the commitment as it appears in the action plan:

"The public sector plays an important role through accommodating a huge number of competencies. The development of skills and expertise in the civil service is an essential pillar to develop the administration and improve the quality of its services, thus making it an essential engine of economic and social development in the country. Therefore, promoting this sector by supporting its transparency and openness to all various users represents an essential tool to ensure that. In this context, this commitment aims to develop two electronic systems to promote transparency in this area."

#### Milestones:

- Developing an electronic system that enables all staff to view requests submitted by various heads of departments regarding vacancies in relevant posts;
- Developing an electronic portal for training in public administration that enables access to all information on training programs as well as online registration.

**Responsible institution:** Presidency of the Government

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

**Start date:** October 2018  
2020

**End date:** August

**Editorial Note:** This is a partial version of the commitment text. For the full commitment text from the Tunisia national action plan, see [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
		✓	Unclear					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

#### Context and Objectives

This commitment aims to increase transparency in government hiring and develop civil service employees' capacity to provide services.

The commitment has two milestones that both cover the development of an electronic system or portal. The first milestone entails an electronic system that provides information about internal vacancies in government. The second milestone plans to develop a portal for civil servants with registration information about training programs. This commitment is specific enough to be verifiable.

While this commitment addresses important public administration issues, it focuses on e-government development without using OGP principles for a citizen-lens in its design.

This commitment could represent a positive step on transparent hiring practices in the public sector. Tunisians widely believe that hiring processes are influenced by corruption, leading to the employment of underqualified staff.<sup>1</sup> By introducing an electronic portal listing internal job openings, this commitment attempts to increase hiring transparency and mitigate the impact of government's decision to freeze public sector wage raises and hiring (as a result of donors' push to implement austerity measures).<sup>2</sup> However, the commitment does not offer transparency into the selection process, provide anticorruption guidelines on hiring, or offer any enforcement measures. It also does not plan to offer public access, meaning that CSOs will not be able to provide oversight to increase accountability.

### **Next steps**

Future commitments in this policy area could improve relevance to OGP values by adopting the following measures:

- Make information on vacancies available to the general public, providing feedback on the different stages of the process and highlighting those open to participation from citizens in general;
- Ensure training includes areas that impact implementation of OGP initiatives. For example, training on how to apply protocols on access to information or how to develop participatory approaches to policy development;
- Include CSO and citizen input on decisions regarding information that will be available to citizens.

---

<sup>1</sup> Sarah Yerkes and Marwan Muasher, "Tunisia's Corruption Contagion: A Transition at Risk", Carnegie Endowment for International Peace, 25 October 2017, <http://bit.ly/3bO7NuO>.

<sup>2</sup> Khaled Sellami, Tunisian Prime Ministry, interview by IRM Resercher, 7 March 2019.

## V. General Recommendations

This section aims to inform development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the Tunisia or entity, and 2) an assessment of how the government responded to previous IRM key recommendations.

### **Strengthen ownership of the co-creation process**

There is need to increase the number of CSOs participating in consultations, and more importantly, deepen their engagement in drafting commitments and milestones. Additionally, although the multi-stakeholder forum (MSF) for this action plan included parliamentarians and private sector representatives, they did not participate regularly in the MSF meetings. For future action plans, the MSF would benefit from enhancing these stakeholders' participation as members or observers. To reinforce parliamentary ownership of the action plan, the MSF could request the attendance of a representative of the Bureau of the Parliament at meetings. Finally, there is also a need to garner sufficient support at the ministerial level in order to improve the continuity and sustainability of OGP commitments in cases of government change or elections.

### **Use a results-oriented approach to develop commitments**

This action plan includes a number of promising policy areas, such as decentralizing the open government process and introducing transparency on extractives, hydrocarbons, and water resources. Future action plans can carry on these efforts, but design commitments that are more specific, measurable, answerable, relevant, and time-bound. Action plans' specificity would benefit from greater precision in descriptions of the problems and expected outcomes for each commitment. Additionally, for each individual milestone, future action plans can list mid-term deliverables, end-of-term deliverables, means of verification (supporting documents, online links, or evidence to validate accomplishment of deliverables), and start and end dates. This will assist Tunisia in designing effective, clear, and measurable commitments.

### **Design commitments as policy solutions for public problems**

This action plan introduces online portals to increase access to geographic data, land transport data, water consumption data, and land property data. However, the commitments do not include milestones that delineate steps beyond the portals and lead to policy solutions on the issues being addressed. In future action plans, it is possible to strengthen commitments by shifting focus from mechanisms such as platforms to the underlying policy problems. There is an opportunity to strengthen the ambition of the commitments by ensuring that each commitment's theory of change clearly explains how it will lead towards the proposed outcome, coupled with milestones to implement the theory of change.

### **Incorporate public participation mechanisms into commitments that aim to develop tools for citizen use**

By systematically incorporating public participation mechanisms, future action plans can strengthen commitments' impact. Where relevant, commitments could include milestones to engage citizens in dialogue on public policies, programs, or laws and request their input, feedback, and contributions. In terms of access to information, commitments that make new government datasets publicly available or introduce portals to facilitate access to government data would benefit from milestones to promote uptake by relevant stakeholders. Communication plans and public engagement can help ensure that the new information is utilized to promote responsive, innovative, and effective governance.

## Expand efforts to open the budget process

Building on this action plan's effort to enhance participation in budget planning, future action plans can take further measures to open the budget process. Particularly given the fiscal response to COVID-19, transparency is critical to ensure that Tunisia's budget is allocated where there is the most need. The next OGP action plan can be useful in recovery efforts contributing to tracking expenditures, tax benefits, and focus on transparent and accountable delivery of public services. As such, the IRM recommends the following:

- Link relevant budget information to data on expenditure, including procurement transactions, to ensure the identification of leakage and gaps. Include information on policy performance and expenditures (including expenditure estimates for individual programs) in the year-end report.
- Develop participation opportunities and feedback mechanism through which the public can provide input to improve the efficiency of budget implementation, service delivery, emergency response, and stimulus plans design. Civil society can conduct spot checks to ensure that funding and services are reaching intended beneficiaries.
- For the audit process, publish the report online in a timely manner, ensure its review by an independent agency, and provide opportunities for the public assist in developing the audit program, contribute to audit investigations, and testify during parliamentary hearings.

Table 5.1: Five Key Recommendations

1	During the co-creation process, strengthen ownership of: CSO organizations in drafting commitments and milestones, parliamentarians and private sector members of the MSF, and public servants at the ministerial level to improve the sustainability of the OGP process.
2	Use a results-oriented approach to develop commitments by including greater precision in descriptions of the problems and expected outcomes for each commitment
3	Design commitments as policy solutions for public problems by expanding their focus from developing mechanisms (such as platforms) to include activities to implement the theory of change and address the underlying policy problems.
4	Incorporate public participation mechanisms into commitments that aim to engage citizens in dialogue on public policies, programs, or laws, and request their contributions, ensuring their use during decision-making processes.
5	Expand efforts to open the budget process in COVID-19 recovery efforts contributing to tracking expenditures, tax benefits, and focus on transparent and accountable delivery of public services.

### 1.1. Response to Previous IRM Key Recommendations

Table 5.2: Previous IRM Report Key Recommendations

	Recommendation	Responded to?	Integrated into current action plan?
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.	✓	Commitments 4 and 12 are intended to provide better service delivery, while Commitment 9 would increase the participation.
3	Align OGP action plan with the national anticorruption strategy and the government's "war against corruption."	✓	Commitment 8 addresses anticorruption by having the Anti-Corruption Authority also involved.
4	Improve co-creation during the development and implementation of the next action plan.	✓	The Civil Society organizations received a fund from the World Bank to improve the co-creation process. This fund helped directly and indirectly the co-creation process and the government involvement.
5	Ensure continuity and sustainability of completed projects on open data and transparency.	✓	In the actual action plan, it is noticeable that some commitments are the logical continuation of previous ones, like the hydrocarbon open contracting and EITI (Commitments 1 and 2).

The government and MSF directly and indirectly addressed four recommendations out of five. Four recommendations were integrated in the third action plan. The Point of Contact (PoC) did not find a justification to include the first recommendation—to approve the action plan by the ministerial council to ensure engagement of the government—into the third action plan. However, civil society participants in the MSF explained that this would need a better political momentum to achieve.

## VI. Methodology and Sources

The IRM reports are written by researchers for each OGP-participating country or entity. 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, observation, and feedback from nongovernmental stakeholders. The IRM report builds on the evidence available in Tunisia OGP repository (or online tracker), website, findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organizations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven day period of comments or feedback regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. 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 during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are 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.<sup>1</sup>

### Interviews and stakeholder input

The IRM researcher conducted interviews with the government point of contact and civil society members of the multi-stakeholder forum. However, due to limited resources a prepublication draft of this report was prepared using information available from third parties, documents, and evidence available on Tunisia's open government repositories and some input from interviews. Further inputs from government and civil society stakeholders will be incorporated as a result of the pre-publication review period.

### About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Nicandro Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

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](mailto:irm@opengovpartnership.org).

---

<sup>1</sup> "IRM Procedures Manual, V.3", Open Government Partnership, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

## Annex I. Overview of Tunisia performance throughout action plan development

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

<b>Multi-stakeholder Forum</b>	
<b>1a. Forum established:</b> There is a forum to oversee the OGP process.	Green
1b. Regularity: The forum meets at least every quarter, in person or remotely.	Green
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership, and governance structure.	Green
1d. Mandate public: Information on the forum's remit, membership, and governance structure is available on the OGP website/page.	Green
<b>2a. Multi-stakeholder:</b> The forum includes both governmental and nongovernment representatives.	Green
2b. Parity: The forum includes an even balance of governmental and nongovernmental representatives.	Green
<b>2c. Transparent selection:</b> Nongovernmental members of the forum are selected through a fair and transparent process.	Yellow
2d. High-level government representation: The forum includes high-level representatives with decision-making authority from government.	Yellow
<b>3d. Openness:</b> The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum.	Green
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events.	Green
3f. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities, and results to wider government and civil society stakeholders.	Green

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

<b>Action Plan Development</b>	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published.	Green
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process.	Green
4c. Awareness-raising: The forum conducts outreach and awareness-raising activities with relevant stakeholders to inform them of the OGP process.	Green
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity.	Green
<b>4e. Reasoned response:</b> The multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.	Yellow
<b>5a. Repository:</b> Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, national action plans, government self-assessments, IRM reports and supporting documentation of commitment implementation (e.g links to databases, evidence of meetings, publications)	Yellow

**Editorial note:** If a country “meets” the six standards in bold IRM will recognize the country’s process as a Starred Process.