DCAF

Geneva Centre
for Security Sector
Governance

Tunisia Country Strategy 2020-2022

General Overview

Since 2011, Tunisia adopted a Constitution that allows for full democratic governance, and held the first free and fair legislative and presidential elections in 2014, as well as municipal elections in 2018. Fresh presidential and legislative elections are scheduled in October 2019.

Socio-economic situation

Tunisia suffers from a large public deficit, whereby the public debt has reached 70% of GDP; unemployment rate stands at 15% (30% among young graduates); with a constant inflation between 6 and 7%. The nearly 30% devaluation of the Tunisian dinar against the Euro since 2016 resulted in increased costs of imported products. Fuel subsidies are a burden, but their reduction as requested by IMF is perceived as a short-term threat to the agricultural sector, one of the backbones of Tunisia's economy. Tunisians face steady increases in the costs of basic goods, thus worsening living conditions, particularly among the working and middle classes. Widespread corruption and bribery in an oversized administration are also fuelling people's frustration. Significant socio-economic disparities still exist between coastal and inner regions.

Political developments

The political scene that emerged from the 2014 elections has been characterized by the difficult alliance between the Islamist Ennahda and the secular-liberal Nidaa Tounes. Soon thereafter, intra-party splits led to a more disordered situation, including within parliament, where lines of cleavage and other political alliances became more jumbled. As a result, Nidaa Tounes lost much of its political weight and was replaced by the PM's new party, Tahya Tounes. The national consensus-oriented political setup, with its undoubtedly positive effects on general political stability, continues, conversely, to hamper decisions on important national reforms.

Similarly, the process of transitional justice has been affected by the political inaction. Tunisia's political outlook have also prevented effective state strategy and actions to tackle corruption and organised crime, which is becoming an ever-greater challenge.

The death of President Beji Caid Essebsi in July 2019 meant that presidential elections, originally scheduled on 17 November, had to be brought forward to 15 September. Frustrated electorate led to a low turn-out of voters (45%). The results of the first round were seen to be a massive blow against traditional political parties, as two "outsider and antisystem" candidates – Nabil Karaoui, a media tycoon currently detained on corruption charges, and Kaïs Saied, an academic qualified for the second round. The second round is to take place at the beginning of October, in parallel with the parliamentary elections that will take place on 6 October.

Security situation

The number of terrorist attacks has significantly dropped since 2016. The large-scale arrests of terrorist suspects have reduced the extremist groups' ability to perpetrate attacks. The Tunisian judiciary, however, still lacks the capacities to effectively investigate and convict terrorist suspects. While government has realised that a security-based and repressive approach is insufficient, it has not adopted yet a more holistic approach to prevent terrorism. The state of emergency is still in place since 2015. Admittedly, the situation has greatly improved, as Tunisia did not suffer a major attack since the Ben Guerdane clashes against terrorists in March 2016.

With regard to returnees, the Government is now able to recognise them at border crossings, but it still has to develop strategies to deal with them once they are identified. Meanwhile, the country's overcrowded prisons continue to serve as a breeding ground for jihadists.

The increase in training and equipment is not met with similar investments in supporting better security governance. The tendency is to focus on immediate threats such as terrorism, while neglecting a more strategic outlook towards emerging threats, such as cybersecurity and organised crime. Furthermore, capacity to respond to specific security needs, mainly at the local level is still weak. This is particularly true for women and youth who traditionally have limited voice in security provision.

Furthermore, allegations of human rights violations, including torture and ill treatment, persist. This indicates that the police code of conduct requires reform and integrity must be strengthened.

Corruption remains a key challenge in Tunisia. Nearly 67% of the population considers that corruption has increased over the last twelve months. Similarly, 64% believe that the government has done a poor job in the fight against corruption. Police is seen by Tunisians as one of (but not the) most corrupt institutions. Anti-corruption agencies have been established, but they lack the resources to effectively conduct their work. Although important legislation has also recently been approved, such as the laws on access to information and on whistle-blowers, the effectiveness of these laws is yet to be felt by the society.

Most of these challenges may largely be attributed to the deficiencies in a checks and balances system. The lack of proper and effective control and oversight represents a key obstacle. Parliament, as well as other independent oversight bodies, have not yet been able to fully assume their mandated oversight roles.

The conflict in Libya remains a main source of instability: border insecurity, smuggling and trafficking, illegal migration, as well as interventions by third countries striving to influence the Libyan crisis' outcome. Border management and migration issues are also a source of concern for Tunis with regard to its relations with the European Union. Lastly, Tunisia is increasingly focusing on emerging climate change-related challenges: natural disasters, rise in temperatures and water stress that may have an impact on human security and potentially represent a catalyst for crises and migration.

Problem Statement

› OVERSIGHT DEFICITS

Parliament: Five years after under a Constitution, parliament is still not entirely capable of fulfilling its oversight mandate. Time and efforts are more dedicated to political infighting than to addressing national priorities. The lack of competencies translates into ineffective legislative work, and weak oversight. Parliamentary committees responsible for security and defence do not exercise their oversight in a systematic manner, particularly their regulatory and budgetary mandates. Lack of resources is coupled with a weak political determination to exert proper control.

Independent oversight bodies: Tunisian legislation provides for the creation of independent oversight bodies. Yet gaps remain in terms of their institutional development and procedures to effectively fulfil their mandates. This is especially true when it comes to tackling corruption, improving access to information and guaranteeing human rights protection.

Fighting corruption: The government declared the fight against corruption a top priority. All ministries were called to develop ethical codes of conduct, but this is still a work-in-progress. The National Agency for the Fight against Corruption (INLUCC) concluded agreements with all ministries, including defence and interior, for joint action plans, which still need to be executed. Nevertheless, corruption continues to plague many aspects of life, at all levels. The establishment of an Independent Commission for the Protection of Human Rights, as foreseen by the Constitution, is still pending.

› INSUFFICIENT ACCESS TO INFORMATION AND MEDIA OVERSIGHT

Access to information: Clear and open communication still represents a major challenge for a security sector used to secretive practice. Its bodies are now compelled to adapt to growing demands for transparency, to the emergence of new information channels, and to the extensive media coverage of security issues. Truly transparent communication strategies need to be developed in order to improve the legitimacy of law enforcement actors and their credibility. In addition, reliable statistical data to inform policy making is not systematically available. Existing databases do not meet international standards, nor are they sufficiently shared. The Independent High Authority for Audio-visual Communication (HAICA), mandated to monitor and regulate media and promote independent, competitive, professional journalism, is not well equipped to confront the destabilizing upsurge in misinformation (fake news) or rumours. The National Instance for Access to Information (INAI), created to uphold the constitutional guarantees to access to information, still faces difficulties to promote and introduce the concept of transparency in the public sector.

Limited media oversight: Mistrust and tensions still mark the relationship between the security forces and the media. Journalists feel insufficiently protected from political pressure. They often lack the expertise to adequately cover issues related to the security sector. Most media outlets lack the resources to undertake investigative journalism. Both media and security sector officials have insufficient understanding of each other's role.

› INCOMPLETE LEGAL FRAMEWORK

Tunisia's legal framework governing the security and justice sectors still needs further alignment with the provisions of the Constitution.

Legislation to bring the security sector in line with best practices and international standards has not yet been enacted. In the area of criminal justice, reviews of the penal code, the penal procedural code and the penal executive code have only been lunched.

› CITIZENS' NEEDS DO NOT INFORM SECURITY POLICY

Internal security forces (ISF) need to ensure they serve public good and citizens. They rather seem to be an element of an oversized, little motivated and slow bureaucracy, often victim of its own internal dynamics. Instructions and policies provided by higher echelons are implemented in a mechanical top-down logic, with little regard to citizens' security needs. Without increased consultations and pro-active problem solving involving societal stakeholders, public security policies risk alienating citizens rather than winning their approval. Inclusive dialogue on the security requirements of youth, women and marginalized groups needs to complement existing efforts to prevent violence.

› SLOW CHANGE AMONG SECURITY PROVIDERS

Ministry of Interior: In 2019, the MoI renewed its interest in good governance and integrity building. A reform strategy was shared with DCAF, and the good governance cell was reactivated. However, crucial internal processes, such as the human resources policy, as well as policies re-framing the interaction between ISF and citizens still need to be addressed. Lack of strategic planning also remains largely unaddressed.

Ministry of Defemce & Armed Forces: In the past, the armed forces had a secondary role in ensuring national security. New and increased threats (terrorism, smuggling, or migration) anticipate an increased role for the military, and a higher capacity to coordinate complex operations with other security actors. In addition, new geopolitical challenges require Tunisia to develop a national security and defence strategy. Parliament and executive alike have so far struggled to produce such a strategic policy document. The Ministry of National Defence is striving to reform its structures to both adapt to the new threats and improve internal governance. The appointment of an armed forces inspector general, although praiseworthy, fell short from providing a fully independent internal control mechanism. Other areas of pending reform include the role of women in the armed forces, civil-military relations, and defence procurement.

Fighting torture: The National Preventive Mechanism, although institutionalized, has yet to impress a meaningful, lasting impact, as it continues to face challenges to fulfil its ambitious mandate According to Amnesty International, torture and other ill-treatment of detainees continues, mostly during arrest and in pre-charge detention. In this regard, the importance of the work of the Truth and Dignity Commission (IVD) should not be underestimated, whose recommendations are still not fully endorsed and incorporated in national laws and policies.

DCAF's Response

DCAF continues to support government institutions, oversight bodies and civil society, to help implement reforms in the security sector. The aim is to assist Tunisia's transition into a fully open, democratic, accountably governed society. Primarily, DCAF will concentrate its action on:

- Continuing to work on parliamentary and independent oversight, with a focus on fighting corruption, access to reliable information and protecting human rights.
- Facilitating inclusive dialogue on security needs and policies through local security projects, with a focus on security related root causes of violent extremism and migration and prevention measures accordingly.
- Assisting the Ministry of Interior in implementing its tri-annual good governance strategy.

DCAF's support will continue to be closely coordinated with all relevant stakeholders in the security and justice sectors.

› SUPPORT TO PARLIAMENTARY AND INDEPENDENT OVERSIGHT

To enhance the capacity of Parliament and independent oversight institutions to exert effective oversight of the security sector, DCAF will:

» Assist parliamentary commissions with security- and justice-related mandates in developing and implementing a work plan and a resource development plan for the whole legislative term; as well as strengthen their knowledge of the security sector and challenges associated with its reform to inform parliamentary debates, draft legislation and budget reviews.

» Help strengthen independent oversight institutions, including the National Anti-Corruption Agency (INLUCC), the National Authority for Access to Information (INAI), the High Authority on Independent Broadcasting (HAICA), and the new National Authority for Protecting Human Rights through capacity-building programmes and strategic orientation in their respective areas.Independent institutions in charge of Human Rights (National Human Rights Council), good governance (Ombudsman, Anti-corruption Council - INPPLC), to enable them to better oversee security institutions.

› SUPPORT TO COMMUNICATION AND INFORMATION SHARING

DCAF will contribute to strengthen transparency within the security sector, and to improve access to reliable, security related information, by:

» Promoting openness of security institutions towards effective and transparent communication to media and citizens through implementing existing legislation, building stronger relations with media, and strengthening public communication capacities of security bodies and ministries.

» Supporting the relevant independent institutions and media in the implementation of the legislation on access to information; strengthening their competencies and strategic planning as well as reinforcing their capacities to address key challenges, such as media freedom and independence, and countering politically biased misinformation ("fake news") particularly related to the security sector.

» Maintaining and improving its information and reference websites, Marsad Tunisia and the legal database, as well as other online services, such as the criminal justice process website.

› REGULATORY ASSISTANCE

DCAF will accompany Tunisian authorities in developing stronger legal foundations for SSR/SSG accountability mechanisms to strengthen the rule of law and human rights protection. In particular, DCAF will:

» Support the development of relevant legal frameworks and Contribute contribute to the establishment of an independent national police ethics commission working with all relevant stakeholders.

» Support continuous progress on the regulatory framework for effective civil democratic control over the defence and security forces, including the establishment of complaint mechanisms (military ombudsman), support on the development of reviews of the penal code, the penal procedural code, the penal executive code, and possibly the military penal code.

› INCLUSIVE DIALOGUE ON SECURITY NEEDS AND POLICIES

To foster dialogue and cooperation on national and local security topics DCAF will:

» Support the elaboration of municipal security strategies, promoting a culture of violence prevention and respect for human rights.

» Support authorities and civil society in studying the phenomenon of youth vulnerability, violent extremism and elaborating youth protection measures accordingly.

» Enhance the promotion of the role of women in law- and public policy-making in the security sector and support concrete policies and implementation plans.

› SUPPORT TO MANAGING CHANGE OF SECURITY PROVIDERS

To support change management in the security sector at the political, institutional and individual level, and to encourage coordination and cooperation, DCAF will:Justice sector and forensic doctors to systematically and effectively prevent, identify, document and prosecute alleged cases of torture and ill treatments.

» Support the inclusion of key notions of good governance, ethics and integrity in policy formulation, training, and standard operating procedures in the security sector.

» Advise and technically support the Ministry of Interior in the implementation of its good governance strategy, with reinforcing integrity as priority.

» Continue supporting the development and the implementation of a national security strategy.

» Assist the Ministry of National Defence in developing a culture of ethics and integrity, as well as strengthening its internal control mechanisms.

» Contribute to justice reform with technical support in the field of penal reform, alternative punishment and improved prison management.

» Encourage and technically support cooperation among institutions and civil society on torture prevention and investigation in line with an effectively functioning National Preventive Mechanism against Torture.

DCAF - Geneva Centre for Security Sector Governance is committed to making people more secure through accountable and effective security and justice. We help national and international entities to deliver security that respects human rights, upholds the rule of law, and is democratically controlled, by:

Helping to improve the way national security sectors are governed

Guiding the development of sound, sustainable security governance policies

Promoting locally owned reforms that are inclusive, participatory, and gender responsive

DCAF's engagement consists of:

Providing technical expertise to nationally led SSG/R processes

Capacity building for state and non-state actors

Publishing research and knowledge products

Promoting internationally recommended good governance practices

Advising on security sector-related legal and policy questions