

U4 Helpdesk Answer 2018:15

Country profile: Tunisia

Overview of corruption and anti-corruption

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There have been mixed results in the efforts of Tunisia's legislative and institutional anti-corruption framework. Several independent bodies conceived in the wake of the revolution have yet to be established. In addition, several of those that have been established have insufficient resources to fully carry out their mandate. Nevertheless, significant asset recoveries from former regime leaders have been successful. Recently introduced legislation, such as whistleblower protection laws, are also positive steps. However, some government policies and legislation are viewed as contrary to the anti-corruption effort.

Query

Please provide an overview on the methods to counter corruption in Tunisia. What stakeholders exist (anti-corruption agencies, supreme audit institutions, law enforcement, the courts and the prosecution service, civil society, etc.), what are their respective mandates, and how successful are they in countering corruption?

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Overview of corruption in Tunisia

Background

The ousting of authoritarian President Ben Ali in 2011 ended more than five decades of authoritarian presidential regimes under the leadership of President Habib Bourguiba (1959–1987) and Ben Ali (1987–2011) (Bertelsmann Stiftung 2018). The post-revolution political transition that followed was marked by political crises, security failures and two political assassinations. The National Dialogue, initiated by civil society, produced a road map that paved the way for the installation of a technocratic government and oversaw the adoption of a new constitution in January 2014 (Bertelsmann Stiftung 2018).

Despite the changes put in place, there is a widely shared sentiment that the economic injustices of the Ben Ali era that motivated the revolution have not yet been tackled (Stroetges 2018). In January 2018, a fresh wave of protests erupted in response to the 2018 budget's subsidy cuts and tax increases.

Main points

- Corruption is still prevalent in post-revolution Tunisia, although said to be democratised rather than centred around a few key individuals.
- Anti-corruption agencies have been established, but they lack the resources to effectively conduct their work.
- Important laws on access to information and whistleblowers have recently been passed. The effectiveness of these laws is yet to be seen.

Extent of corruption

Throughout the authoritarian era, Tunisia was effectively a one-party state. Corruption was thus centralised around the regime's inner circle (Yerkes 2017). One study on state capture in Tunisia identified 662 firms owned by the Ben Ali family that were confiscated in the first anti-corruption efforts after the revolution (Rijkers et al. 2014). More than 30 members of the Ben Ali and the first lady's families have also been arrested.

Prime Minister Youseff Chahed made countering corruption a top priority upon taking office in August 2016 and stated that “corruption in our country [Tunisia] is widespread. It is rampant ... Our goal is to tear apart the systems of corruption and the [three-part system of] terrorism-corruption-smuggling and tax evasion. It is observable everywhere. Especially in the regions” (Yerkes & Muasher 2017).

In May 2017, the government declared a “war on corruption” which saw the arrest of 15 high-profile individuals, the freezing of their bank accounts and the confiscation of their property (Yerkes & Muasher 2017; El Malki 2017). Although the stated desire to address corruption is welcomed, concerns have been raised about the detention of suspects incommunicado without access to lawyers or without informing families. There have also been reports of alleged trials before military courts (Human Rights Council 2018; Human Rights Watch 2017).

Despite prosecutions and arrests for corruption-related offences (International Crisis Group 2016), the overall level of corruption in Tunisia is perceived to have risen since the revolution. Seventy-six percent of respondents in the 2017 Carnegie Endowment for International Peace survey believe there is more corruption in Tunisia today than there was under Ben Ali (Yerkes 2017).

In 2016, Transparency International’s Global Corruption Barometer found that 64% of Tunisians believe that corruption has increased a lot or somewhat over the past 12 months (Transparency International 2016b). A similar trend was observed in 2013, with 61% of respondents indicating that the level of corruption in Tunisia had increased a lot or somewhat over the previous two years (Transparency International 2013). Data from Tunisia has only been collected since 2013 so the

survey is unable to provide a comparison with public perceptions of corruption pre-revolution.

The latest (2018) Afrobarometer results similarly indicate that two-thirds (67%) of Tunisians believe corruption has increased “somewhat” or “a lot” over the past year, demonstrating no improvement in citizens’ perceptions when compared to 2015 (64%). The proportion of citizens who say that corruption levels increased “a lot” grew from 42% in 2015 to 55% in 2018, a 13-percentage points increase in three years (Meddeb 2018). Ninety percent of Tunisian respondents in the 2016 Arab Barometer believe that corruption “pervades” government (Robbins 2016).

Interestingly, since 2012, Tunisia’s Corruption Perceptions Index score has remained relatively stable. In 2012, Tunisia received a score of 41 out of 100 (Transparency International 2012). In 2016, Tunisia’s score remained at 41 (Transparency International 2016b), increasing in 2017 by one point to a score of 42 (Transparency International 2018). It is not possible to compare these scores to pre-revolution perceptions due to changes in the methodology used to create the Corruption Perception Index.

Yerkes (2017) posits that the perception that corruption is increasing in Tunisia stems from several shifts in the awareness and nature of corruption. First, corruption is no longer a taboo topic. Second, since the revolution, corruption has been “democratised”, a trend recognised by the head of the National Anti-Corruption Authority (INLUCC), Chawki Tabib (Yerkes 2017).

Perceptions regarding anti-corruption efforts

Most citizens do not believe the government is doing enough to reduce corruption in Tunisia. However, it is unclear whether perceptions are slowly improving or further worsening.

Of the 2018 Afrobarometer respondents that stated there is corruption in the government, the percent that believe the government is working to root out corruption to a greater or medium extent has decreased from 65% in 2011 to 54% in 2013 and 42% in 2018 (Robbins 2016). In contrast, the proportion of respondents in the International Republican Institute's nationwide poll who feel that the government is doing a "somewhat good" job in fighting corruption increased by 11 points (from 27% to 38%) between April 2017 and November-December 2017. The proportion who think the government is doing a "very good" job similarly rose from 7% to 16% (International Republican Institute 2018).

According to the latest Global Corruption Barometer, 71% of Tunisians agree that ordinary people can make a difference in countering corruption (Transparency International 2016b). The Afrobarometer also found that the 59% of Tunisians agree that citizens can 'make a difference.' However, this is a decline from 71% in 2015. In addition, 61% of those surveyed believe that people who report incidents of corruption risk retaliation. Forty-two percent also believe it is "not very likely" or "not at all likely" that authorities would take action if suspected corruption was reported to them (Meddeb 2018).

Democratisation of corruption

Since the ousting of Ben Ali, many commentators have reported that the problem of corruption has worsened. Whereas corruption used to benefit a tight circle around the president, it now encompasses a wider circle of thousands (Gall 2017). Over the last several years it has spread to large portions of the public sector in what has become known as the "democratisation of corruption", as crime bosses have paid for

influence in the media, political parties, the police and judiciary (Gall 2017).

Mungiu-Pippidi (2006) describes this as a move from a particularistic state where rulers, their families, and their cliques are unaccountable, and can seize the property of any of their subjects, to an intermediate regime of "competitive particularism" whereby the monopoly of power gives way, but the ensuing competition for power and spoils is not restricted by formal or informal constraints. Mungiu-Pippidi notes that "where political change has occurred through revolution, we might expect more accountability to follow, but this is often not the case". Because popular expectations change greatly once the traditional regime is gone, social acceptance of corruption is no longer the norm and forces within society start pushing for mechanisms to hold rulers accountable. Further, unlike in traditional societies, where only a small group of people are above the law, multiple groups now compete for this privileged position (Mungiu-Pippidi 2006).

Main areas affected by corruption

According to the latest Afrobarometer results, Government officials and members of Parliament are perceived to be the most corrupt. Three in 10 Tunisians say "all" or "most" government officials (31%) and members of Parliament (30%) are corrupt. Judges and traditional leaders are rated the least corrupt; 16% of respondents say "all" or "most" are corrupt. Perceived corruption in Parliament and the Presidency has increased by 13 and 7 percentage points, respectively, compared to 2015 (Meddeb 2018).

Public administration

Although petty corruption was an issue prior to the revolution, a number of reports find that petty graft has continued to hamper Tunisia's economy since

the revolution. According to the Tunisian Association for Public Auditors, at least 450 million dinars (US\$230 million) in bribes were paid to state employees in 2013 alone (AFP 2017). The most serious abuse is within public institutions and involves hundreds of civil servants and members of the administration, as well as officials in Tunisia's maritime ports and customs areas (Gall 2017).

The 2016 Global Corruption Barometer (GCB) found that around one in ten (9%) of public service users paid a bribe during the 12 months prior to the survey (Transparency International 2016b). Similarly, the results of a survey by the International Republican Institute in 2017 reveal that 17% of respondents personally experienced corruption by hospital staff, 13% by traffic police, 8% by the courts, 8% by public schools and 6% by private businesses (International Republican Institute 2017). These bribery rates, while significant, are much lower than those in other countries in the region as shown by the GCB results in Morocco, Sudan and Egypt, where bribery rates stand at around 50%, and Yemen where 77% of GCB respondents that had been in contact with a public service reported having paid a bribe.

Between 2011-2016, an estimated 7,000 to 9,000 civil servants have been prosecuted and 600 imprisoned, the majority for corruption-related offences (Yerkes & Muasher 2017; International Crisis Group 2016).

Public contracting

According to the president of the Authority for Good Governance and the Fight against Corruption, INLUCC, corruption and mismanagement cost Tunisia 2 billion Tunisian dinars (over US\$800 million) in the area of public procurement alone, a sum equivalent to four percentage points of GDP growth (Stroetges 2018).

In June 2017, in the first weeks of the 'war on corruption', the prime minister conducted a surprise visit to the Port of Rades. Days later, Tunisian authorities arrested 21 customs officials and referred an additional 35 to a disciplinary tribunal (Gall 2017; Yerkes & Muasher 2017).

Judiciary

The judiciary is also reportedly affected by corruption. While media reports on corruption prompt government action and cases from the Ben Ali era have been well documented, this has so far largely failed to translate into rigorous prosecutions (Bertelsmann Stiftung 2018). In addition, although the 2014 constitution provides for judicial independence, in practice the government continues to assert influence over court cases (GAN Integrity 2017). In 2012, 81 judges were arrested on accusations of corruption (Yerkes & Muasher 2017).

In 2018, the World Economic Forum ranked Tunisia's judicial independence as 70 out of 137 countries. Its value increased from 3.6 in 2015 (World Economic Forum 2015) to 3.8 in 2018 (World Economic Forum 2018), with higher values indicating a more desirable outcome.

Legal and institutional anti-corruption framework

Tunisia ratified the United Nations Convention Against Corruption (UNCAC) in 2008. It is also a signatory to the African Union Convention on Preventing and Combatting Corruption. However, the convention has not yet been ratified by the National Constituent Assembly. Tunisia is also not yet a party to the OECD Anti-Bribery Convention.

The government joined the international Open Government Partnership in 2014 with a promise to increase transparency. Progress on its

commitments can be tracked online. In 2016 a national anti-corruption strategy was adopted. There has also been progress on legal frameworks, including the introduction of a new law that protects whistleblowers. Civil society advocacy is widely attributed for significantly contributing to this progress (Stroetges 2018).

Several official and non-official bodies have been created since 2011 to both address past transgressions and prevent future ones. However, the primary anti-corruption bodies lack the financial and human resources to effectively carry out their mandates (Yerkes & Muasher 2017).

Legal framework

The 2014 constitution enshrines principles and institutions that guarantee a level of open government and integrity. Article 10 of the constitution establishes that the Tunisian state should have mechanisms in place to counter corruption. Article 15 establishes that the public administration should be submitted to the rules of transparency and integrity while Article 32 guarantees the right of access to information for all Tunisian citizens. Article 130 constitutionalises the National Authority for the Fight against Corruption, which represents significant progress in reducing the potential vulnerability of institutions working on transparency and anti-corruption.

Civil service law

Tunisia's Civil Service Law states that public servants should refrain from becoming involved in anything that could compromise the dignity of the public service (Article 3) and from having personal interests that could unduly influence their independence (Article 5). Article 82 restricts public servants from engaging in employment related to their public functions after leaving office, without

setting a fixed duration for this ban (OECD 2016). Tunisia has also developed a code of conduct for public officials.

Asset declarations

Tunisia has had a system for asset declarations since 1987 (OECD 2016). However, this system was criticised for omitting members of parliament; for having no oversight or public transparency; and for having no sanctions for false declarations.

The 2014 constitution asset declaration provisions are much broader. Article 11 states that “[p]ersons who occupy the posts of President of the Republic or Prime Minister, membership of the Government, membership of the Chamber of the People's Deputies, membership of any independent constitutional body or any official higher function shall declare their earnings according to the regulations established by law” (Transparency International 2016a). However, while the constitution requires that senior public officials and parliamentarians declare all their assets when they take office, only 26 of 217 parliamentarians and none of the serving ministers have made a public disclosure of all their assets (Yerkes & Muasher 2017).

Access to information

A freedom of information law was passed by the parliament in March 2016, implementing the constitutional right to information access in Article 32. The law requires the establishment of an Access to Information Authority (Instance d'accès à l'information). However, in January 2017, Prime Minister Yousef Chahed faced criticism over a circular that prescribes that all civil servants (except media spokespersons) request permission from their superiors before passing on information to journalists (Bertelsmann Stiftung 2018). The Global Right to Information ranking scores Tunisia

5 out of a possible 6 for access to information (Global Right to Information 2016).

Whistleblower protection

The risks to whistleblowers in the Middle East and North Africa region are considered to be threats to income, life and personal safety, with risks to physical safety particularly acute in Tunisia (Transparency International 2015c). In March 2017, Organic Law No.10 on corruption reporting and whistleblower protection was passed. The law sets out the mechanisms, conditions and procedures for denouncing corruption and protecting whistleblowers as well as the necessary penalties against any person who proposes to reveal the identity of a whistleblower (Middle East Monitor 2017). For public servants, the new law also guarantees that whistleblowers are protected against possible retaliation by their superiors (US Department of State 2018).

Institutional framework

Several institutions are engaged in Tunisia's anti-corruption efforts. According to Tunisian authorities reporting under the UNCAC review process, the various anti-corruption bodies receive adequate training and resources and are sufficiently independent (Implementation Review Group 2015). However, other reports suggest that some of these institutions are under-resourced and unable to manage current workloads.

Truth and Dignity Commission (Instance Vérité et Dignité)

The effort to provide justice for victims of corruption during the pre-revolutionary period has been carried out through Tunisia's official transitional justice process. The Commission of Inquiry into Misappropriation and Corruption, established to deal with corruption and

embezzlement under Ben Ali, received about 10,000 complaints between February and August 2011, which it referred to the courts. Following this, on 24 December 2013, an organic law created the Truth and Dignity Commission (Instance Vérité et Dignité (IVD)) to investigate economic crimes and human rights violations committed between 1955 and 2013 (Yerkes 2017).

IVD is financially and administratively independent, comprising 15 members selected by a parliamentary committee. It can arbitrate, conduct criminal investigations and employ specialised courts to investigate serious violations of human, political, social and economic rights. One primary goal of the transitional justice process is to "reflect on what happened in order to put in place strong guarantees of non-repetition [measures to prevent past crimes and rights violations from recurring]" (World Policy 2017).

IVD has served as a repository for numerous cases of alleged financial crimes (for example, corruption and socioeconomic marginalisation, such as accusations that the Ben Ali government deliberately underdeveloped certain regions). Since its inception, IVD has received 2,700 requests for arbitration in financial cases (Guellali 2017).

One of the most powerful IVD testimonies came from Imad Trabelsi, a nephew of the former first lady Leila Trabelsi. He testified about corruption, noting the role of customs officials, senior officials, and government ministers in enriching himself and his family and described paying bribes of as much as US\$12,000 (Yerkes & Muasher 2017).

On 13 September 2017, the Law on Administrative Reconciliation was passed. The law as passed provides amnesty for civil servants who could argue that they had no choice but to obey their superiors' orders for fear of retribution (Yerkes & Muasher 2017). The law also held that former civil servants who had not been directly involved in political

crimes or corruption could not be held responsible for their actions under the dictatorship (Blaise 2018).

Members of the IVD said this contradicted their mission, which was to hold the accused accountable before the Tunisian public. The reconciliation law does not oblige them to make public apologies or to publicly reveal their crimes. The head of investigations for the IVD, Oula Ben Neima, said that “A lot of the accused stopped coming to the Truth and Dignity Commission after the law passed ... They saw an opportunity to get an easy pass” (Blaise 2018).

Passage of the law has also drawn widespread criticism from civil society, as well as some opposition parties in the parliament (Yerkes & Muasher 2017). For example, Human Rights Watch claims that the law allows information about corruption cases to be hidden “in contravention of the principles of transitional justice” (Stroetges 2018).

The IVD’s four-year mandate expired on 31 May 2018. Parliament had the option in March to prolong the IVD’s mandate for another year. However, it voted against it (Blaise 2018; Smith 2018). The government granted IVD an extension until the end of 2018 to wrap up its work (Blaise 2018).

Anti-corruption authority

A temporary anti-corruption body was put in place immediately after the revolution of 2011 – the Ad-Hoc National Commission for Investigating Cases of Corruption and Embezzlement – to investigate corruption under the Ben Ali regime. This body was institutionalised by the 2014 constitution, which established the Authority for Good Governance and the Fight against Corruption (Instance nationale de lutte contre la corruption – INLUCC). The

INLUCC’s general mission is to act as support to counter corruption, in part by preventing, detecting and investigating independent cases of corruption in the public and private sector.

INLUCC has received 11,000 cases. It has examined almost 5,300 of them and has investigated around 5,200. Roughly 2,400 cases have been referred to the various state ministries and organisations concerned, and 400 major cases to the courts (Danish Institute of Human Rights 2018).

INLUCC is under-resourced and understaffed to deal with the thousands of cases before it (Bertelsmann Stiftung 2018). According to its 2016 Annual Report, 1,729 of all complaints received were related to corruption. Owing to capacity constraints, the authority managed to hand over only 94 of those complaints for prosecution in 2016. 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 US\$820,000) was insufficient to carry out its mandate to conduct investigations, support civil society and put in place a research centre (US Department of State 2017).

Even where cases were processed effectively by INLUCC, the judiciary has failed to prosecute them (Stroetges 2018).

National Instance of Good Governance and the Fight Against Corruption (IBGLCC)

Organic law no. 2017-59 of 24 August 2017 on the Good Governance and Anti-Corruption Instance (Instance de la bonne gouvernance et de la lutte contre la corruption, IBGLCC) was passed by Parliament on 19 July 2017. A claim of unconstitutionality was subsequently filed. However, it was found that the bill did not breach

the constitution and the law was promulgated on 24 August 2017 (Danish Institute of Human Rights 2018).

To consolidate the principles of transparency, integrity and responsibility, the IBGLCC was enshrined in the constitution. Article 130 of the constitution establishes the mandate, duties and composition of this body. It has been given responsibility for ensuring good governance as well as anti-corruption measures. The legislature has granted the IBGLCC a range of prerogatives (art. 16 to 18) that enable it to conduct inquiries, investigate cases, summon the persons concerned and refer matters to the courts where necessary. However, these powers are exercised by the Instance under the oversight of the judiciary (Danish Institute of Human Rights 2018).

The Commission's council is formed of nine members: four representatives from the legal profession; two representatives of professions related to taxation and accounting; a specialist in the social sciences; a communications specialist; and a representative of associations working to combat corruption and promote good governance. The law on the IBGLCC does not give details of rules on the Instance's budget, accounting, transparency or accountability. All these issues must be addressed by the future law on common provisions for independent constitutional bodies (Danish Institute of Human Rights 2018).

Thirty candidates are running for seats with the IBGLCC. As of June 2018, these members had not yet been elected (WMC 2018). Tunisia has reported that once appointed, the executive committee of the High Authority can rely on the staff and resources of the current National Authority to Fight Corruption (INLCC) (IMF 2018).

Asset Recovery Committees

A policy of administrative confiscation was introduced in March 2011, with: a) the imposition of confiscation measures targeting the personal and real property of the former President, his wife Leïla Trabelsi, and their close relatives based on the adoption of the decree-law of March 14, 2011 (Decree-Law 13-2011); b) the creation of a Confiscation Commission (Decree-Law 13-2011, Article 3); c) the creation of a National Committee for the Recovery of Ill-Gotten Gains Held Abroad pursuant to Decree-Law 2011-15 of March 26, 2011; and d) the creation of a National Commission for the Management of Confiscated or Recovered Assets and Funds on behalf of the State pursuant to Decree-Law 2011-68 of July 14, 2011 (MENA FATF 2016).

Immediately after the revolution, the Tunisian authorities established the semi-independent Asset Recovery Committee, which is composed of officials from the Ministry of Foreign Affairs, the Central Bank, the Minister of Justice and Human Rights and lawyers (Transparency International 2016a). Additionally, in March 2012 anti-corruption officials were placed in every public institution, including every ministry, to ensure that anti-corruption measures are embedded across the government.

Tunisia has also confiscated a significant amount of assets through its nationalisation law. The confiscation by decree involved 114 individuals—Ben Ali, his family, his in-laws (the Trabelsi family), and others close to him. It covers the period from 1987 until the revolution and has seized 550 properties, 48 boats and yachts, 40 stock portfolios, 367 bank accounts and at least 400 enterprises at an estimated value of US\$13 billion (Rijkers et al 2014; Yerkes & Muasher 2017).

Freezing and returning stolen assets deposited abroad has been more challenging. It is estimated that up to US\$42 billion of assets were misappropriated and siphoned abroad by Ben Ali and others. Despite concerted efforts, only a few stolen assets have been repatriated – including US\$28.8 million held by the former president’s wife in a Lebanese bank account (Transparency International 2016a).

Higher Council for the Fight against Corruption and for Asset Recovery and State Property

The Higher Council for the Fight against Corruption and for Asset Recovery and State Property was created by Decree No. 1425 of 31 August 2012. The Higher Council is an official advisory and coordination body created to follow up on the work of the various committees and bodies charged with recovering assets and ill-gotten gains from the previous regime (OECD 2016). Specifically, the Higher Council’s board is charged with monitoring and coordinating the various government programmes that work to counter corruption, proposing solutions to the challenges faced by these entities, suggesting legal mechanisms to ensure their proper functioning, and putting forward proposals to ensure the proper management of property and assets that have been confiscated (OECD 2016).

Audit court

The audit court is Tunisia’s supreme audit institution. It is external to the executive and legislative branches and is in charge of controlling public finances (OECD 2014). Its activities include jurisdictional competence, conformity control, financial and performance audits, as well as the assessment of public strategies and programmes. It can also audit the accounts of international institutions or organisations that provide money to the Tunisian government. In addition, it is the

depository of the asset declarations of members of government and of several categories of public servants (OECD 2014). The audit court is also charged with assisting the legislative and executive powers to oversee the execution of the budget law and the annual budget closing.

Supreme Judicial Council and Constitutional Court

During the former regime, the judiciary was under the control of the executive. In 2016, a law was passed to establish the Supreme Judicial Council. The Supreme Judicial Council is intended to be an independent body that a) guards the independence of the judiciary by overseeing its administration and appointments and b) advises legislators about judiciary reforms. In addition, the constitution requires that a Constitutional Court be established. A twelve-member court is to be formed, consisting of four members elected by the Supreme Judicial Council, four members elected by the president and four members elected by the parliament (Article 118 Constitution).

The Supreme Judicial Council remains inoperative, as the law establishing it has been declared unconstitutional. Despite a constitutionally mandated deadline (Article 148(5) of the constitution) in 2015, the Constitutional Court has also not yet been established (Bertlesmann Stiftung 2018). This delay has interfered with the functioning of the Tunisian judicial system.

Financial judicial pole

Established in 2012, the financial judicial pole at the Court of Appeal was created by a ministerial memorandum to investigate, prosecute and adjudicate corruption cases. It was empowered in November 2016, with the passage of Basic Law 57 of 2016 formalising the creation of the financial judicial pole to oversee complex financial and economic crimes.

Efforts to bring to justice anyone suspected to have been responsible for corruption and financial crimes are constrained by limited resources to conduct specialised complex investigations and to prosecute them (Yerkes & Muasher 2017). As of May 2016, the financial judicial pole had not yet received the resources to operate efficiently (MENA FATF 2016). At that time, ten investigating judges and five deputies to the public prosecutor handled more than 154 money laundering cases referred to them by the public prosecutor and the chief justice of the Court of Tunis. Between 2012 and May 2016, only 22 money laundering cases had been finalised by the investigating judges, 14 had been sent to the indictments chamber of the appeal court, and eight had resulted in the dismissal of charges. Only one case resulted in a final judgment (MENA FATF 2016).

Ministry of Governance and the Fight against Corruption

The Ministry of Governance and the Fight against Corruption was established after the revolution to support capacity development and anti-corruption work within public administration. The secretariat works primarily to ensure cross-government coordination (OECD 2016).

Other stakeholders

Media

The 2014 constitution guarantees freedom of opinion, thought, expression, information and publication, subject to some restrictions, including to protect “public morals”. News organisations are generally divided by political affiliation and ideology (Freedom House 2016). However, there are independent media outlets in Tunisia.

In post-revolution Tunisia, the media has more freedom and can scrutinise the behaviour of

government officials (GAN Integrity 2017; Freedom House 2016): The score of 54 on the Freedom of the 2017 Freedom of the Press Index by Freedom House is significantly better than what the country obtained in the pre-revolution era when the media was generally deemed not free with a score of 85 (Freedom House 2011). Tunisia’s Freedom of the Press ratings, however, have been slipping back from 48 in 2015 to 52 in 2016 and 54 in 2017 – where 0 is considered the best and 100 the worst (Freedom House 2018).

The fact that journalists covering controversial topics continue to encounter pressure and intimidation from government officials in connection with their work is one of the main reasons why Tunisia’s score has recently slipped (Freedom House 2018). Freedom House reported, for example, that officers from the National Guard interrogated Sami Ben Gharbia, co-founder of the investigative news website *Nawaat*, in connection with a story the outlet had published on the economic reconciliation bill, demanding he reveal his sources and those journalists involved in its publication. Gharbia reportedly later discovered that authorities had been monitoring his phone. Freedom House reported that officials also threatened to charge the outlet with the dissemination of false news (Freedom House 2018).

The NGO Tunis Centre for Press Freedom reported 14 assaults and attacks on journalists between October 2016 and 4 February 2017, of which 58% were allegedly committed by security forces. Journalists have also been prosecuted in military courts and been physically assaulted and had their equipment damaged or confiscated when covering controversial news (Freedom House 2018; Smith 2018).

Civil society

Civil society organisations and citizen-led initiatives in support of transparency and integrity in Tunisia is large, diversified and very active (OECD 2016). Citizens and civil society organisations have played an important role in keeping alive the spirit of the revolution and maintaining pressure on the National Constituent Assembly and government bodies to implement transparency and anti-corruption reforms (OECD 2016). Among them, I Watch has played a particularly prominent role. Organisations such as Touensa, Al-Bawsala and the network OpenGovt.tn are increasingly effective in playing the role of watchdogs of the system. Government and public officials are aware of their work and are trying to connect with them to build on their results. However, there is a lack of coordination, with efforts conducted on an ad hoc basis (OECD 2016).

The 2015 Nobel Peace Prize went to a quartet of Tunisian civil society organisations – the Tunisian General Labour Union, the Tunisian Confederation of Industry, Trade and Handicrafts, the Tunisian Human Rights League, and the Tunisian Order of Lawyers – in recognition of their contribution to the country's transition. The Tunisian National Dialogue Quartet was formed in the summer of 2013 when the democratisation process was in danger of collapsing as a result of political assassinations and social unrest (The Nobel Prize 2015).

Isolated cases of intimidation of Tunisian anti-corruption groups continue (Freedom House 2018). For example, in April 2017, Nabil Karoui, the head of the politically linked private Tunisian TV channel, Nessma, was heard in a voice recording plotting a defamation campaign against I-Watch staff members after they had accused him of corruption (Frontline Defenders 2017).

Effectiveness of anti-corruption efforts

There have been mixed results in the efforts of Tunisia's anti-corruption legislative and institutional framework. There have been delays in the establishment of independent bodies conceived in the wake of 2010-11 and insufficient resourcing to some institutions to carry out significant workloads (International Crisis Group 2018). Nevertheless, significant asset recoveries from former regime leaders have been successful. Civil society has been widely acknowledged for maintaining the pressure to implement transparency and anti-corruption reforms.

A number agencies and legislation has recently been introduced, such as whistleblower protection laws and freedom of information laws. However, it is too early to evaluate their effectiveness. The Law on Administrative Reconciliation is, however, seen as contrary to the anti-corruption effort in Tunisia.

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