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1. **Introduction:**

The open government partnership is an initiative launched in 2011 to provide an international platform for domestic reformers committed to making their governments more open, accountable, and responsive to citizens. The OGP provides an opportunity for members to exchange experiences in fields of transparency, corruption fight; improvement of public service delivery; citizen engagement in public policy making process and use of new technologies.

The membership of Tunisia in the Open Government Partnership indicates that Tunisian government is committed to establishing a new governance system more transparent and more responsive to citizen expectations and to claims of the people after the revolution of 17th December 2010-14th 2011.

According to this framework, a participatory approach was adopted since the beginning of the elaboration of the national action plan in order to reflect citizens ‘expectations and ambition for the reforms and commitments that will be included in the national action plan.

Reforms requested by citizens according to public consultation are especially related to: corruption fight; improvement of transparency and improvement of government legitimacy and public service delivery.

Commitments included in the national OGP action plan are globally endorsed by Tunisian new constitution statements voted in January, 26th 2014 especially those related to freedom of access to information as stated in its article 32 and statements related to adoption of a governance approach based on open government principles. According to this fact, Tunisian public structures involved in the policy making process are invited to fulfill all engagements included in the action plan.

Thus, elements covered by the National Action Plan for open government partnership focused on four key areas, namely:

* Corruption fight in the public sector through making transparent government and enhancing participative democracy. This point has been endorsed in the Tunisian new constitution through the following articles:
  + Article 10 of Tunisian new constitution stated that “government is aiming at managing effectively public resources …and forbidding corruption”.
  + Article 15 of the Tunisian new constitution stated the fact that “public administration serves citizens and public interest, its organization and operations are according to principles of impartiality, equity, public service continuity and according to rules of transparency, integrity, effectiveness and accountability”.
  + Article 139 in addition, stated about participative democracy, and open government principles to guarantee citizens and civil society participation in policy making process at local level and to follow up its execution according to the law.
* Improvement of public service delivery through enhancement of quality and encouragement of participative approach within administration, in addition of instilling principles of open governance in public sector, improving online services delivery, providing mechanisms to involve citizens in public policy making process and building capacities of citizens and civil servants in open government field.
* Devote transparency in the financial and in public procurement field to allow citizens to follow up management of public resources in order to avoid waste and misuse.
* Enhance transparency in the field of public and natural resources, infrastructure projects and protection of environment endorsed with the article n°12 of the Tunisian new constitution stating that ‘the State is working on the rational use of national wealth”. In addition of the article n°13 stating that “natural wealth belongs to Tunisian people”. According to this article, a committee responsible for follow up and overseeing of natural resources investment contracts will be created in the chamber of deputies.

All commitments included in the national OGP action plan will be fulfilled through harnessing new technologies considered as one of the pillars for the elaboration of open government policies and programs.

1. **Efforts to date to enhance open government:**

Several initiatives were undertaken by Tunisian government during the last period to enhance open governance in public policy-making process. These initiatives will be further developed and enriched throughout Tunisia OGP membership Journey. These initiatives included:

* **Establishment of freedom of information right and open data access:**

Many initiatives were undertaken to engage the government towards more openness and transparency and to enhance open access to public information. Among these initiatives:

* The drafting of the decree law n°41 dated 26 of May 2011 related to the access to administrative documents of public structures as amended and completed by the decree law n° 54 dated 11th of June 2011 according to it the freedom of information right was devoted.
* The circular n° 25 dated the 5th of May 2012 explaining the legal framework related to access to administrative documents.
* A project of an organic law related to the right of access to information that was approved by the government and is still waiting for approval by the national constituent assembly. This project is in accordance with international standards related to the right of access to information and it includes the creation of an independent committee responsible for access to information and overseeing claims of citizens and their complaints about rejecting information requests.
* Open data website “data.gov.tn” dealing with information collected from public structures and providing open access to public documents. This site has been in place since July 2012 and it represents a single window for access to administrative documents.
* **Encouragement of citizen participation:**

Since the revolution, Tunisian Government has committed to listening to and involving citizens and stakeholders in new and innovative ways.

A new way for governance was adopted and was based on citizen engagement and involvement in policy-making process and follow up of implementation through public consultations. Citizens were involved in policy making and law-making processes through the endorsement of three circulars drafted in 2011.

The first one is the circular n°12 dated 2011 related to involvement of citizens in public service assessment process.

The second one is the circular n° 13 dated 2011 related to the empowerment of participative approach in public service delivery.

The last one is the circular n°14 dated 2011 related to the participative process in lawmaking and quality of legislation.

In addition to this framework, a public consultation website [www.consultations-publiques.tn](http://www.consultations-publiques.tn) was developed in order to enhance public participation in public policy-making process.

This web site has been used since 2012. It was dedicated to public consultation in different fields: administration, legislation, assessment of public sector structures.

In 2013 the website was improved to deal with different consultations:

* Publication of legal texts and solicitation of opinions from citizens about the content of these texts.
* Assessment of public sector performance of some structures such as social security fund.
* Establishment of a code of conduct for civil servants.
* The improvement of business climate: a national consultation to assess administrative procedures dealing with economic activities and revising it through a participative approach as stated in the decree n°1682 dated 14th of August 2014.
* **Improvement of public sector integrity and corruption fight:**

Tunisia has signed a number of international conventions dealing with principles of governance and aiming at fighting corruption especially the one related to United Nations convention against corruption approved by the law n°16 dated 25th of February 2008. In addition to this law, the legal framework related to corruption fight was strengthened by the institution of:

* The decree-law n° 2011-120 dated 14 November 2011, related to fight against corruption,
* The circular n°23 dated 31 December 2011 activating the law n°17 dated 10 April 1987 related to declaration of assets of high government officials.
* The institution of a code of ethics in public sector defining and identifying integrity and ethical rules in public sector.
* The development of a website for anti-corruption reporting [www.anticorruption-idara.gov.tn](http://www.anticorruption-idara.gov.tn) since April 2012. This website is dedicated for reporting corruption cases in public structures.
* The development of an informational website about fight against corruption [www.anticor.tn](http://www.anticor.tn) dated November 2012.this website is dedicated for information and statistics about corruption in Tunisia.
* The development of a public procurement system “TUNEPS” to improve public procurement transparency and to avoid corruption cases in public sector. This system has been online since January 2013 and providers started inscription on it. It was deployed to make the first bid in 2014. The legal framework related to public procurement and amended in 2014 through the decree n° 1039 dated 13 march 2014 related to the organization of public demand states the fact of creation of a public procurement unit responsible for managing procurements through TUNEPS.

1. **Action plan elaboration participatory process:**

The elaboration of the national OGP action plan in Tunisia was done according to open government partnership requirements and taking into consideration principles and guidelines of elaboration of action plans published on the website of the OGP.

The adoption of an open, multi-stakeholder and participatory process was considered among the principles of the elaboration of OGP action plan.

During the process of elaboration of the national OGP action plan, many public consultations were carried out.

The first one was during the period from the 6th of May 2014 to 29th of June 2014. It was about soliciting feedback and opinions from citizens and civil society about programs and commitments to include in the action plan.

After this consultation, 600 propositions was collected through the website [www.consultations-publiques.tn](http://www.consultations-publiques.tn), and through facebook page of OGP in Tunisia and through public structures involved in the open government project.

In addition to public consultation, Government and civil society are working together to develop and implement ambitious open government reforms, a joint advisory committee was created within the secretariat of State in charge of governance and civil service and is responsible for the elaboration of the action plan and for its implementation. It is composed of 10 members (05 from government structures and 05 from civil society representatives).

The joint advisory committee selected propositions to be included in the first draft of the action plan according to a number of criteria.

After finalizing first draft and its publication on the website www.ogptunisie.gov.tn, the government launches the second stage consultation in August 26th 2014.

In addition, some actions of communication were considered in order to disseminate the first draft of OGP action plan in social media networks and in Tunisian media.

In addition to online public consultation, other mechanisms were deployed to solicit public opinions such us the workshop held in September the 5th 2014 at the national school of the administration with participation of representatives of public sector and civil society organizations.

The first draft of the national OGP action plan was amended according to the remarks and recommendations given by participants in the workshop and the final version of the national OGP action plan was adopted by the governmental decision dated September 19th 2014.

All public stakeholders were informed about commitments timelines included in the national OGP action plan and they are all aware about working on their implementation on previewed deadlines.

1. **Commitments**

## Strengthening integrity in public sector, fighting corruption and promoting democracy through a transparent government

### Commitment n°1- strengthening legal framework for corruption fight:

Drafting a set of laws related to corruption fight:

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

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

* **A law related to Asset Disclosure:**

This law aims to determine the list of high government officials and who are obliged to disclose their assets declaration in accordance to specific procedures and after defining the control mechanism and the applied sanctions. This would replace the law n° 1987-17 of April 10th, 1987, related to government member’s declaration of honor, and all related legislation.

* **A law on illicit enrichment**:

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

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

• **Implementation timeline:** 2015-2016

• **Structure in charge**: The secretariat of State in charge of governance and civil service.

•**Stakeholders:** the Ministry of Justice, The committee of governance and corruption fight, the chamber of deputies, The legal advisor.

### Commitment n°2: Developing an integrated electronic civil petition and corruption reporting platform

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

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

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

• **Implementation timeline:** 2015-2016

• **Structure in charge**: The secretariat of State in charge of governance and civil service (The e-Government Unit and The central bureau of relationship with citizens).

•**Stakeholders:** The committee of governance and corruption fight, All involved ministries.

### Commitment n°3: Publishing annual reports on the results on the work of public audit and follow-up structures

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

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

• **Implementation timeline**: 2015.

• **Structure in charge**: The Supreme Authority for administrative and financial control.

• **Stakeholders:** high committee of public service control, general financial control committee, general control of State Property and Land Affairs.

### Commitment n°4: Review of the legal framework of personal data protection and ensuring conformity with article 24 of Tunisian constitution

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

• **Implementation timeline**: 2015.

• **Stakeholders**: The Ministry of Justice (The National Authority for Personal Data Protection).

### Commitment n°5: Developing an Open Data Portal

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

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

• **Implementation timeline**: 2015-2016

• **Structure in charge**: The secretariat of State in charge of governance and civil service (and e-government unit).

• **Stakeholders:** The secretariat of State in charge of governance and civil service (The e-Government Unit)

### Commitment n°6: Preparing a national corporate governance repository:

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

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

• **Implementation timeline**: 2015.

• **Structure in charge**: National Institute for Standardization and Industrial Property "INNORPI"

• **Stakeholders:** The secretariat of State in charge of governance and civil service.

## Improving public services delivery, strengthening the participatory approach and instilling open government principles within the public sector

### Commitment n°7: Establishing a legal framework that regulates communication and interaction within public sector and between public structures and citizens with usage of ICT.

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

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

• **Implementation timeline:** 2015-2016

• **Structure in charge**: The secretariat of State in charge of governance and civil service (The e-Government Unit)

### Commitment n°8: Simplifying administrative procedures

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

• **Implementation timeline:** 2015-2016

• **Structure in charge**: The secretariat of state in charge of governance and civil service (The general directorate for reforms and prospective studies) and the Ministry of Economy and Finance in cooperation with all concerned parties.

### Commitment n°9: Develop a number of administrative services on-line

Based on a participatory approach through the organization of online consultation, a list of the administrative services that are much used by citizens and that can be automated will be drawn.

This list will include e-services with different maturity level (Informative, interactive and fully integrated services) that covers the needs of different administration users (citizens, businesses, public servants, foreigners,…).

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

• **Implementation timeline:** 2015-2016

•  **Structure in charge**: The secretariat of State in charge of governance and civil service (The e-Government Unit)

### Commitment n°10: Enhancing people participation in the decision-making process

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

* **Preparing a legal framework for public consultation:**

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

• **Implementation timeline:** 2015-2016

• **Structure in charge**: the presidency of the Government (The general directorate for reforms and prospective studies, the legal advisor services).

* **Develop an e-participation portal**

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

• **Implementation timeline:** 2015-2016

### • Structure in charge: The secretariat of State in charge of governance and civil service (The e-Government Unit)

• **Stakeholders:** All concerned public structures.

### Commitment n°11- Capacity-building of civil servants and citizens in the area of open governance:

- Set up a training program for civil servants in the open government field considering subjects related to open government, corruption fight, information access, open data and electronic participation.

- Include training programs and sessions about the open government in the training programs of the national school of administration and in other institutions specialized in public sector training.

**Implementation timeline**: 2015-2016

**Structure in charge:** Secretariat of State in charge of governance and civil service and General committee of Public Service (general direction of training and capacity building)

**Stakeholders:** national public structures specialized in civil servants training.

### Commitment n°12- Creation of a structure specialized in training in the governance area:

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

**Implementation timeline:** 2015-2016

**Structure in charge**: Secretariat of State in charge of governance and civil service and General committee of Public Service.

## Improvement of transparency in the financial field and in the field of public procurement:

### Commitment n°13: publication of budget reports:

According to IBP-OECD international standards, 8 reports related to budget must be published, but in Tunisia, only 6 reports are published. The proposal is to publish the two missing reports:

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

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

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

**Implementation timeline**: 2015-2016

**Structure in charge**: ministry of economy and finance and the unit of follow up of public enterprises and institutions.

### Commitment n°14- Development of the open budget system:

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

**Implementation timeline**: 2015-2016

**Structure in charge:** ministry of economy and finance and the unit of follow up of public enterprises and institutions.

### Commitment n°15- Use of data extracted from the application dedicated to budget management (ADEB) in public sector :

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

**Implementation timeline**: 2015-2016

**Structure in charge**: ministry of finance and economy.

### Commitment n°16: publication of reports related to attribution and execution of public procurement and audit results:

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

**Implementation timeline**: 2015-2016

**Structure in charge**: presidency of the government (the national assembly of public demand).

### Commitment n°17: publication of recommandations included in audit reports of public procurement:

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

**Implementation timeline:** 2015-2016

**Structure in charge:** presidency of the government (high committee of public demand)

## Devoting transparency in the field of management of natural resources, infrastructure projects and protection of environment:

### Commitment n°18- Development of an "Open Data" platform dedicated to information dealing with oil and mine sector investment:

This platform will include the following categories of data:

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

**Implementation timeline:** 2015-2016

**Structure in charge:** ministry of industry

### Commitment n°19- Improve transparency in the area of infrastructure projects

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

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

**Implementation timeline:** 2015

**Structure in charge:** Ministry of equipment, spatial planning and sustainable development.

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

**Implementation timeline**: 2015-2016

**Structure in charge**: Ministry of equipment, spatial planning and sustainable development.

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

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

**Implementation timeline:** 2015

**Structure in charge:** Ministry of equipment, spatial planning and sustainable development.

### Commitment n°20- Devoting transparency in the environment field:

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

**Implementation timeline:** 2015-2016

**Structure in charge:** Ministry of equipment, spatial planning and sustainable development, secretariat of state in charge of sustainable development

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

**Implementation timeline**: 2015-2016

**Structure in charge:** Ministry of equipment, spatial planning and sustainable development, secretariat of state in charge of sustainable development