

# TUNISIA'S DEFENCE SECTOR

## INSTITUTIONAL RESILIENCE TO CORRUPTION RISK AMIDST DEMOCRATIC BACKSLIDING



This policy brief aims to highlight findings from the 2020 Government Defence Integrity Index (GDI) that are most pertinent to enhancing institutional resilience to corruption risk in Tunisian defence governance. It is based on a close reading of the GDI results for Tunisia, policy literature, news reports over the past decade, and context and problem analyses conducted by I WATCH – the Transparency International (TI) national chapter in Tunisia.

### Key findings:

- The 2020 GDI findings show that defence governance in Tunisia is crippled by weak legislative functions, lack of transparency and frail oversight mechanisms.
- Tunisia's Third Republic Constitution, adopted in 2022, marked a worrying new chapter for the country's politics with the newly centralised power in the hands of the president, further blurring the lines between the executive and the military.
- This is worsened by the lack of access to information in the sector, which additionally limits both parliamentary and civilian oversight.
- Defence institutions lack a clear engagement policy with civil society. However, despite the rapid deterioration of the political landscape and ongoing attacks on freedom of expression, there is continued pressure for change.
- To address this, Tunisia should tackle opaque practices through promoting open dialogue as well as draft an internationally accepted range of exceptions on access to information on defence and security matters that can be used to enhance legal frameworks.

## Country context: Democratic backsliding amidst mounting economic pressures

Despite its relatively peaceful transition from political revolution in 2011 to emerging democracy, Tunisia is facing severe political and economic turmoil and increasing backlash against women's rights ultimately reversing its gains of the past decade.<sup>1</sup>

President Kais Saied has been at the forefront of that reversal, attacking and jailing political opponents and critics of the regime, dismissing parliament as well as a number of judges and top appointees. On 20 August 2021, he closed the headquarters of the

<sup>1</sup> Simon Speakman Cordall and Lizzy Davies, 'Tunisia Election Set to Deliver Male-Dominated Parliament and Erosion of Women's Rights', *The Guardian*, 16 December 2022, sec. Global development, <https://www.theguardian.com/global-development/2022/dec/16/tunisia-election-male-parliament-womens-rights-kais-saied>; Salsabil Chellali, 'Tunisia Tramples Gender Parity Ahead of Parliamentary Elections', *Human Rights Watch* (blog), 2 November 2022, <https://www.hrw.org/news/2022/11/02/tunisia-tramples-gender-parity-ahead-parliamentary-elections>; Human Rights Watch, 'Tunisia: Events of 2022', in *World Report 2023*, 2023, <https://www.hrw.org/world-report/2023/country-chapters/tunisia>.

***Tunisia's economy is suffering the effects of a worldwide slowdown in economic growth, but also of drought and food shortages, heavy public sector employment, and an oligarchy of family-run conglomerates in control of much of the private sector.***

national anticorruption body (INLUCC) after evicting its employees, thereby suspending all of its activities, including the administration of income and asset declarations and pending investigations.<sup>2,3</sup> In addition, the infamous new decree-law 54 of 13 September 2022 affects all citizens, criminalising “rumours and fake news” without defining those terms. It aims to instil fear amongst journalists, media organisations and virtually all citizens coercing them to self-censor to avoid facing prosecution and potential jail time.<sup>4</sup> Moreover, a draft NGO law submitted in October 2023 places civil society organisations under even more strict supervision and monitoring by the government. Article 18 of the draft law requires prior approval from the government for any foreign funding, and introduces a cumbersome and obscure registration process for new NGOs – completely subverting the pre-existing principle of a notification system.<sup>5</sup> The law would then serve to protect the right of the government-led ‘administration of associations’ to object to an organisation’s establishment within one month after they submit their registration petition, during which time the organisation is not yet permitted to operate. Moreover, Articles 6 and 19 of the draft law stipulate that international organisations are required to seek an authorisation to register from the Foreign Affairs Ministry.<sup>6</sup>

Tunisia’s economy is suffering the effects of a worldwide slowdown in economic growth, but also of drought and food shortages, heavy public sector employment<sup>7</sup>, and an oligarchy of family-run conglomerates in control of much of the private sector.<sup>8</sup> Economic growth is expected to remain below 2% in the next two years while inflation, currently at around 7%, is forecast to increase until 2026.<sup>9</sup> Nearly half of its economic activity is conducted in the informal sector - not subject to taxation nor contributing to government revenue.<sup>10</sup> Tunisia also suffers from a high national unemployment rate of 17.7% and a 40.5% youth unemployment rate.<sup>11</sup>

The country also faces an ongoing struggle with systemic corruption. According to the 2023 Corruption Perceptions Index, the country ranks at the 87th position out of 180 countries, with no significant change in the last years.<sup>12</sup> A report from the World Bank in 2014 suggested that corruption costs Tunisia approximately 2% of the country’s GDP per year, while another study from 2015 estimated that it loses about USD1.2 billion annually to illicit financial flows, or roughly 3% of its annual GDP.<sup>13,14</sup> Longtime dictator Zine El Abidine Ben Ali, ousted in the 2011 revolution, diverted billions of dollars (USD) to himself and his family, much of which is yet to be recovered.<sup>15</sup> While grand corruption of this scale has fallen, petty corruption continues to dominate much of Tunisia’s economy and public sector.<sup>16,17</sup>

- 2 Middle East Monitor. Tunisia: Authorities close Anti-Corruption Authority headquarters after evicting employees. August 21, 2021. <https://www.middleeastmonitor.com/20210821-tunisia-authorities-close-anti-corruption-authority-headquarters-after-evicting-employees/>
- 3 Yerkes Sarah, and Maha Alhomoud. “One Year Later, Tunisia’s President Has Reversed Nearly a Decade of Democratic Gains.” Carnegie Endowment for International Peace, July 22, 2022. <https://carnegieendowment.org/2022/07/22/one-year-later-tunisia-s-president-has-reversed-nearly-decade-of-democratic-gains-pub-87555>.
- 4 Reporters Without Borders. “Tunisian Journalism Threatened by Decree Criminalizing ‘Rumors and Fake News’ ” September 20, 2022. <https://rsf.org/en/tunisian-journalism-threatened-decree-criminalising-rumours-and-fake-news>.
- 5 <https://www.amnesty.org/en/latest/news/2023/10/tunisia-repressive-ngo-draft-law-threatens-independent-civil-society/>
- 6 International Commission of Jurists. “Tunisia: Reject Bill Dismantling Civil Society,” November 7, 2023. <https://www.ici.org/tunisia-reject-bill-dismantling-civil-society/>.
- 7 Tunisia counts one civil servant for every 18 inhabitants (19.6% of the country’s total employment). The public wage bill, in relation to the GDP, is higher than 15%. <https://www.tunisienumerique.com/la-tunisie-compte-un-fonctionnaire-pour-18-habitants/>
- 8 Kubinec, Robert, and Hamza Mighri. “Tunisia Faces the Specter of Government Failure.” Washington, D.C.: Carnegie Endowment for International Peace, June 30, 2022. <https://carnegieendowment.org/sada/87424>.
- 9 IMF. Country Data Tunisia. <https://www.imf.org/en/Countries/TUN>
- 10 Lopez-Acevedo, Gladys, Marco Ranzani, Nistha Sinha, and Adam Elsheikhi. *Informality and Inclusive Growth in the Middle East and North Africa*. MENA Development Report. The World Bank, 2023. <https://doi.org/10.1596/978-1-4648-1988-9>.
- 11 World Bank Data. <https://data.worldbank.org/indicator/SL.UEM.TOTL.ZS?locations=TN>
- 12 Transparency International. Corruption Perceptions Index - Tunisia. <https://www.transparency.org/en/cpi/2023/index/tun>
- 13 The World Bank, ‘The Unfinished Revolution: Bringing Opportunity, Good Jobs and Greater Wealth to all Tunisians’, May 2014. [https://documents1.worldbank.org/curated/en/658461468312323813/pdf/861790DPR0P12800Box385314B00PUBLIC0.pdf?\\_gl=1\\*rb8r53\\*\\_gcl\\_au\\*MTMwNjU5NTAxOC4xNzlwMDc4MzYx](https://documents1.worldbank.org/curated/en/658461468312323813/pdf/861790DPR0P12800Box385314B00PUBLIC0.pdf?_gl=1*rb8r53*_gcl_au*MTMwNjU5NTAxOC4xNzlwMDc4MzYx)
- 14 Global Financial Integrity (GFI). 2015 ‘Illicit Financial Flows from Developing Countries: 2004-2013.’ [https://gfiintegrity.org/wp-content/uploads/2015/12/IFF-Update\\_2015-Final-1.pdf](https://gfiintegrity.org/wp-content/uploads/2015/12/IFF-Update_2015-Final-1.pdf)
- 15 Gall, Carlotta. “Widespread Graft Benefited Tunisian Leader’s Family, Study Says.” *The New York Times*, June 25, 2015, sec. World. <https://www.nytimes.com/2015/06/25/world/africa/widespread-graft-expanded-after-tunisian-revolt-study-says.html>.
- 16 Mongi Saidani, ‘Suspensions of Corruption about Fate of \$36.6 Bln Gained by Tunisia’, *Asharq Al-Awsat*, 24 August 2023. <https://english.aawsat.com/arab-world/4504841-suspensions-corruption-about-fate-366-bln-gained-tunisia>
- 17 International Crisis Group. Report #243. Tunisia’s Challenge: Avoiding Default and Preserving Peace.



Tunisian military forces guard the area around the parliament building in Tunis, Tunisia, on July 26 © FETHI BELAID/AFP via Getty Images

**Despite the democratic backsliding and endemic corruption, a recent Afrobarometer and Arab Barometer survey on democracy and corruption found some interesting trends:<sup>18</sup>**



- Over half of respondents strongly believe in democracy as a system of government, but a nearly equal number are split between:
  - it might not be preferable in some cases – 18%
  - no preference at all – 30%
- Nearly three-quarters of respondents believe that it is appropriate for the armed forces to take control of government when elected leaders abuse power for their own ends.
- Respondents were equally split on whether it was legitimate for elections and parliament to be abolished so that the president is made responsible for running the country.
- Almost 70% of respondents believe that corruption has increased in the past year, with 56% stating that it had increased substantially.
- There is widespread sentiment that corruption is pervasive across government, including the police and civil servants.
- Trust in the armed forces is exceptionally high at 95% - with nearly three-quarters of respondents indicating “very high” trust.

18 AfroBarometer. Country results: Tunisia. <https://www.afrobarometer.org/countries/tunisia/>

***The country also faces an ongoing struggle with systemic corruption. According to the 2023 Corruption Perceptions Index, Tunisia ranks at the 87th position out of 180 countries, with no significant change in the last years.***

Tunisia's political landscape has been radically transformed since the election of Saied on a platform of countering corruption. His heavy-handed approach resulted in the suspension of the Constitution on July 25, 2021, and the dissolution of the parliament, including revoking the legal immunity of legislators. Shortly after, Saied wrote a new Constitution that consolidates power in the executive branch of government, and subsequently held contested parliamentary elections that excluded existing political parties.<sup>19</sup> Checks and balances have been continually eroded, and unlike in the past decades, the attempts to politicise the military have increased since Saied's power grab.

Unlike other countries in the region, the Tunisian military was historically sidelined from politics, with longtime presidents Habib Bourguiba and Zine El Abidine Ben Ali preferring to use the police and internal security forces to solidify their rule over the country. During the 2011 revolution, the armed forces began enjoying an increase in the defence budget, an upgrade in weapons and equipment, and opportunities to establish linkages with donor states for training purposes.



Captured during the LawAthon competition, organised by I WATCH, where students worked on drafting a law concerning information classification in the defence sector.

<sup>19</sup> Washington Post. Tunisia's draft constitution solidifies one-man rule. July 8, 2022 <https://www.washingtonpost.com/politics/2022/07/08/tunisia-saied-coup-constitution-backsliding-democracy/>



Training of CSOs in the framework of the civic space component of the "Protecting human security by tackling the vicious cycle of corruption, instability and conflict" project implemented by I WATCH with the support of Transparency International Defence & Security.

Since the rise of Saied to power the armed forces seem to increasingly enter the political and judicial spheres:

- On July 25th 2021, President Saied stationed troops and a tank to block the entrance to parliament after suspending it, along with the post-Arab Spring Constitution.
- Military tribunals are being used to prosecute civilians for arbitrary violations of defamation laws and other minor offenses, handing down prison sentences in many cases.<sup>20</sup>
- Senior military officers are being appointed to ministerial posts, even if sometimes that is outside their domains of expertise, further solidifying Saied's power across government.<sup>21</sup>
- Two retired ranking army officers and one police colonel-major announced their bid for the office of president in the elections to take place 6 October 2024.<sup>22</sup>

Generally, the armed forces have a reputation for being trustworthy and impartial, as evidenced in recent surveys, and they are rarely, if ever, implicated in any corruption scandals.<sup>23</sup> But they have been marginalised for decades under previous regimes, and their top leaders have little experience in navigating a complicated political landscape.<sup>24</sup> While the military has not yet become an anti-democratic force in Tunisia, it has quietly moved into a role of providing support to authoritarian policies. It remains to be seen how entrenched the military's role may become.

20 Amnesty International. "Tunisia: Convictions of Six Civilians by Military Courts Must Be Quashed." Amnesty International, February 2, 2023. <https://www.amnesty.org/en/latest/news/2023/02/tunisia-convictions-of-six-civilians-by-military-courts-must-be-quashed/>.

21 ISPI. "Why Tunisia's Static Conscription System Needs Reform." Italian Institute for International Political Studies, June 5, 2023. <https://www.ispionline.it/en/publication/why-tunisias-static-conscription-system-needs-reform-130529>.

22 Nizar Bahloul, 'Tunisia: Military officers take on the presidential elections', *Business News*, July 11, 2024. [https://www.businessnews.com.tn/tunisie--des-militaires-a-lassaut-de-la-presidentielle.519.139299.3#google\\_vignette](https://www.businessnews.com.tn/tunisie--des-militaires-a-lassaut-de-la-presidentielle.519.139299.3#google_vignette)

23 Cathrin Schaer and Tarak Guizani, 'Tunisian Crisis: What role for the military', *Deutsche Welle*, September 09, 2021. <https://www.dw.com/en/what-role-military-tunisia-political-crisis/a-59242642>

24 Grewal, Sharan, "Tunisia: Marginalizing the Military", *Soldiers of Democracy? Military Legacies and the Arab Spring* (Oxford, 2023; online edn, Oxford Academic, 24 Aug. 2023), <https://doi.org/10.1093/os0/9780192873910.003.0008>, accessed 12 Aug. 2024.

The Tunisian defence sector of a post-Arab Spring focused specifically on addressing three priorities with varying levels of emphasis:

## COUNTER-TERRORISM

## BORDER SECURITY

## PROFESSIONALISATION AND READINESS<sup>25</sup>

- After the 2011 revolution, arms trafficking increased along the border with Libya, along with the proliferation of Islamic State training camps across both borders. This introduced higher threats of terrorism to Tunisia, peaking in violent attacks in 2015 and 2016.<sup>26</sup> Counter-terrorism efforts became a focus of foreign security assistance, and funding for this purpose continues today.
- Smuggling at the borders of both Algeria and Libya has also increased as economic pressures mount. Communities at both borders have endured decades of low levels of development and persistent marginalisation by government policies. Unemployment rates in these territories are expected to be considerably higher than the national average. Tightening restrictions on cross-border trade, particularly with Libya, have consisted of wall construction, high-tech surveillance, and intelligence activities. Women informal cross-border traders are particularly adversely impacted by these restrictions, which place them at greater risk of exploitation and socio-economic deprivation.<sup>27</sup> These efforts ignore the socioeconomic realities that fuel border insecurity and that serve as subsistence activities for communities in constant economic peril, while also motivating recruitment into jihadist violence.<sup>28</sup> Further, there are indications that human trafficking is increasing, particularly sex trafficking of women and girls, and that security forces have been involved in corruption related to human trafficking and smuggling.<sup>29</sup>
- The armed forces have steadily improved in terms of professionalisation, particularly through US and European funding. Since the 2020 GDI, they have introduced a code of conduct that addresses corruption, and they have instituted a year-long anticorruption training program at the military academy. Involvement with the NATO Building Integrity program has also led to a stronger focus on integrity within personnel management and operations. However, Tunisian military and security forces have allegedly perpetrated human rights abuses against migrants and asylum-seekers.<sup>30</sup>

25 Shah, Hijab, and Melissa Dalton. "The Evolution of Tunisia's Military and the Role of Foreign Security Sector Assistance." Carnegie Middle East Center, April 2020. <https://carnegieendowment.org/files/ShahDaltonTunisiaSecurityAssistance.pdf>.

26 Kartas, Moncef. "On the Edge? Trafficking and Insecurity at the Tunisian-Libyan Border." Geneva: Small Arms Survey, 2013. <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-WP17-Tunisia-On-the-Edge.pdf>.

27 Dina Fakoussa and Laura Lale Kabis-Kechrid, eds., 'Tunisia's Rocky Road to Stability: Security Sector Reform, (De-) Radicalization and Socio-Economic Development, Policy Briefs from the Region and Europe', DGAP Report 1 (Berlin: Forschungsinstitut der Deutschen Gesellschaft für Auswärtige Politik e.V., 2020), 36, <https://www.ssoar.info/ssoar/handle/document/67091>.

28 Boukhars, Anouar. "The Potential Jihadi Windfall from the Militarization of Tunisia's Border Region with Libya." *CTC Sentinel* 11, no. 1 (January 24, 2018). <https://ctc.westpoint.edu/potential-jihadi-windfall-militarization-tunisias-border-region-libya/>.

29 Refugees International, 'Abuse, Corruption, and Accountability: Time to Reassess EU & U.S. Migration Cooperation with Tunisia', *Refugees International* (blog), 16 November 2023, <https://www.refugeesinternational.org/reports-briefs/abuse-corruption-and-accountability-time-to-reassess-eu-u-s-migration-cooperation-with-tunisia/>; U.S. Department of State, '2023 Trafficking in Persons Report: Tunisia', 2023, <https://www.state.gov/reports/2023-trafficking-in-persons-report/tunisia/>.

30 Human Rights Watch, 'Tunisia: Crisis as Black Africans Expelled to Libya Border', 6 July 2023, <https://www.hrw.org/news/2023/07/06/tunisia-crisis-black-africans-expelled-libya-border>; Simon Speakman Cordall, 'Black Refugees Remain Trapped along Border between Tunisia, Libya', *Al Jazeera*, 12 July 2023, <https://www.aljazeera.com/news/2023/7/12/black-migrants-remain-trapped-along-border-tunisia-libya>; Refugees International, 'Abuse, Corruption, and Accountability'; Human Rights Watch, 'Tunisia: No Safe Haven for Black African Migrants, Refugees', 19 July 2023, <https://www.hrw.org/news/2023/07/19/tunisia-no-safe-haven-black-african-migrants-refugees>.

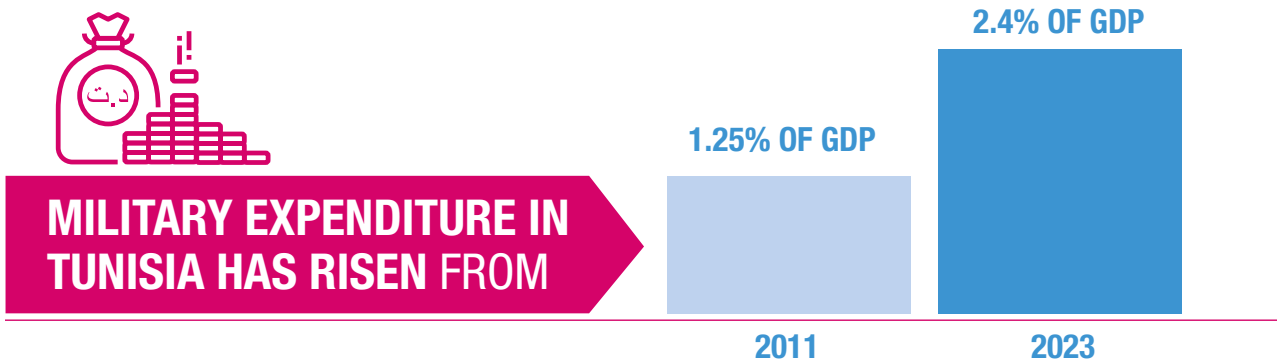
## GLOBAL TRENDS, DOMESTIC CHALLENGES

Because of Tunisia's grave financial circumstances, pressure has fallen on international actors to increase their funding promises. But President Saied's continued authoritarianism has proven a deterrent, with many bilateral donors and multilateral institutions publicly refusing to accept blatant violations of democratic norms. For example, the United States' 2024 budget request called for a roughly 70 percent drop in economic support from USD45m to USD14.5m, down from a high of USD90m in 2021.<sup>31</sup> Saied rejected a USD1.9 billion bailout package from the IMF because of concerns over conditionality, specifically the IMF requirement on privatisation of state-owned enterprises and a highly unpopular demand for the elimination of food and fuel subsidies, which would serve to heighten economic inequalities and likely spark protests.<sup>32</sup> In October 2023, the government also returned EUR60m to the European Union over disagreements about migrants, jeopardizing a further EUR255m, which

resulted in a new agreement of EUR150m that was finalised in December 2023.<sup>33</sup> A looming disaster was averted temporarily when Saudi Arabia provided USD500m in November 2023, in the form of a soft loan and a grant in a bid to shore up public finances.<sup>34</sup>

However, foreign funding for Tunisia's military forces continues unabated. Originally intended to assist with counter-terrorism efforts in the wake of several high-profile attacks between 2015 and 2019, foreign assistance to Tunisia's security sector has resulted in ongoing partnerships with US organisations, both federal and state level, as well as France, the United Nations, NATO, and the European Union.<sup>35</sup>

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Similar to budgetary information across other government sectors, the defence budget is not fully detailed.



Since only top-line figures are released for military acquisitions and operational costs, **there is no transparency on how funds are being spent.**

31 Volkman, Elizia. "Tunisia Increasingly Isolated under Saied as US Loses Interest." *Al Jazeera*, January 13, 2023. <https://www.aljazeera.com/news/2023/1/13/president-saied-isolating-tunisia-as-us-loses-interest>

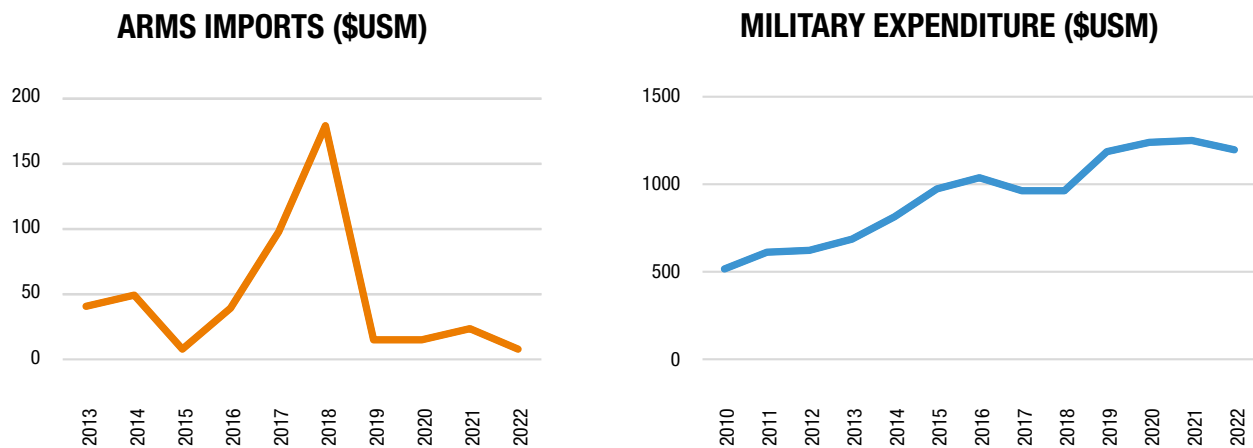
32 Pavia, Alissa. "Tunisia Was Right to Reject the IMF Deal." *Foreign Policy*. November 27, 2023. <https://foreignpolicy.com/2023/04/19/tunisia-imf-loan-bailout-deal-economy-saied>; Reuters. "Tunisia Preparing Alternative IMF Proposal, Official Says." *Reuters*, June 13, 2023, sec. Africa. <https://www.reuters.com/world/africa/tunisia-preparing-alternative-imf-proposal-official-says-2023-06-13/>.

33 Sorgi, Gregorio. "Tunisia Hands Back €60M of EU Funding as Migrant Deal Tensions Soar." *POLITICO* (blog), October 11, 2023. <https://www.politico.eu/article/tunisia-hands-back-60-m-eu-funding-migration-deal/>.

34 Karam, Souhail, and Omar Tamo. "Tunisia Gets Surprise \$500 Million From Saudi Amid IMF Delay." *Bloomberg*, July 20, 2023. <https://www.bloomberg.com/news/articles/2023-07-20/saudi-arabia-offers-tunisia-grant-loan-valued-at-500m-spa>

35 NATO. "Defence and Related Security Capacity Building Initiative." NATO, June 5, 2023. [https://www.nato.int/cps/en/natohq/topics\\_132756.htm](https://www.nato.int/cps/en/natohq/topics_132756.htm)

Figure 1: SIPRI: International Arms Transfer Database: data on Tunisia; Military Expenditures Database: Tunisia.



Foreign partners have assisted with both trainings for more strategic decision-making, and 'train and equip' type of exercises that focus on operations. But this has come at the expense of more comprehensive security sector reform that would address deficits in transparency and accountability within the defence sector, including financial management and procurement.<sup>36</sup> It has also not resulted in a coherent defence strategy or policy, or increased civilian oversight over the military.

Military expenditure in Tunisia has risen from 1.25% of GDP in 2011 to about 2.4% of GDP in 2023, which follows the trend in regional and global military spending.<sup>37</sup> Similar to practices in other government

sectors, the defence budget is not fully detailed, and since only top-line figures are released for military acquisitions and operational costs, there is no transparency on how funds are being spent. This is especially true for actual expenditure, as no information is released on defence spending, and secrecy within procurement processes is still standard practice. The lack of transparency and oversight of military spending generates significant concern, given the climate of economic anxiety and political instability that may prompt increased military involvement, combined with ongoing terrorist threats and border insecurity that regularly require operational expenses.

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<sup>36</sup> Maryon, Rosa. "The Role of Security Assistance in Reconfiguring Tunisia's Transition." *Mediterranean Politics*, (2023): 1–23. <https://doi.org/10.1080/13629395.2023.2183666>.

<sup>37</sup> SIPRI: International Arms Transfer Database; Military Expenditures Database.



The Government Defence Integrity Index (GDI) measures institutional resilience to corruption in the defence sector by focusing on both policymaking and public sector governance in national defence establishments. The index is organised into five main risk areas: (1) policymaking and political affairs; (2) finances; (3) personnel management; (4) military operations; (5) procurement. Each indicator is scored based on five levels from 0-100 (0, 25, 50, 75, 100), while indicator scores are aggregated (no weighting) to determine the question, risk area and overall scores. Scores are then assigned a band from A - F, which reflects the level of corruption risk.

Range of Scores			Corruption Risk
<b>A</b>	<b>83</b>	<b>– 100</b>	<b>Very low</b>
<b>B</b>	<b>67</b>	<b>– 82</b>	<b>Low</b>
<b>C</b>	<b>50</b>	<b>– 66</b>	<b>Moderate</b>
<b>D</b>	<b>33</b>	<b>– 49</b>	<b>High</b>
<b>E</b>	<b>17</b>	<b>– 32</b>	<b>Very high</b>
<b>F</b>	<b>0</b>	<b>– 16</b>	<b>Critical</b>

Within these risk areas, the GDI identifies 29 corruption risks specific to the defence and security sector. The GDI is further organised into 77 main questions, which are broken down into 212 indicators. In order to provide a broad and comprehensive reflection of these risk areas, the index assesses both legal frameworks (de jure) and implementation (de facto), as well as resources and outcomes.

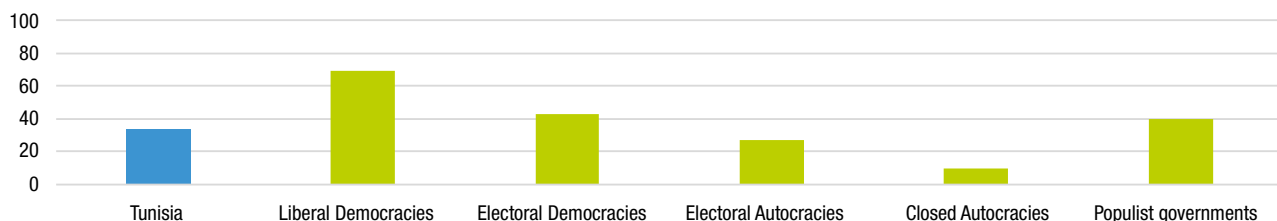
## INSTITUTIONAL RESILIENCE IN DEFENCE GOVERNANCE

Tunisia was assessed at a very high level of corruption risk in the 2020 GDI.<sup>38</sup> Like the rest of the countries in the 2020 GDI, Tunisia's worst scores were in the operational risk category, assessed at zero across the sector with few exceptions. It scored at or near overall index averages in financial and personnel management risks, indicating that corruption risks were being addressed

in these areas. The most striking lack of institutional resilience within the defence governance framework in Tunisia was the weakness of its legislative functions and procurement processes with respect to transparency and oversight. Without exception, the legislature failed to perform adequate oversight of the military and defence governance functions, either because of lack of capacity or a severe lack of access to information.<sup>39</sup> Even though the Court of Audit and other control bodies have access to audit the defence institutions, their mission reports are not published.

Figure 2: Transparency International Defence & Security, Government Defence Integrity Index (GDI) 2020 data on parliamentary oversight of defence governance.

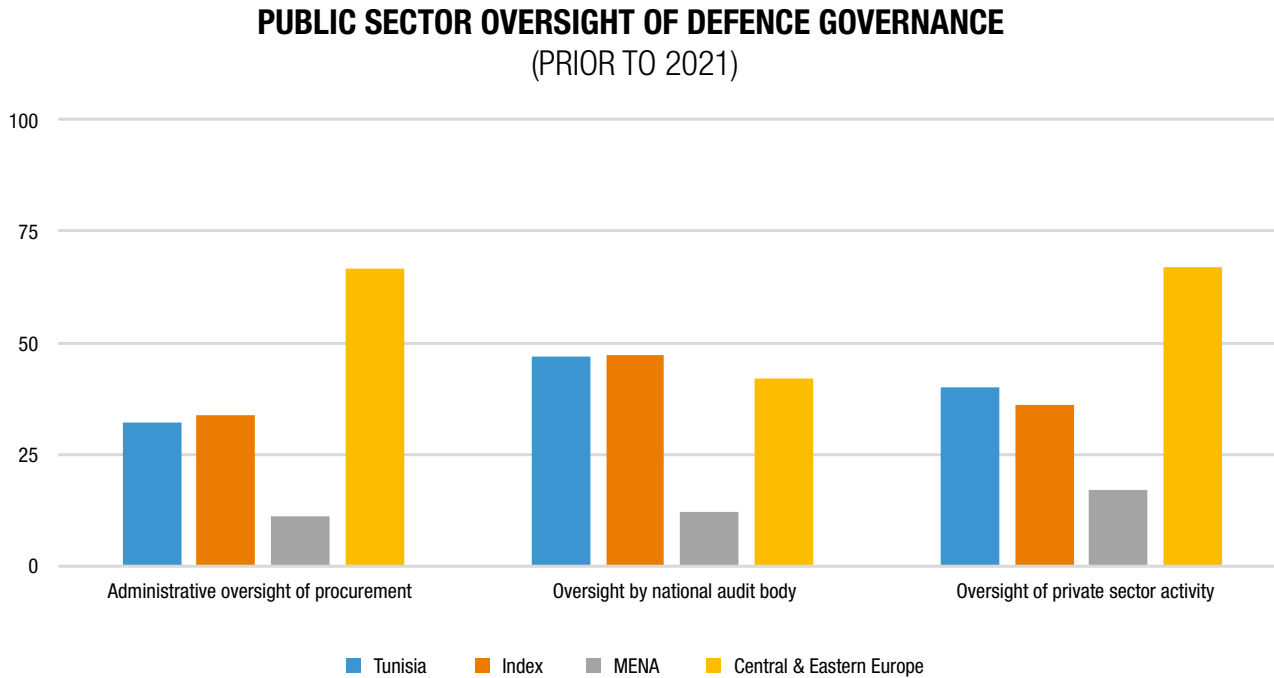
### PARLIAMENTARY OVERSIGHT OF DEFENCE GOVERNANCE (PRIOR TO 2021)



38 Transparency International Defence & Security. "Tunisia". 2019. Government Defence Integrity Index. <https://ti-defence.org/gdi/countries/tunisia/>

39 For more information about democratic regime typology, see Bastian Herre (2021) - "The 'Regimes of the World' data: how do researchers measure democracy?" Published online at OurWorldInData.org. <https://ourworldindata.org/regimes-of-the-world-data>.

Figure 3: Transparency International Defence & Security, Government Defence Integrity Index (GDI) 2020 data on public sector oversight of defence governance.



The lack of access to information has crippled civilian oversight, denying civil society organisations the opportunity to monitor military purchases, defence income and spending, lobbying, and tendering, as well as defence policymaking. Despite the fact that the Ministry of National Defence is subject to the Law on Access to Information (2016) - which is assessed as one of the best in the world, the law excludes classified information on grounds of national security.<sup>40</sup> Moreover, since the dissolution of parliament in 2021, civil society organisations have noted a considerable drop in the government responses to public information requests. One organisation saw response rates drop from 93% in 2021 to less than 60% in 2022, further hindering transparency and oversight capabilities.<sup>41</sup>

Tunisia faces a severe lack of transparency across its defence governance. It sits in the bottom quarter of the GDI 2020, alongside most of the countries from the Middle East and North Africa. Aside from transparency in personnel management, it fared poorly against other democratic regimes, even before the events of July 2021.



40 Global Right to Information Rating. Country Data: Tunisia. <https://www.rti-rating.org/country-data/Tunisia/>

41 Daimi, Imad. "Fighting Tunisia's Rampant Corruption with Autocracy – Kais Saied's Chimera." *Just Security* (blog), November 22, 2022. <https://www.justsecurity.org/84193/fighting-tunisia-rampant-corruption-with-autocracy-kais-saieds-chimera/>.

Figure 4: Transparency International Defence & Security, Government Defence Integrity Index (GDI) 2020 data on transparency of key defence governance functions.

### TRANSPARENCY OF KEY DEFENCE GOVERNANCE FUNCTIONS (PRIOR TO 2021)

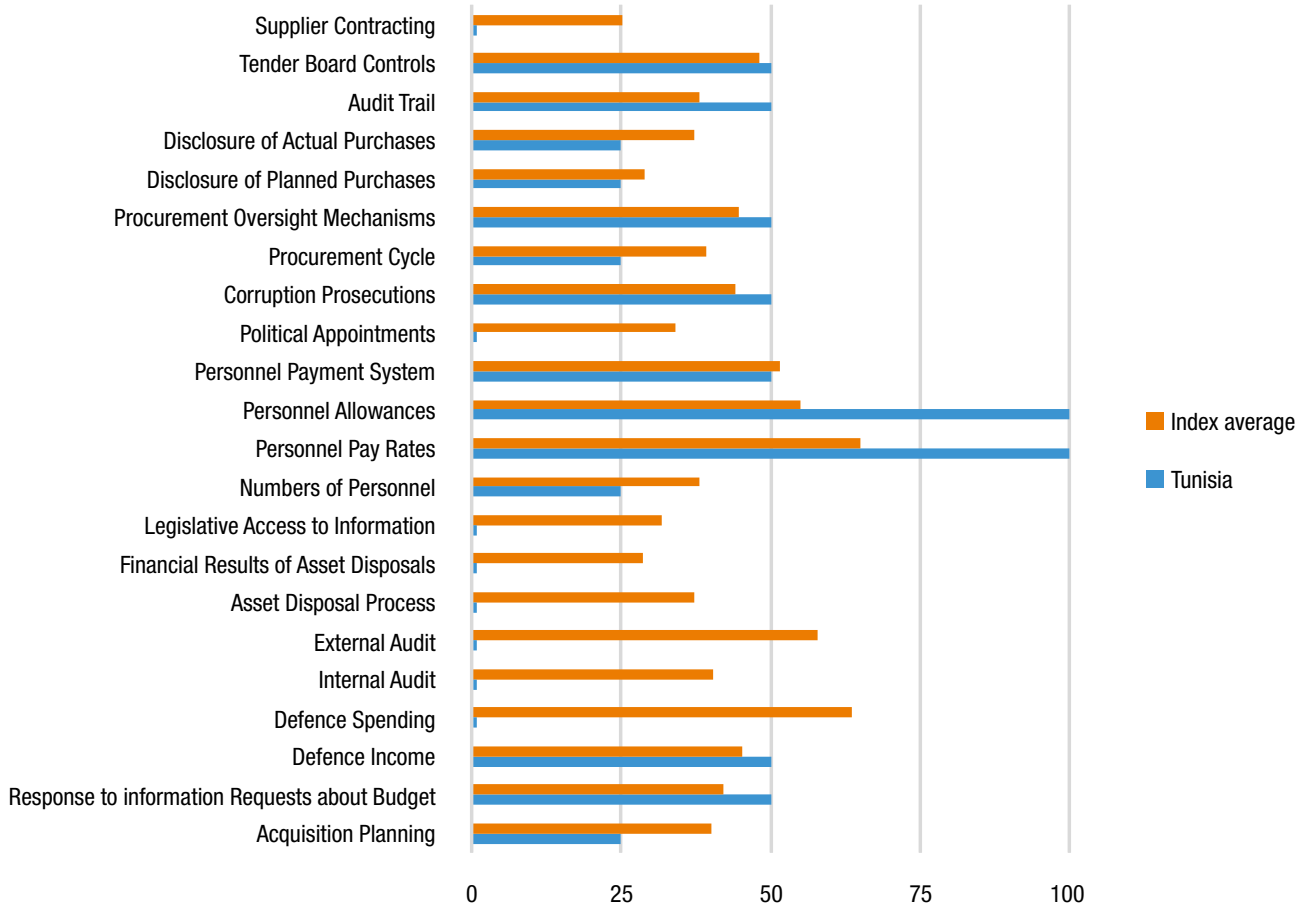
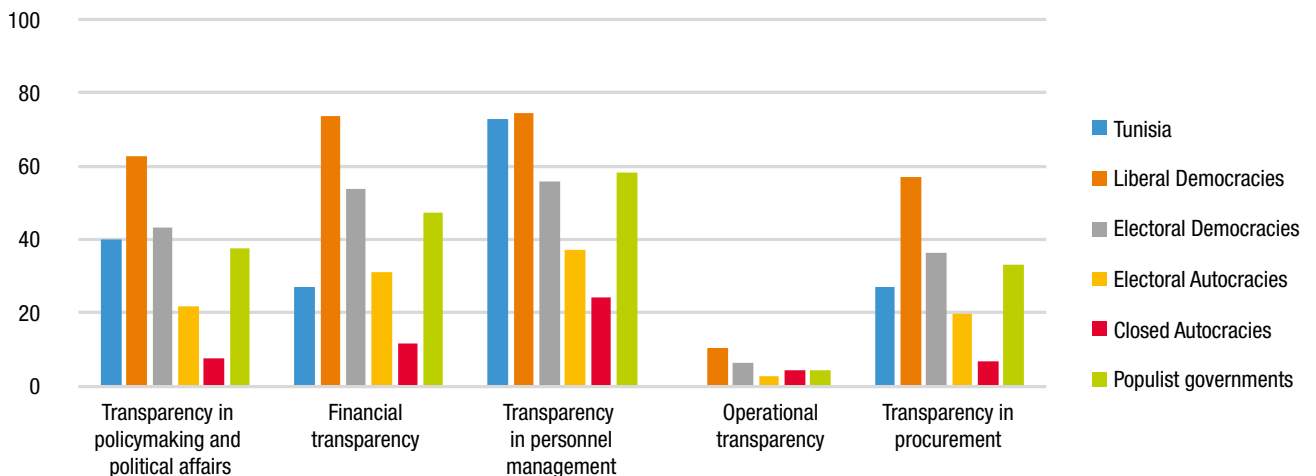


Figure 5: Transparency International Defence & Security, Government Defence Integrity Index (GDI) 2020 data on transparency across defence governance.

### TRANSPARENCY ACROSS DEFENCE GOVERNANCE (PRIOR TO 2021)

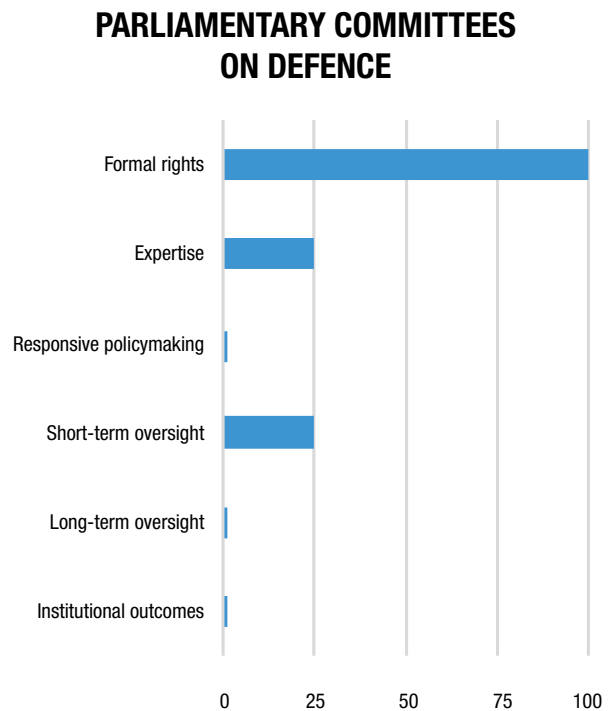


The lack of access to information also hampers parliamentary oversight of the defence sector. Prior to the events of 2021, the legislative committees dedicated to defence oversight struggled to function adequately because of a lack of political power and resources. The lack of expertise amongst members undermined their ability to fully utilise their formal powers, and the ongoing lack of information contributed to the committees' failure to review defence policies and budgets, conduct investigations, and issue recommendations. Following the reinstatement of the Parliament in early 2023, the Defense, Security and Armed Forces Committee was established by the Article 49 of the Rules of Procedures of the Assembly of People's Representatives. According to the Parliament's website, the committee has been active since 17 January 2024. Its main functions so far have been reviewing a draft law as well as amending and completing some provisions of the Military Code of Civil Procedure and Penalties related to soldiers fleeing abroad.<sup>42</sup>

Procurement processes improved significantly over the past decade due to modernisation efforts and international pressure to conduct tenders and purchases with transparency. Despite the frequent use of the e-procurement platform, the acquisition of sensitive items is still considered confidential, while the special committee tasked with oversight is chaired by the head of the MOD.<sup>43</sup>

***The lack of expertise amongst members undermined their ability to fully utilise their formal powers, and the ongoing lack of information contributed to the committees' failure to review defence policies and budgets, conduct investigations, and issue recommendations.***

**Figure 6: GDI Country Assessment, Tunisia. Political risk, Question 2 on defence committees.**



Tunisia's civic engagement scores reveal that the government rarely engages on issues of defence with the public, even though scores far surpass averages for regional neighbours and compare favourably to overall index averages with regard to the strength and participation of civil society. This insistence by civil society actors on engaging in public discourse and making demands of government places Tunisia in a much stronger position than its weak GDI scores would otherwise indicate. The current issue for civil society is the new draft law on non-governmental organisations that places onerous burdens on functioning and creates an atmosphere of distrust of foreign partners in the NGO community. The draft combined with the ongoing government attacks on press freedoms and online expression seem to be only a sliver of the full scope of a political climate that is becoming increasingly hostile to intermediary bodies.<sup>44,45</sup>

42 Tunisia Parliament Website. [https://www.arp.tn/ar\\_SY/commission/fixe/activite/60](https://www.arp.tn/ar_SY/commission/fixe/activite/60), accessed 24 July, 2024.

43 TUNEPS, Unite D'achat Public En Ligne. <https://www.tuneps.tn/portail/offres>

44 Amnesty International. "Tunisia: Repressive NGO Draft Law Threatens Independent Civil Society." *Amnesty International* (blog), October 21, 2023. <https://www.amnesty.org/en/latest/news/2023/10/tunisia-repressive-ngo-draft-law-threatens-independent-civil-society/>.

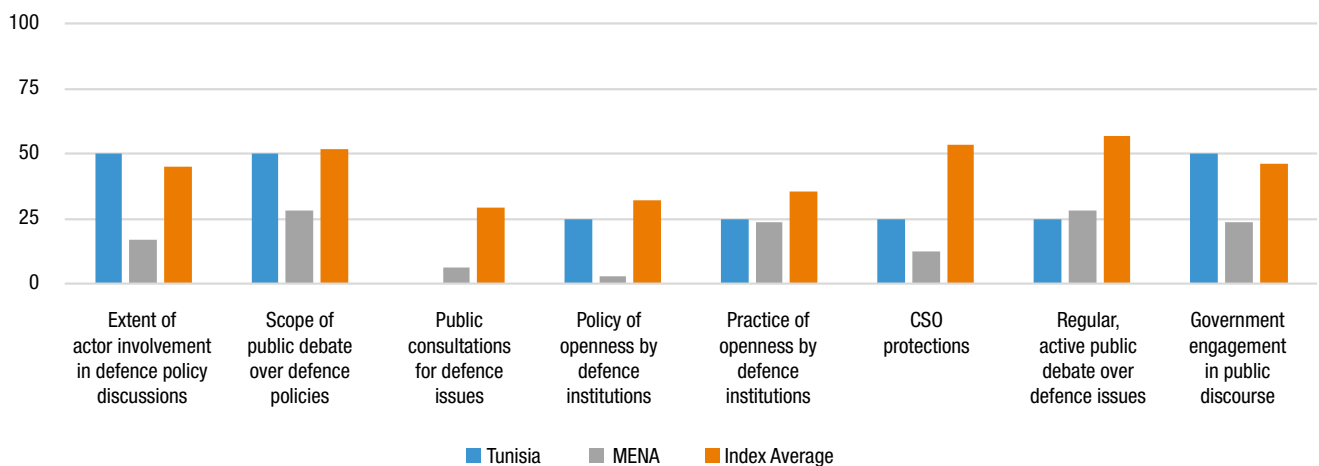
45 UN Office of High Commissioner on Human Rights. "Tunisia: Crackdown on Media Freedoms." United Nations, May 2023. <https://www.ohchr.org/en/press-releases/2023/06/tunisia-crackdown-media-freedoms>.



The Tunisian army barricades the parliament building in Tunis, Tunisia, on July 26. © YASSINE MAHJOUR/AFP via Getty

Figure 7: Transparency International Defence & Security, Government Defence Integrity Index (GDI) 2020 data on civic engagement.

### CIVIC ENGAGEMENT SCORES (PRIOR TO 2021)



Despite the fact that defence institutions lack a clear engagement policy with civil society, and even with the ongoing attacks on freedom of expression, there is continued pressure for change. The Tunisian anticorruption NGO I WATCH has committed substantial resources to establishing a nationwide network of civil society organisations, particularly in

marginalised areas where access to political decision-making is limited. Through its working partnerships with Tunisian defence experts and retired military officials, network members strive to improve civil-military relations in a decentralised manner. The opening up of space and dialogue continues, even as the political landscape deteriorates.

## RECOMMENDATIONS

While the GDI offers a comprehensive assessment of institutional strengths and weaknesses that are crucial for corruption risk mitigation, it is important to understand how its findings can be best applied. Rather than capturing information about one specific area of interest, the GDI captures information about the entire system that contributes to defence governance. This means that findings apply to a range of actors (e.g., parliament, civil service, armed forces, media, civil society organisations, etc.), and a range of activities (e.g., policymaking, personnel management, financial management, procurement, operations). As a result, it extends well beyond the remit of what one organisation can address effectively. The expertise needed to address problems will be found across a range of international and national entities. Cooperation is thus crucial to effective use of GDI findings.

Because of the unusual situation that Tunisia is facing with a “soft coup” of unclear duration, these recommendations may not apply all at once. Regardless, it is important to note that information is a foundational element of functioning governance systems, even in the absence of democratic norms. Without information about what government departments are doing, how they are doing it, and the outcomes of their actions, it is nearly impossible for reliable budgets to be drafted and executed, for public services to reach citizens, or for funding to arrive at its intended and legitimate destination.

The recommendations below distinguish between actions that TI-DS is well-placed to lead in partnership with I WATCH and/or other international actors, and actions that should consist of providing advisory or advocacy support to other stakeholders.

### In partnership with I WATCH:

- 1 Endorse open dialogue amongst the Ministry of Defence, the Parliament and civil society through organising informal know-how sessions and workshops related to building and maintaining institutional resilience in the defence sector. GDI findings can be utilised as a starting point of the conversation. These efforts will also feed into continuing the support for processes that allow civil society actors, including women's rights organisations, and sector experts to provide input into national security strategy discussions and implementing policies.
- 2 Draft an internationally accepted range of exceptions for defence and security that can be used to enhance legal frameworks, specifically in the right to access to information (RTI) law and information classification systems. This is also important for regulations governing procurement transparency and budget transparency.
  - a. The ongoing LawAthon convened by I Watch on information classification frameworks is an excellent example of how to capitalise on civil society expertise that may lead to engagement and dialogue with defence actors.
- 3 Advocate for public disclosure of critical information about the defence sector, including defence budgets, single source and competitive contracting, military acquisitions, defence income and foreign assistance, secret items, disaggregated expenditures, and asset disposals.
- 4 Conduct a review of the newly approved Constitution with the aim of generating a set of recommendations for improvements in defence governance. Most concerning as of 2023 is the consolidation of power in the executive and the *de facto* expanded role of the defence forces in state governance. Despite the existing Defense, Security and Armed Forces Committee, the effectiveness of their scrutiny is yet to be seen.

**In partnership with I WATCH and NATO Building Integrity Programme (NATO-BI), Norwegian Centre for Integrity in the Defence Sector (CIDS), or Geneva Centre for Security Sector Governance (DCAF), and/or other key actors:**

- 5** Incorporate corruption risk mitigation into military operations, in collaboration with MOD and Armed Forces. Priority areas are:
  - a. Corruption risk in military doctrine and forward planning.<sup>46</sup>
  - b. Integration of anticorruption into operational training.
  
- 6** Strengthen personnel management systems for both military and civilian personnel, in collaboration with MOD and Armed Forces. Priority areas are:
  - a. Formalisation and oversight of top-level appointments, promotions, and recruitment.
  - b. Integrity standards in defence personnel management (code of conduct, anti-bribery, anticorruption training, etc).



**In collaboration with, or providing advisory support to, other actors, including national civil society actors and international actors such as donor governments, multilateral institutions, or transnational NGOs:**

- 7** Support civil-military cooperation for national and gender-sensitive security solutions, raising awareness of corruption risks as threats to peace and stability, and advocating for measures to counter small arms proliferation. It is important to note that not all illicit markets in Tunisia are destabilising, and many are driven by communities who are seeking security, protection and economic opportunities within a highly volatile security environment.<sup>47</sup>
  
- 8** Strengthen institutional resilience, emphasising that transparency and integrity are critical to building and sustaining effective organisational practices. Priority areas are:
  - a. Information sharing across and within government – information must be shared with oversight authorities and departments with shared responsibilities. This includes budgets, audits, expenditures, secret items, intelligence, and military acquisition plans.
  - b. Open budgets, with a focus on secret items and auditing.
  - c. Procurement transparency and oversight. In particular, reviewing the legal exemptions in procurement legislation for military and defence purchases and recommending changes that enhance transparency and accountability.

<sup>46</sup> This is an issue across the index, with low scores reported for almost every country assessed.

<sup>47</sup> Wehrey, Katherine, and Frederic Pollock. "The Tunisian-Libyan Border: Security Aspirations and Socioeconomic Realities." Washington, D.C.: Carnegie Endowment for International Peace, August 28, 2018. <https://carnegieendowment.org/2018/08/21/tunisian-libyan-border-security-aspirations-and-socioeconomic-realities-pub-77087>; See also Peter Tinti. 2022. *Whose crime is it anyway? Organized crime and international stabilization efforts in Mali*. Global Initiative Against Transnational Organised Crime (GI-TOC). <https://globalinitiative.net/wp-content/uploads/2022/02/Whose-crime-is-it-anyway-web.pdf>



Transparency International (TI) is the world's leading non-governmental anti-corruption organisation, addressing corruption and corruption risk in its many forms through a network of more than 100 national chapters worldwide.

Transparency International Defence & Security (TI-DS) works to reduce corruption in defence and security sectors worldwide.

Founded following the Tunisian revolution on March 21, 2011, I WATCH is a Tunisian non-profit, independent watchdog organisation. Its aim is to promote improved transparency and encourage tangible reform by bolstering the capacity of civil society and supporting democratic civilian oversight - including that of the Tunisian defence sector. I WATCH became the official contact point for Transparency International in Tunisia in November 2013, and an official chapter of Transparency International in January 2017.

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