

DCAF Trust Fund For North Africa

Security sector development in Tunisia

Country Assessment and Results Monitoring

2017 report



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INTRODUCTION

Introduction

This document reports on DCAF's activities in Tunisia in 2017 (Section 4), presenting these within a wider context of developments in the Tunisian security sector (Section 3) and in national governance (Section 2). This annual report is the fourth one since the format was introduced.

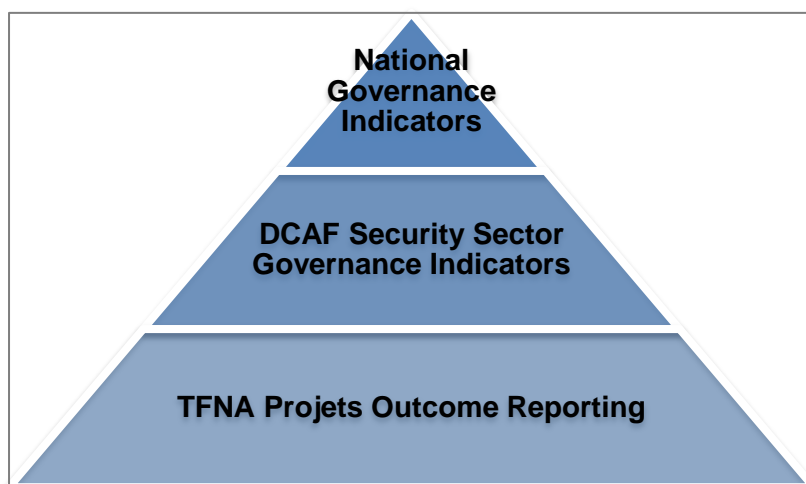


Table 1: Hierarchy of TFNA reporting framework

The report presents four integrated and interlinked instruments for measuring the impact of security sector reform development assistance:

1. Overview: Theory of Change

The Theory of Change (Section 1) outlines the intervention logic of the TFNA's assistance to security sector reform. The Theory of Change applies not only to Tunisia, but to all of the TFNA's engagement in North Africa. DCAF's engagement is based upon a thorough analysis of the main **deficits** in the security sectors, which are outlined in the bottom row of the Theory of Change. The rows above outline **DCAF's processes and activities** that aim to address these deficits, as well as the **outputs** that these activities will produce. Moving up, the next rows outline the three **middle-term outcomes** that DCAF's activities contribute towards, namely: effective oversight; adequate legal and policy framework; and responsive security. At the very top is formulated **the long-term impact** to which DCAF's work contributes: a legitimate and trusted security sector that respects the rule of law and ensures human rights.

2. National level: National Governance Indicators

Due to its long-term nature, the impact of the TFNA – a legitimate and trusted security sector – cannot adequately be assessed in the Fund’s first years. However, various governance indicators – such as human rights, media oversight, and the effectiveness of security providers – can provide an indication on the general direction in which national governance is developing. These indicators reflect societal changes that are, among others, related to security sector governance.

Various organisations measure, monitor and compare the governance performance of individual countries. The results are generally published in form of yearly indices. For understanding how the governance performance of a given country develops over time, DCAF collects and aggregates data on national governance performance from a variety of sources¹ and maps them on a spider-chart with a scale ranging from 1 to 10, with 10 indicating the best performance.

The National Governance Indicators Map may thus be used to compare data over several years. This allows for a quick overview of the direction in which national governance develops over time. However, it should be noted that governance indicators rarely present an up-to-date picture, as the given figure is often based on data collected in the previous year.

3. Sector level: DCAF Security Sector Governance Indicators

This tool aims to provide compact information on the environment within which DCAF is operating by portraying changes in security sector governance. It is intended to foster an informed discussion on the strategic steering of DCAF’s portfolio. These indicators were formulated by DCAF as a series of statements that reflect international norms and practices in security sector governance. Each year, DCAF updates the rating of how Tunisia conforms to each of these statements, as a percentage. The details of how the rating is calculated are outlined in Annex 2.

4. Project level: TFNA Project Outcome Indicators

This tool monitors and measures progress towards the defined outcome of TFNA projects. As it tracks to which degree the desired/intended change has occurred over a period of time, the instrument is the key tool for monitoring and evaluating TFNA projects.

Given the complex political implications of security sector reform and the number of actors that may be involved in bringing about change, it is important to keep in mind

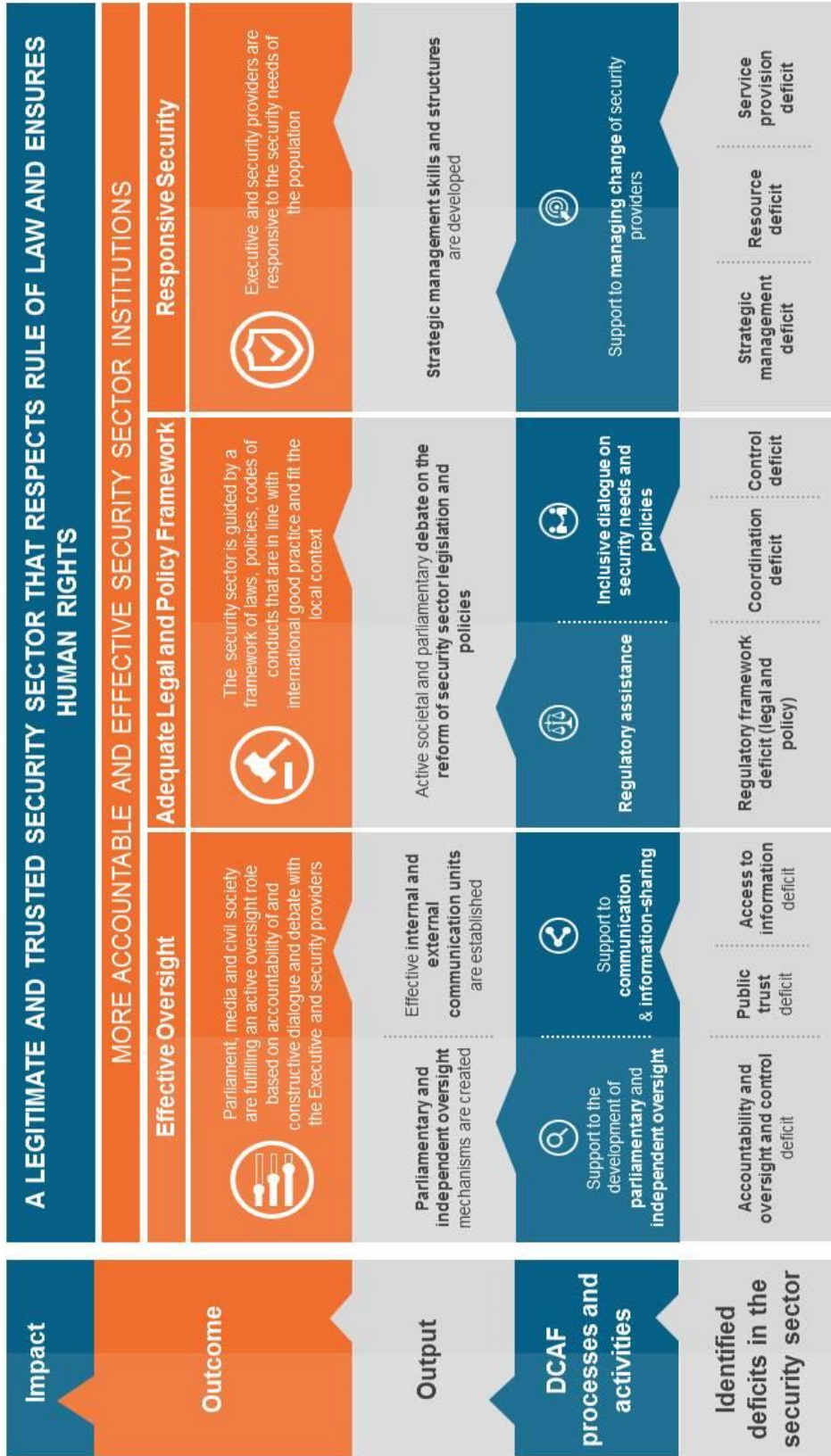
¹ Such as the Annual Failed State Index (Fund For Peace) or the Freedom of the World Index (Freedom House). See Annex 1 for a full list.

that DCAF sees its projects in a contribution logic. Any evaluation of project outcomes has to take into account that success or failure can seldom be directly attributed to an organisation that supports, rather than drives, reform. To help place the project-level work in the broader intervention logic, on page 41 is displayed a mapping that places DCAF projects in Tunisia in the TFNA Theory of Change.

The “Country Assessment and Results Monitoring for Tunisia” is a living document, and DCAF will be regularly updating and adjusting it to reflect changes in local context, and input from donors and partners.

1. THEORY OF CHANGE

1. TFNA Theory of Change



2. NATIONAL GOVERNANCE INDICATORS

2. National Governance Indicators

In the DCAF “Theory of Change”, the impact of security sector reform efforts and of improved security sector governance consists in “A legitimate and trusted security sector that respects the rule of law and ensures human rights”.

The impact level is assessed annually by an overview of **national governance indicators**, consisting of nine equally-weighted ratings drawn from multi-country data sets, and drawing on indicators from other specialist research organisations (Fund For Peace, Freedom House etc.). See Annex 1 (page 69) for a full overview of the data sets and sources used.

Since last year, Afrobarometer has stopped including the indicator measuring “Treatment of women by security forces” in its surveys. DCAF has therefore replaced this with the Gender Gap Index (World Economic Forum) in this report. This Index benchmarks 144 countries on their progress towards gender parity across four thematic dimensions: economic participation and opportunity, educational attainment, health and survival, and political empowerment. In order to better reflect the change of indicators included in this section of the report, the ninth rating corresponding to “Treatment of women by security forces” has been renamed “Gender equality” and is measured by the Gender Inequality Index (Human Development Reports) in addition to the newly introduced Gender Gap Index.

The spider chart presents the indicators for 2014, 2015 and 2016 compared to 2017². The data shows positive developments over the past year for Tunisia on several fields. An overlay of the spider diagrams for 2014, 2015, 2016 and 2017 shows **improvements** for Tunisia over the years.

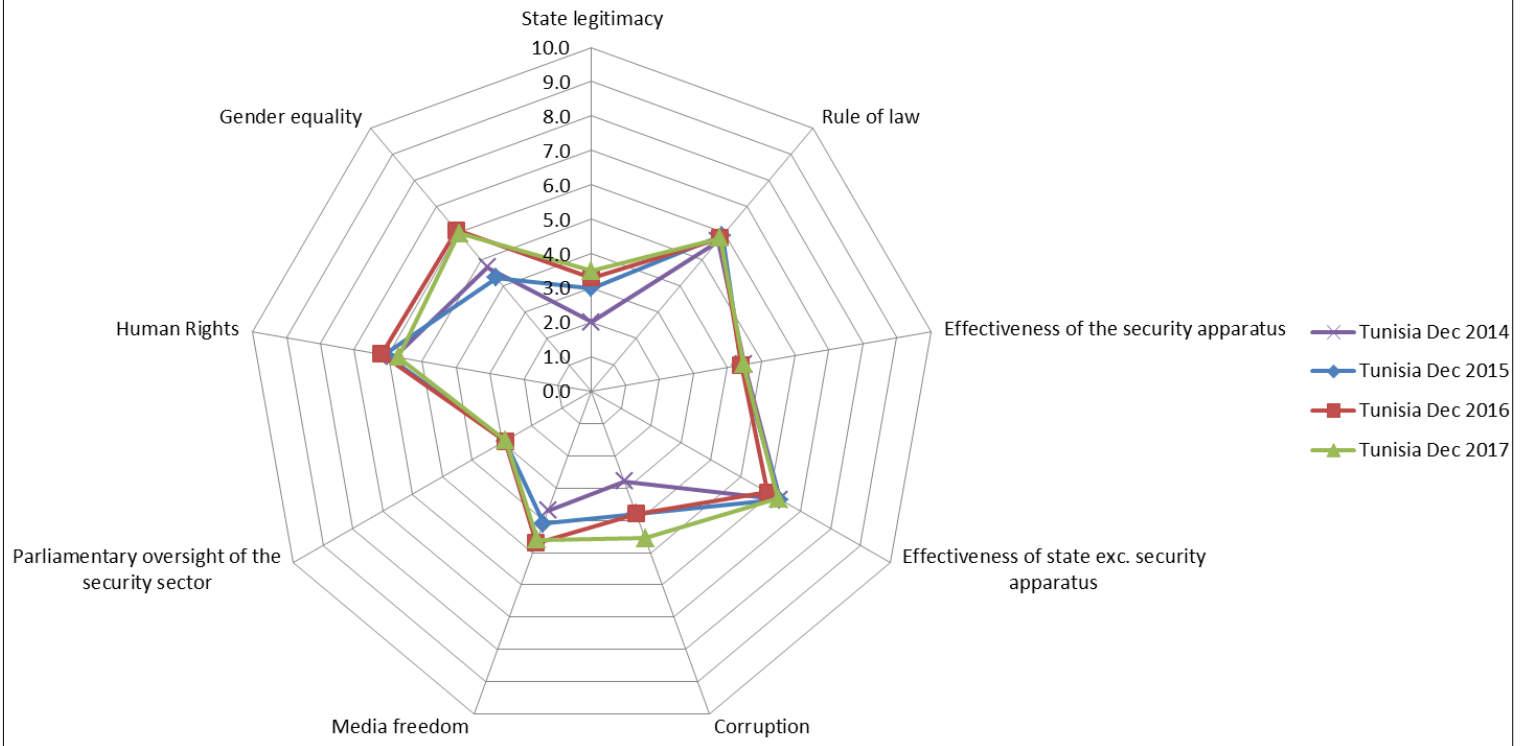
Specifically, over the past year, improvements have happened in terms of:

- State Legitimacy;
- Effectiveness of state security apparatus; and
- Corruption.

These improvements are further explained below.

² While most of the data displayed on this chart is from the 2017 edition of the respective indices, the data in some cases may have been collected in 2016. It should be noted that data sets and methodology do vary, and can thus produce different results for the same fields. It is therefore important that snapshot data is not interpreted at face value, in isolation of other measures and methods, and instead is part of a more eclectic approach to analysis.

Overview - National Governance Indicators 2017



State Legitimacy

The State Legitimacy is an indicator of the representativeness and openness of government and its relationship with citizens. In 2017, Tunisia recorded a minor improvement in state legitimacy compared to last year (+0.1). This improvement is another step forward on a long-term trend of decreasing fragility and increasing stability in Tunisia. Seven years after the 2011 Arab uprisings, Tunisia has reached a number of accomplishments, including holding free and fair national elections, fostering political participation, implementing political and institutional reforms, and making progress on governmental accountability. Economic challenges, regional inequalities and political deadlocks, however, threaten to reduce the confidence of many Tunisians in the state institutions and processes.

Effectiveness of state security apparatus

The efficiency of state security apparatus has improved (up from a rating of 5.9 to 6.3). This indicator considers the security threats to the state such as terrorism and organised crime, and the trust of citizens in domestic security. This improvement is mainly due to increased capabilities in counter-terrorism, and the establishment of processes to professionalizing the security services. However, these gains are relative, and concerns remain about infiltration by extremists through Tunisia's borders. There is also the question of returning IS fighters from Syria and Iraq.

Corruption

The most significant improvement is recorded under the indicator of corruption (+0.8 compared to 2016). Tunisia moved up one spot to 74th in Corruption Perceptions index 2017, and is ahead of the other North African countries. This is the result of various legal measures and civil society initiatives to fight corruption. 2017 marks the first year of implementation of the Tunisian national strategy for good governance and fight against corruption and its operational action plan (2017-2018). Over 9'000 corruption-related complaints have been filed to the National Anti-Corruption Agency (INLUCC), according to its report published in November 2017. Another important step in the fight against corruption is the adoption in February 2017 of the law protecting whistle-blowers in corruption cases.

Despite such advances in the fight against corruption in Tunisia, much remains to be done in terms of institution building and implementation.

3. DCAF SECURITY SECTOR GOVERNANCE INDICATORS

3. DCAF Security Sector Governance Indicators

The “National Security Sector Governance Indicators” is a DCAF monitoring and evaluation instrument for assessing a country’s security sector governance performance. It allows identifying security sector deficits, upon which the Theory of Change is built.

The indicators are divided into four subsets.

- 1) Legal and policy framework
- 2) Institutional framework and systems
- 3) Practice and culture
- 4) Access to information

Please see Annex 2 (page 73) for a detailed listing of the criteria used for the specific ratings.

The Tunisian authorities still have limited absorption capacity, and this was further strained by the many offers of material and training assistance from international partners. This may be combined with a general slowing down of the reform pace, as the first “easy wins” were achieved during the first few years after the revolution, and the more difficult or sensitive changes may clearly need more time and efforts.

The graphs in this section illustrate the need for the Tunisian Government to continue to ensure that the democratic transition remains on track, by continuing to push ahead with institutional reforms – both in the security sector and more broadly.

Despite the sometimes challenging context, DCAF managed to achieve several important results in 2017 (see section 4). For example, DCAF’s, along with a Tunisian civil society organisation, Le Réseau Alternatif des Jeunes (RAJ), the first Tunisian youth organisation working on security sector reform, made some interesting inroads. DCAF and RAJ Tunisia are working together to analyse the human security needs of youth in 6 Tunisian municipalities. In November 2017, RAJ Tunisia was the only youth organisation which publicly advocated against the draft law on the repression of offences against armed forces.

DCAF also developed a project on strengthening the capacity of child protection delegates to conduct oversight visits of detention centres for minors. In December 2017, DCAF trained the 12 child protection delegates who are authorized to conduct visits of minors detention centres, on international norms and best practices. This was the first training of a more comprehensive capacity-building programme on the topic.

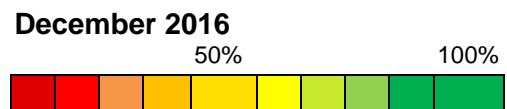
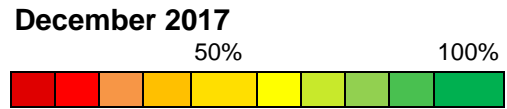
DCAF played an important role in the process of drafting a Tunisian White Paper on Defence and Security by organizing an inter-ministerial conference on the subject in 2016 and by organizing the EUROMED Seminar, in February 2017, on the geopolitics of the great powers in the Mediterranean basin. This seminar was held at the National Defence Institute (IDN) and contributed to the thinking of the authorities responsible for drafting the White Paper. The exercise was greatly appreciated by our beneficiaries.

In October, DCAF launched a new web platform on the Tunisian criminal justice system. The criminal justice process in Tunisia is complex and hard to understand for the common citizen. However, particularly for individuals who are subject to legal proceedings, but also for the wider public, it is important to know the rights and responsibilities of everyone involved, in order to enable transparency and accountability. The platform was created by DCAF in cooperation with the Tunisian authorities. It has received praise from representatives of the Ministry of Justice, from members of parliament, from the newly established National Instance of Access to Information, international partners and from civil society organisations.

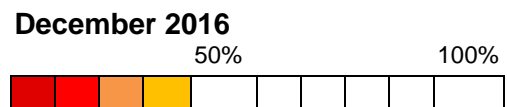
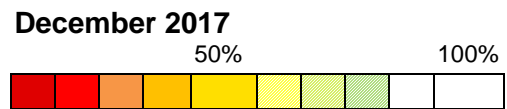
1. Legal and Policy Framework

General legal framework

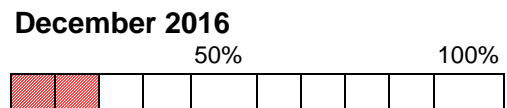
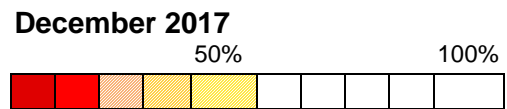
1 The constitution provides a solid basis for democratic governance of the security sector.



2 All organic laws, laws, decree-laws, decrees and circulars concerning the security sector are published and easily accessible to the public.

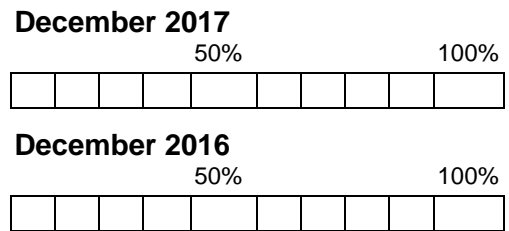


3 The state has developed a legislative reform agenda for the security sector.

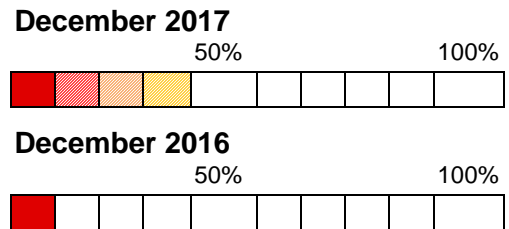


Organisation of security providers

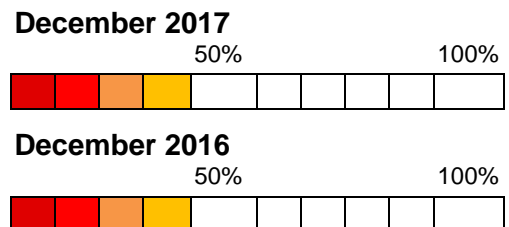
4 The use of force by law enforcement officials is regulated by national law and clear policies, which all conform to international norms and practices.



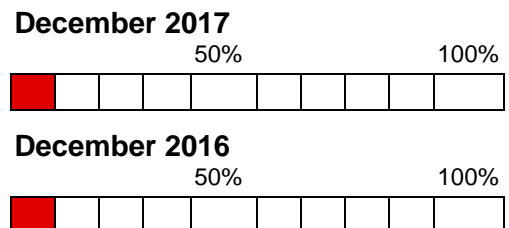
5 The State has a law for its police forces that is based on international good governance norms and practices.



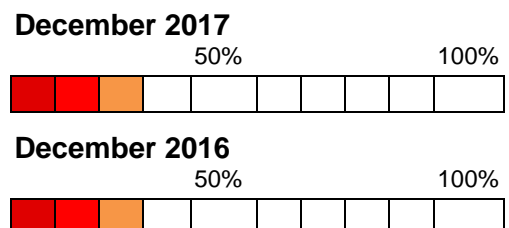
6 The State has a law for its intelligence service(s) that is based on international good governance norms and practices.



7 The State has a law for its armed/defence forces that is based on international good governance norms and practices.

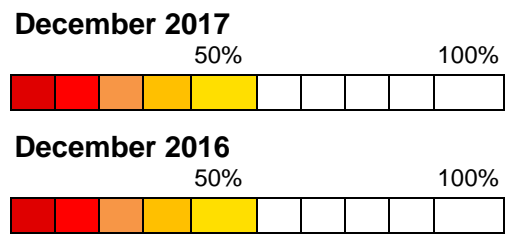


8 The roles of, and coordination among, the various armed/defence and security forces, as well as the intelligence service(s), are clearly defined by law.



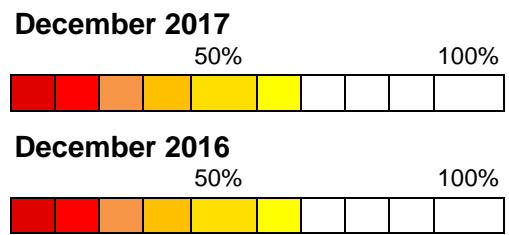
Military Justice

9 The military justice system is based on a law that conforms with international norms and practices.

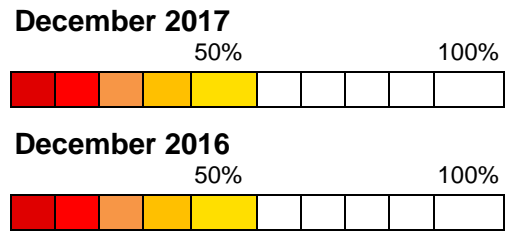


Oversight and accountability of the security sector

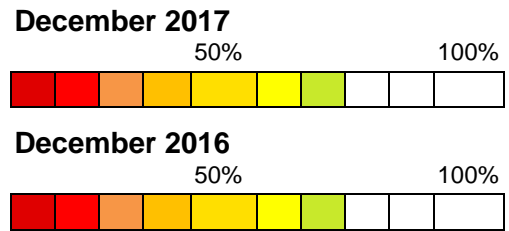
10 The legal framework explicitly provides for civil democratic executive control over the defence and security forces, as well as the intelligence service(s).



11 Parliamentary authority to decide on the line-item budget of the defence and security forces, and to exercise oversight over budget planning and execution, is enshrined in law.



12 All members of the defence and security forces are bound to respect the law, and can be held accountable for their acts by the judiciary.

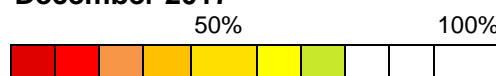


Rights and obligations of members of the defence and security forces

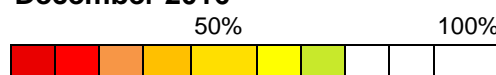
13

The expected behaviour of members of the police/security forces is laid out in a code of conduct.

December 2017



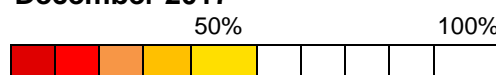
December 2016



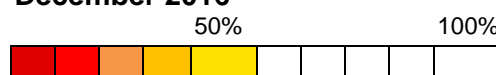
14

The right of members of the police/security forces to form associations and unions is protected by law.

December 2017



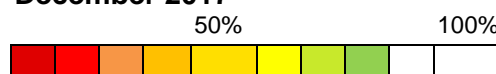
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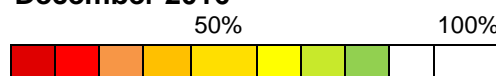
15

The regulatory framework ensures respect for the human rights of members of the defence and security forces.

December 2017



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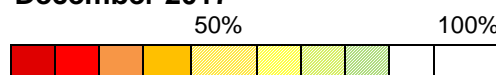


National policies

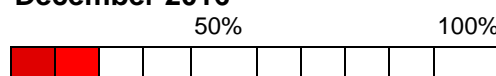
16

There is a national security policy, and a process to regularly review and update it.

December 2017



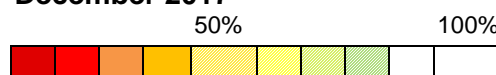
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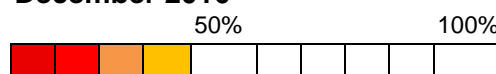
17

There is a national defence policy, and a process to regularly review and update it.

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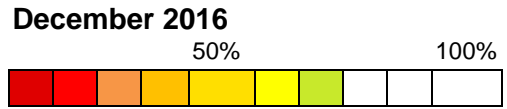
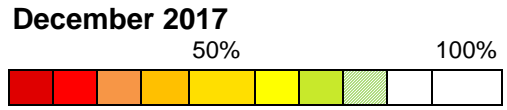


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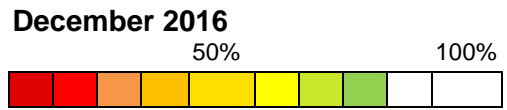
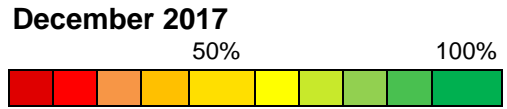


Freedom to research and discuss security and defence issues

18 Laws guaranteeing freedom of expression and freedom of information are in place.



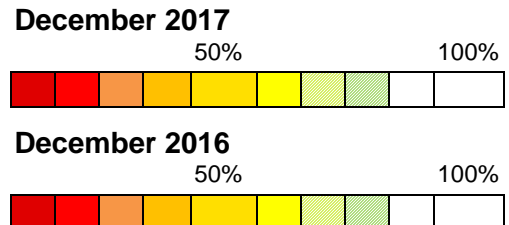
19 The law guarantees that all government activities, including security and defence issues, can be discussed in the media and in public.



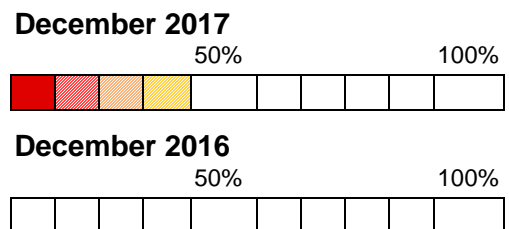
2. Institutional Framework and Systems

National level

20 There are effective and efficient national security institutions in place, such as a national security council.

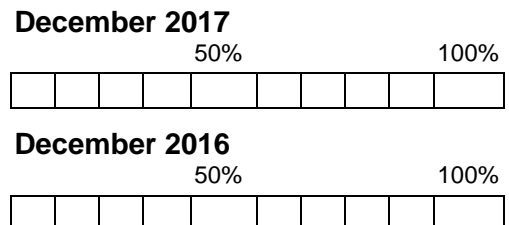


21 The state has a national institution in charge of developing and periodically reviewing a national security policy.

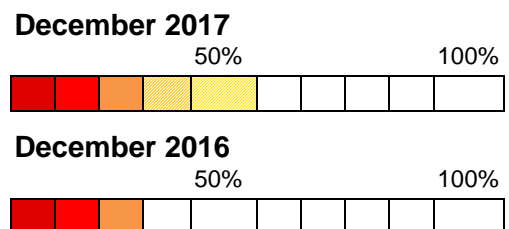


Executive level

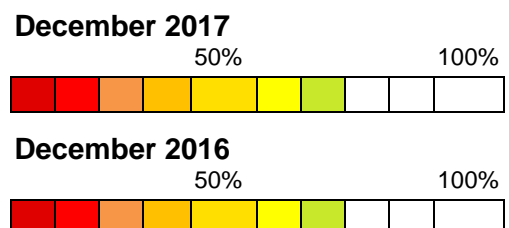
22 The state has established a national security sector reform committee that develops national SSR strategies and monitors their implementation.



23 The state has an effective and functional ministry in place that oversees internal security and policing, such as a Ministry of Interior.

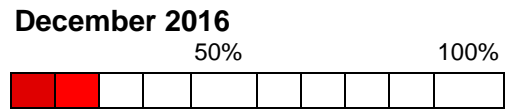
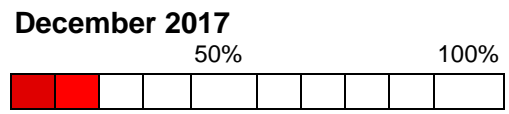


24 The state has an effective and functional ministry in place in which civilians assure the key responsibility for defence policy, planning and budgeting, and the control of the national defence forces.

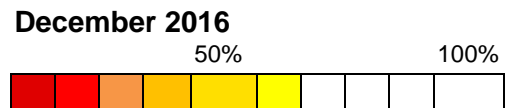
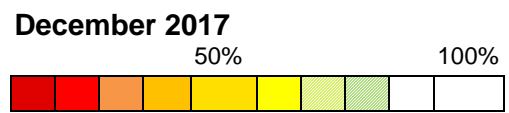


Accountability mechanisms

30 The state has established effective complaint mechanisms which have the power to receive complaints, investigate all allegations of misconduct and criminal offenses by security providers, and to hold the perpetrators accountable.

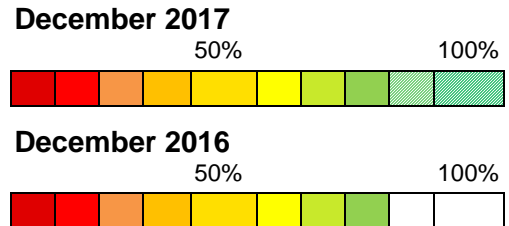


31 The state has ratified the Optional Protocol to the Convention Against Torture, and has established a National Preventive Mechanism

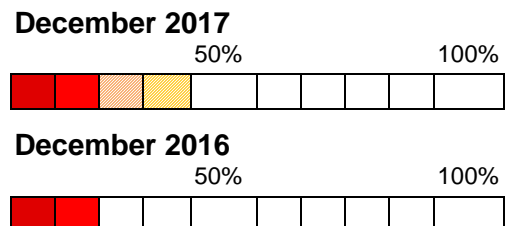


3. Practices and Culture

32 The armed defence and security forces have an understanding of their role in a democratic society, and a culture of submitting to the control and oversight of democratically elected civilian authorities.

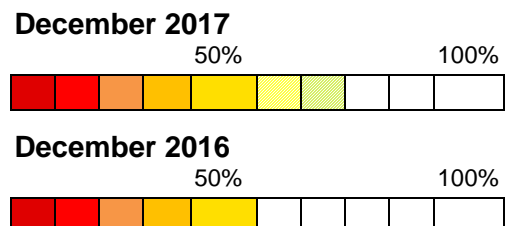


33 Security providers are responsive to the security needs of the population, and understand the importance of crime prevention.

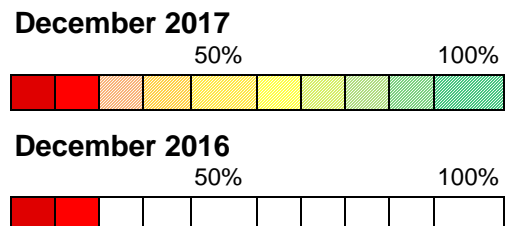


Culture of communication

34 Key security ministries have the will to communicate with citizens, and do so in a transparent, regular and credible manner.

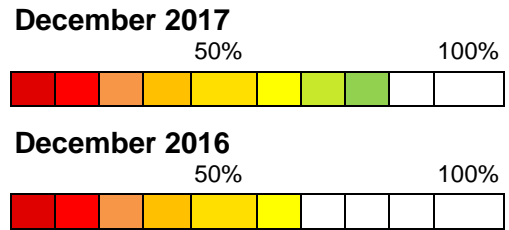


35 The internal communications of key security sector institutions are effective, and allow for key information concerning security incidents, trends and challenges to flow to decision-making bodies when needed.

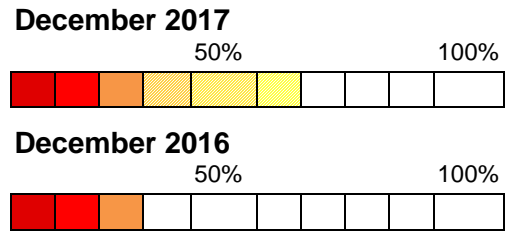


Culture of respecting Human Rights

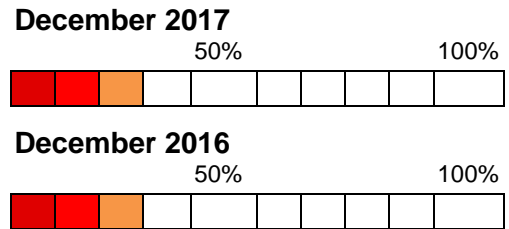
36 The defence forces are aware of their human rights and international humanitarian law obligations, and respect these obligations in their day-to-day work.



37 The internal security forces are aware of their human rights obligations, and respect these obligations in their day-to-day work.

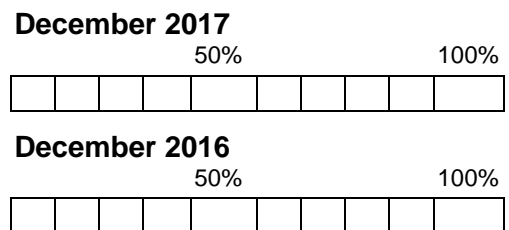


38 The human rights of members of the armed defence and security forces are respected in their day-to-day work.



Culture of representation

39 Security providers and broader security sector actors are representative of their population, and reflect its full diversity.

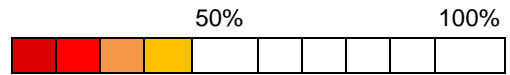


4. Access to Information

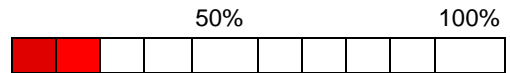
40

The system of allowing citizens access to government information is functional.

December 2017



December 2016



4. TFNA PROJECTS OUTCOME REPORTING

4. TFNA Projects Outcome Reporting

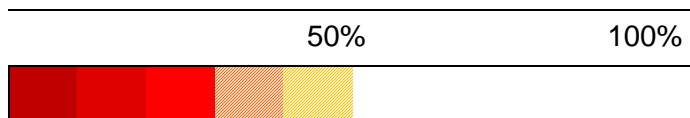
This section reports on the outcomes of TFNA-funded projects in Tunisia. This report shows the progress in project implementation in 2017 (from December 2016 to December 2017).

For each project, the reader will find an ‘outcome statement’ and underneath it, a progression chart outlining the corresponding steps/goals to be carried out. This is complemented by an assessment to what extent progress towards the intended outcome has been achieved, and a visual representation of this assessment using a coloured bar.

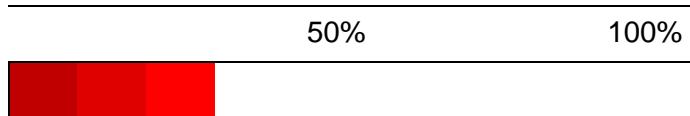
In some instances, a striped colour is used. This indicates that a step in the project is ongoing. This will be further represented in the percentage with a plus sign.

Example:






December 2017



December 2016



*The bar chart above shows that by December 2017, 30% of the project outcomes have been attained, with another 20% currently ongoing. The percentage given would thus be **‘30% +’**.*

A LEGITIMATE AND TRUSTED SECURITY SECTOR THAT RESPECTS RULE OF LAW AND ENSURES HUMAN RIGHTS	
MORE ACCOUNTABLE AND EFFECTIVE SECURITY SECTOR INSTITUTIONS	
	Responsive Security
Outcome	 <p>Executive and security providers are responsive to the security needs of the population</p>
Output	<p>The security sector is guided by a framework of laws, policies, codes of conducts that are in line with international good practice and fit the local context</p> <p>Active societal and parliamentary debate on the reform of security sector legislation and policies</p>
DCAF processes and activities	 <p>Adequate Legal and Policy Framework</p>  <p>Inclusive dialogue on security needs and policies</p>  <p>Regulatory assistance</p>  <p>Support to managing change of security providers</p>
DCAF Projects in Tunisia	<p>Ongoing</p> <ul style="list-style-type: none"> • Improving the capacity of security sector actors to better respond to the security needs of young citizens (11) • Creating the legal framework for intelligence governance in Tunisia (6) • Supporting the implementation of the new constitutional framework in the field of SSG (12) <p>Ongoing</p> <ul style="list-style-type: none"> • Improving the Ministry of Interior's ability to communicate with citizens (1) • Improving the access to core security sector information (7) <p>Ongoing</p> <ul style="list-style-type: none"> • Developing security sector-related complaints mechanisms (4) • Assisting the Ministry of Justice in penitentiary reform (5) • Strengthening parliamentary capacity to oversee the security sector (8) • Improving the use of forensic evidence in torture-related investigations (9) • Supporting the national Tunisian Truth and Dignity Commission (IVD) in the framework of the transitional justice process (10)
Identified deficits in the security sector	<p>Strategic management skills and structures are developed</p> <p>Service provision deficit</p> <p>Resource deficit</p> <p>Strategic management deficit</p> <p>Control deficit</p> <p>Coordination deficit</p> <p>Regulatory framework deficit (legal and policy)</p> <p>Access to information deficit</p> <p>Public trust deficit</p> <p>Accountability and oversight and control deficit</p>

1 Improving the Ministry of Interior's ability to communicate with citizens

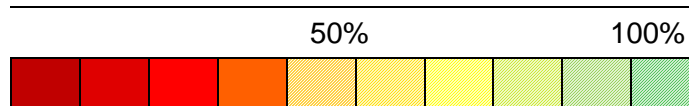
Outcome statement

Relations between the Ministry of Interior, its Internal Security Forces (ISF) and citizens, are improved through the establishment of effective and efficient channels of communication.

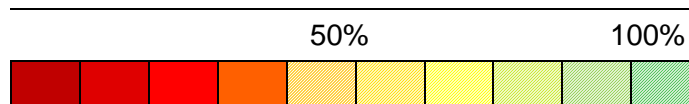
Project partners

Ministry of Interior

December 2017



December 2016



How was this grade calculated?

✓	The Ministry of Interior has conducted a review of its communication with citizens.
✓	The review has been validated by civil society, media and other external stakeholders.
✓	An action plan for improving communication with citizens has been established. A strategic communication plan developed in partnership with DCAF has been approved in January 2017 by the interior ministry.
Ongoing	Implementation of the action plan: An information and communication unit has been established within the Ministry of Interior/ Internal Security Forces (ISF). Authority has been delegated to the different ISF at both central and regional level. Members of ISF in charge of communicating have been trained.
Ongoing	Implementation of the action plan: A code of conduct for members of the ISF when dealing with journalists has been developed and approved, and members of the ISF apply the Code of conduct in their daily work.
Ongoing	Implementation of the action plan: An information and communication unit has been established within the Ministry of Interior/ ISF. Authority has been delegated to the different ISF at both central and regional level. Members of ISF in charge of communicating have been trained.
Ongoing	Implementation of the action plan: The Ministry of Interior has adopted and implemented a crisis communication strategy.

43 % + of project completed

Notes

Problem statement: The Ministry of Interior was instrumentalized by pre-revolutionary political regime; its vocation and functions were geared towards maintenance of state and regime stability. Public communication was largely neglected and narrowed down to propaganda purposes. The Ministry's Press Department is taking steps to engage with journalists, but communicating with the public more widely in a meaningful way remains an urgent reform need for the Ministry.

Background/context: In 2011, DCAF and the Ministry of Interior conducted a detailed review of the Ministry's relations with Tunisia's citizens, civil society organisation and the media. On the basis of the review, DCAF and the Ministry developed in spring 2012 a detailed action plan for improving the Ministry's internal and external communication. The implementation of this action plan started in July 2012. In June 2015, the Minister of Interior asked DCAF to include in the ongoing project the development and implementation of a "global communication strategy" and a "crisis communication strategy".

DCAF's response: On the basis of the approved action plan, DCAF has assisted the Information and Communication Unit of the Ministry in developing its capacity through regular trainings and tool development. A working group comprised of officials of the Ministry and DCAF developed a global communication strategy outlining how the Ministry is planning to organise communication in the future – both at the central and local levels. Another working group composed of officials of the Ministry and DCAF developed a draft crisis communication strategy, which was validated by the Minister of Interior in August 2015. DCAF organised in 2015 and 2016 four 3-days trainings for the members of the future ministerial Crisis Communication Unit of the Ministry of Interior. Additional trainings and field exercises have also meant an extension of the project.

Implementation in 2017: Following dialogue between DCAF and the Ministry in summer 2016, the global communication strategy was finally validated by the Minister of Interior in February 2017. Furthermore, DCAF remained in constant dialogue with the Ministry of Interior to equip a media centre and crisis communication office to provide communication support and enhance information sharing with media and citizens. A DCAF expert carried out an assessment mission to identify and assess the Ministry's equipment requirements and identify facilities for the future media centre. Though the creation of the crisis communication unit has not been officially announced, DCAF had received an approval from the Ministry's Press Department about the nomination of the Unit's members. DCAF organised a study trip for the Ministry's communication officers in August 2017 to benefit from the experience of Belgian police in terms of crisis communication. The Ministry of the Interior reiterated, during a meeting with the heads of communication and international cooperation, its willingness to establish the "House of Communication. DCAF is currently waiting for a formal approval in order to begin the implementation of this important activity.

Constraints and challenges: Frequent turnover at senior levels of the Ministry of Interior since 2011 as well as of its spokespersons have slowed down the implementation of the project. In addition, the question of the legal and institutional status of the communication team may require a decree-law passed at the level of the Presidency of the Government.

2 Creating a strategic planning unit in the Ministry of Interior

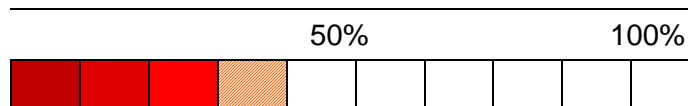
Outcome statement

The Ministry of Interior’s strategic planning capacity is strengthened by an efficient and effective strategic planning unit.

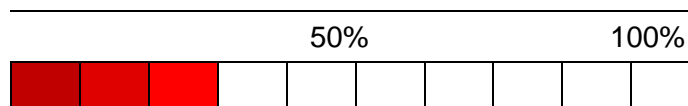
Project partner

Ministry of Interior

December 2017



December 2016



How was this grade calculated?

- ✓ There is a political will of the Ministry of Interior for the establishment of a strategic planning unit.
- ✓ A relaunch workshop has been hold to emphasise the importance of a strategic planning unit within the Ministry of Interior
- Ongoing The members of the strategic planning unit have been recruited based on a recruitment process that is in line with international norms and practices.
- The Ministry of Interior’s leadership has issued a clear tasking for the work of the strategic planning unit.
- The strategic planning unit has been provided with the necessary facilities and equipment.
- The members of the strategic planning unit have been trained in strategic planning and communication skills.
- The strategic planning unit has delivered a first planning document to the Ministry’s leadership.

29 % + of project completed

Notes

Problem statement: Functions and competencies within the Ministry of Interior are spread over various units, making planning and coordination challenging. Many state institutions also require better resources and capacities for strategic planning. This often impedes the crucial development of locally owned security sector reform and governance strategies.

Background/context: In February 2014, the Deputy Minister of Interior in charge of internal security mandated DCAF to develop a proposal on the establishment of a Strategic Planning Unit within the Ministry of Interior. This was based on the needs assessment carried out by DCAF in January 2013 and a proposal developed with representatives of the Ministry of Interior at the strategic planning retreat in Montreux in June 2013. The project is moving forward slowly upon the Minister's confirmation of their demand to DCAF to continue its support.

DCAF's response: The Ministry of Interior informed DCAF in August 2016 that it wanted to move forward with the establishment of a Strategic Planning Unit. It requested DCAF to organise a 'workshop' scheduled for October 2016. In response, DCAF proposed a programme with Belgian experts involved in the drafting of the recent Belgian 'Plan national de sécurité 2016'.

Implementation in 2017: The workshop did not take place in 2016 mainly for agenda conflicts. Finally, the workshop took place in July 2017 and members of the Internal Security Forces were present during this one-day workshop. There has been no progress since then.

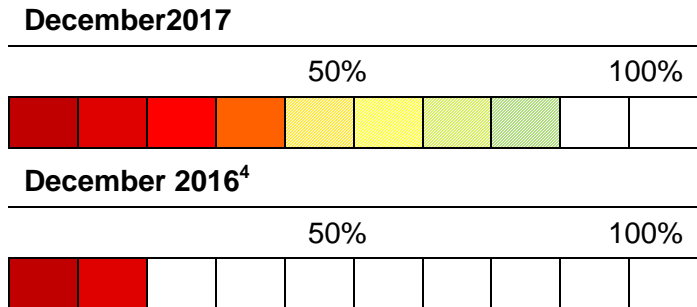
Constraints and challenges: The creation of a strategic planning unit at the Ministry of Interior is a key condition for a successful reform of the Ministry and of the internal security forces. DCAF is engaged in an ongoing dialogue with the Ministry in order to communicate the importance of establishing the unit and frame it within the overall reform process.

3 Gender integration in Tunisia’s security sector³

Outcome statement
 The integration of a gender dimension into Tunisia’s security sector reform process is facilitated through reinforcing the capacity of key Tunisian partners and strengthening of the institutional framework.

Project partners
 Aswat Nissa
 La Ligue Nationale Tunisienne de la Femme Policière

Main beneficiaries
 Ministries of Interior, Justice, National Defence, Finance, and Women’s Affairs



How was this grade calculated?⁵

✓	A mapping of various actors’ activities in the Gender and Security is developed.
✓	A strategy on Gender and Security has been developed.
Ongoing	The Tunisian National League of Policewomen has developed and implements a communication strategy on the importance of gender integration into security sector governance.
Ongoing	Tunisian female politicians have been trained on the importance of gender integration into security sector governance and implement related initiatives at the local and national levels.
Potential	Police academies have integrated specific modules on the implementation of the law on the prevention of violence against women into police core training.

40% + of project completed

³ This project name has been changed from last year’s report. It was previously titled “Mapping gender integration in Tunisia’s security”

⁴ This percentage has been changed

⁵ This scale has been changed

Notes

Problem statement: Although Tunisia's commitment to gender equality places it well ahead of other Arab states, most parts of the security sector still employ relatively few women. In addition, the integration of the gender dimension into Tunisia's ongoing security sector reform process is key to ensure that the state addresses the specific security needs of women and men. Better gender integration is thus a condition for reinforcing the legitimacy of the Tunisian security sector.

Background/context: Since 2013, DCAF has launched activities related to the improvement in gender sensitivity in the security sector. These activities were carried out in partnership with Tunisian civil society organisations working in the field of human rights and security sector reform. A Local partner organisation carried out research and interviews for a mapping of gender and security in Tunisia, which has provided a basis for DCAF's engagement on the topic.

DCAF's response: DCAF plans to publish key findings and recommendations of the study on gender and security in Tunisia by the end of 2018. DCAF is implementing the recommendations of the report through the projects listed below.

Implementation in 2017:

- **Strengthening external communication of the Tunisian National League of Policewomen (LNTFP):** Through coaching sessions organised by DCAF, the LNTFP developed and approved in January 2017 a strategic plan for its future activities. In 2017, as part of the implementation of the League's strategic plan, DCAF helped the League draft a strategic communication plan and develop effective advocacy strategies for equal treatment of female police officers (career advancement, specific needs). The plan is now (2018) being implemented.
- **Strengthening the role of female politicians in SSR/G processes:** DCAF developed with Aswat Nissa, a Tunisian CSO working group on women political participation, a project which aims at training 60 women politicians, at national and local levels, on gender integration into security sector governance processes, and at helping them implement gender equality initiatives. DCAF is planning to conduct meetings with parliamentarians in February 2018. The project contributes to Tunisia's efforts to implement UN Security Council Resolution 1325 (2000). Together with Aswat Nissa, DCAF will organise an international conference on the adoption of a national action plan for the implementation of UNSCR 1325. This conference will also cover the topic of gender in the transitional justice system and the role of women in the prevention of violent extremism.
- **Improving assistance to women victims of violence:** In July 2017, DCAF discussed with the Ministry of Interior potential support for implementing the new law preventing and fighting violence against women. DCAF will conduct consultations with the Ministry of Women's Affairs on its essential support needed in this field.

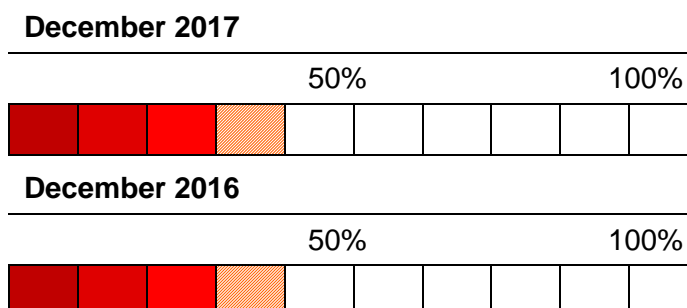
Constraints and challenges: The main challenge is availability of partners, as all members of the League are full-time police officers. Their availability for advancing the project depends on their professional obligations. The same challenge impacts the project with Aswat Nissa, as politicians both at the local and national levels already have various professional obligations. As for the potential support project to the Ministry of Interior, its success depends on the involvement of all relevant structures within the Ministry of Interior which play a role in preventing violence against minors and/or women. The cooperation and coordination of the International Cooperation Department in the Ministry is essential and at times challenging.

4 Developing security sector-related complaints mechanisms

Outcome statement
 Citizens have access to complaints mechanisms of the Ministry of Justice addressing human rights issues in the security sector.

Project partner
 Ministry of Justice, Prime minister's office

Associated institutions
 Ministries of Interior, National Defence and Social affairs
 Other institutions that receive complaints (such as General Ombudsman, National Torture Prevention Commission)



How was this grade calculated?

- A mapping of legally established complaints mechanisms in Tunisia has been completed.
- Ongoing Discussion with relevant Ministries and other institutions, regarding complaints mechanisms in place.
- The relevant institutions have developed strategic plans on how to address complaints, and how to coordinate with ministries and other independent institutions.
- The implementation of the strategic plans has been evaluated, and recommendations have been addressed.
- The Ministry is able to receive and process complaints.
- Coherence and cooperation among the institutions receiving complaints has been improved, and citizens are aware about where and how they can submit complaints.
- The government has adopted a “client” approach towards the treatment of complaints.

29 % + of project completed

Notes

Problem statement: Due to the nature of the former political system, the notion of admitting complaints against the security sector and its accountability towards citizens is underdeveloped. The new Constitution foresees the establishment of independent control mechanisms, including for receiving citizens' complaint. However, so far limited progress has been made on their entering into force.

Background/context: The then Ministry of Transitional Justice and Human Rights, now the Ministry of Justice, requested in early 2013 DCAF's support in strengthening their system of reception and treatment of complaints submitted by citizens. Pending the creation of all independent Instances foreseen in the new Constitution, temporary institutions were formed, like the Instance for the Fight against Torture.

DCAF's response: DCAF advised the Ministry on the first steps towards a more efficient system: DCAF produced a mapping of the existing complaints mechanisms in Tunisia that serves as a platform for the coordination of the Ministry with other Ministries and independent institutions also mandated to receive citizens' complaints. DCAF recommended that the government adopt a "client/constituent approach" which could lead to the creation of a single point of entry for Human Rights complaints, where the citizen would not have to address different ministries. Following the change in government in March 2015, the human rights branch of the Ministry of Justice, Human Rights and Transitional Justice was disbanded, and its functions transferred to a newly created branch at the Prime Minister's office. In September 2015, DCAF received a written request from the Prime Minister's office to continue working with them on complaints management. DCAF supported the Prime Minister's office in updating the mapping of existing security sector complaints mechanisms. The updated version was submitted for review to the Ministry of Human Rights in early 2016. Following the creation of the new government during summer 2016, the role of the National Human Rights Commission, which would play a central role in receiving and handling complaints, remained unclear. The Council of Ministers agreed in May 2016 that the future National Human Rights Commission should no longer - as initially foreseen by the draft law - encompass a sub-commission in charge of ensuring human rights compliance of the internal security forces. Rather, the Council of Ministers opted for the creation of a similar commission under the auspices of the Ministry of Interior. This decision goes against DCAF's advice, which encouraged the authorities to ensure that complaints are handled by an independent and external commission.

Implementation in 2017: In 2016, DCAF was invited by the Ministry of Interior to assist the development of its police complaints commission (project funded by the European Union). The project is on hold since April 2017 pending a final decision from the Ministry.

Constraints and challenges: Abovementioned institutional changes slowed down project implementation. Also, the institutional landscape is complex: numerous small projects on complaints handling are taking place in parallel in different areas. This makes donor coordination difficult.

5 Assisting the Ministry of Justice in penitentiary reform

Outcome statement

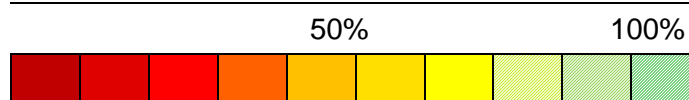
The Ministry of Justice has developed a management capacity able to lead reform of the penitentiary and rehabilitation system.

Project partners*

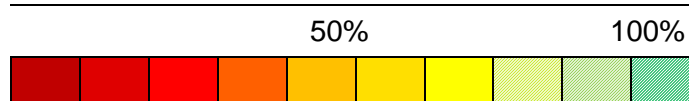
Ministry of Justice

DCAF's support to the reform of the penitentiary and rehabilitation system is carried out through a coordination group, led by the EU and UNDP.

December 2017



December 2016



How was this grade calculated?

✓	Staff working at the Ministry of Justice understands its role in promoting good governance in Tunisia's penitentiary and rehabilitation system.
✓	Staff working at the Ministry of Justice has acquired the technical and conceptual skills needed to engage in reform of the penitentiary and rehabilitation system.
✓	The Ministry has undertaken a mapping of existing reports and studies on the Tunisian penitentiary and rehabilitation system and on the legislative framework regulating it.
Ongoing	Access to information, communication and transparency has improved through the establishment of a platform where statistics on the penitentiary system are regularly published and updated.
✓	The Ministry has a clear understanding of the strengths and weaknesses of the penitentiary system and has developed an action plan to address the challenges.
✓	The action plan developed by the Ministry with the support of international partners on the reform of the penitentiary and rehabilitation system has been validated by the Minister of Justice.
Ongoing	The Ministry of Justice has implemented the action plan for reforming Tunisia's penitentiary and rehabilitation system.

71+% of project completed

Notes

Problem statement: The Tunisian penitentiary system is marked by overcrowding, poor service provision to detainees and thus reduced prospects for successful rehabilitation and reintegration of prisoners into society. Poor statistical data on the actual prison population makes it difficult for politicians and other decision-makers to take informed decisions on criminal justice reform and detention management.

Background/context: In October 2011, DCAF and the Ministry of Justice signed a Memorandum of Understanding that outlines cooperation in mapping the Tunisian penitentiary and rehabilitation system, and in designing recommendations which would improve efficiency, respect of human rights, and human dignity in the penitentiary system.

DCAF's response: DCAF has provided trainings to the staff at the Ministry of Transitional Justice and Human Rights (today Ministry of Justice) aimed at enhancing their capacity to carry out visits to prisons and police detention facilities, and to promote good governance in the penitentiary system. Based on these training sessions, DCAF produced a short manual for Tunisian authorities and independent organisations and institutions on how to carry out a prison visit. Since August 2014, as part of the implementation of the general action plan on the reform of the penitentiary and rehabilitation system, DCAF has been supporting the Prison Administration General Directorate (DGPR) in improving the production of detention statistics, through training courses and on-site coaching. DCAF has also started supporting the Prison Administration in developing a website where detention statistics are published and regularly updated, in order to promote transparency. In December 2015, the Director General of the Prison Administration created a 'Central Statistics Bureau' and nominated its Director. The Director General addressed in late December 2015 a letter to DCAF's office in Tunis, requesting its support in developing the Central Statistics Bureau. In spring 2016, DCAF conducted an assessment of the statistics production processes at the Prison Administration. On the basis of the assessment, a Swiss expert involved in the project provided training for the staff of the Central Statistics Bureau during the second half of 2016.

Implementation in 2017: In January 2017, DCAF mandated two experts to finalise the state of the infrastructure and software available for data mining at the DGPR level and provide training on data quality control. In May 2017, a self-evaluation process made it possible to update the objectives of the project. It resulted in a review of the planning tools, including the development of a logical framework, a budget and an infographics of statistical data transmission. In July 2017, DCAF and the DGPR organised four working sessions to define the mandate of the Central Bureau of Statistics (BCS) and to draft, in a participatory approach, the cooperation agreements between the BCS and the 10 DGPR Directorates that will be collecting the data for the BCS. Once validated, these documents will constitute the framework for the statistical activity of the DGPR, whose main objective is the publication of prison statistics on a website. The working sessions were also a training opportunity for the seven members of the BCS team and the 10 representatives of the BCS in the Directorates. Finally, the appropriate IT solution to manage the work of the BCS was identified.

Constraints and challenges: The recent proliferation of bi-lateral and multilateral cooperation ideas in the field of preventing radicalisation, but also the numerous parallel ongoing projects in the field of penitentiary and judiciary statistics, appears to be overwhelming for the Prison Administration and confronts it increasingly with human resources bottlenecks. The EU Support Program to Justice Reform (*Programme d'appui à la réforme de la justice- PARJ*) is currently undergoing a significant mapping and revision process in view of the planned PARJ III. Nevertheless, the DGPR confirms its strong commitment to the project.

6 Creating the legal framework for intelligence governance in Tunisia

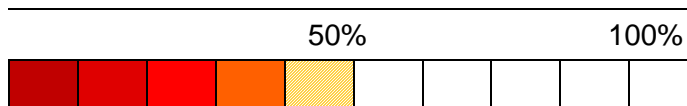
Outcome statement

The Tunisian Government makes a first step towards improved efficiency, transparency and accountability of the intelligence services by developing a new law for the intelligence services.

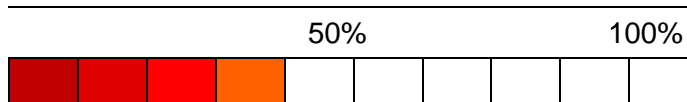
Project partners

Ministries of Interior, National Defence, Finance, and the Prime Minister's office

December 2017



December 2016



How was this grade calculated?

- ✓ The Tunisian Ministries of Interior, National Defence and Finance have undertaken a review of their intelligence services.
- ✓ An inter-ministerial Task force for the reform of Tunisia's intelligence sector has been established, bringing together representatives of the Ministries with intelligence services.
- ✓ The members of the Task force have access to comparative expertise through custom designed studies, literature and expert briefings.
- Ongoing The Task force has prepared a first draft of the new intelligence law.
- █ The Ministries of Interior, National Defence, Finance and the Prime Ministry have reviewed, amended and subsequently approved the new draft law.
- █ The new draft law has been submitted for public consultation; pertinent observations and comments have been integrated into the draft law.
- █ The Council of Ministers has approved the draft law and submitted it to the National Assembly for review and adoption.
- █ The National Assembly has discussed the draft law and adopted it as an organic law.

38 % + of project completed

Notes

Problem statement: Tunisia currently lacks specific legislation for governing its intelligence services and granting the authorisation of special powers. Such legislation will help address challenges related to clarify roles, coordination and oversight.

Background/context: In 2013, the Tunisian government established a working group tasked with developing new legislation proposals for Tunisia's intelligence services. However, since March 2014, the Ministries of Interior and National Defence pursued their efforts separately. In November 2014, the Ministry of National Defence announced the establishment of a new military intelligence agency called the "Agence des renseignements et de la sécurité pour la défense ». DCAF continued to meet with both ministries in order to promote a coordinated approach in intelligence reform.

DCAF's response: In May 2015, the Ministry of Interior requested that DCAF implement a component of the EU SSR assistance programme aiming to develop legislation regulating the interception of telecommunication in Tunisia. DCAF, the Ministry of Interior and the European Union began discussing the modalities of the project, which was first set to start in March 2016. In November 2015, a task force in charge of developing proposals for the reform of Tunisia's intelligence sector was established. In cooperation with the Presidency of the Republic, DCAF facilitated national consultation on intelligence governance in democratic societies. DCAF organised two round tables in 2016 on intelligence related matters. Those events gathered representatives of all of Tunisia's intelligence services, representatives of their line ministries, members of parliament and civil society. The resulting working paper served as an input for a high-level working group on intelligence reform chaired by the Presidency of the Republic.

Implementation in 2017: The reform efforts led to the creation of the National Security Council by Government Decree No. 2017-70 of 19 January 2017, and its implementation throughout 2017. This illustrates the resolution of the Tunisian institutions to strengthen the effectiveness, coordination and reliability of their intelligence services. On 26-27 April 2017, DCAF and the Presidency of the Republic held a two-day consultation on the regulations and good practices ruling intelligence bodies in democratic countries. The resulting recommendations were fully accepted by the Presidency. DCAF organised a follow-up roundtable on intelligence and cybersecurity on 16 and 17 November 2017. The roundtable provided a comparative overview of the national and international legal frameworks governing cyber security, the tools and methods of cyber-protection and the main challenges facing Tunisia in this field.

Constraints and challenges: The reform of intelligence services touches upon core prerogatives of the state and is everywhere a slow and politically sensitive process. In Tunisia, the drafting process of the intelligence law is still ongoing. Consensus building on key aspects requires continued support to help make choices on an informed basis. DCAF continues to work on this.

7 Improving access to core security sector information

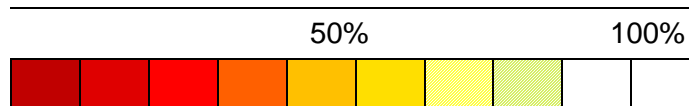
Outcome statement

Access to information in the field of security, justice and defence is improved through the provision of information, internal guidelines, and relevant statistical data.

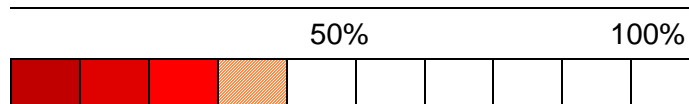
Project partners

Office of the Prime Minister
Ministries of Interior, National Defence, Justice and Finance;
media

December 2017



December 2016



How was this grade calculated?

✓	The new Constitution has anchored the right to information (Art. 32).
✓	A new law on access to information has been adopted by Parliament. The access to information authority had been created and its 9 members nominated on July 2017.
✓	The guidelines for providing access to information in the field of security, justice and defence have been adopted by the respective Ministers and communicated to the public.
✓	The Ministries are applying and complying with the new guidelines when responding to request for access to information.
✓	An online platform explaining criminal justice was created by DCAF and made available in Arabic (Tunisian dialect) and French
✓	A network of journalists apt for quality coverage of SSG was created through training and network activities. The network expands.
✓	Marsad Tunisia continues to be a reference tool for quality news coverage in the field of security sector politics. Visitor numbers increase.
✓	DCAF Legal database also includes relevant draft laws, and allows comments from users on each article of these laws. The database includes a list of legislation which, in light of the new constitution, would need to be reviewed by a new parliament.
Ongoing	The database includes a list of legislation which, in light of the new constitution, would need to be reviewed by a new parliament. The database as well as the inventory is constantly updated to include emerging legislation.

66 %+ of project completed

Notes

Problem statement: Access to information in the field of security, justice and defence is key for improving security sector governance. It allows citizens and their elected representatives to hold the government accountable. However, most Tunisian state institutions are still unsure of what information they can share and with whom. Also, media is not aware of their rights to access information, or how to report on key security sector topics.

Background/context: A first step was achieved by anchoring the right to information at the level of the constitution. The new law on access to information was adopted on 11 March 2016; the access to information authority was created and its 9 members nominated on July 2017.

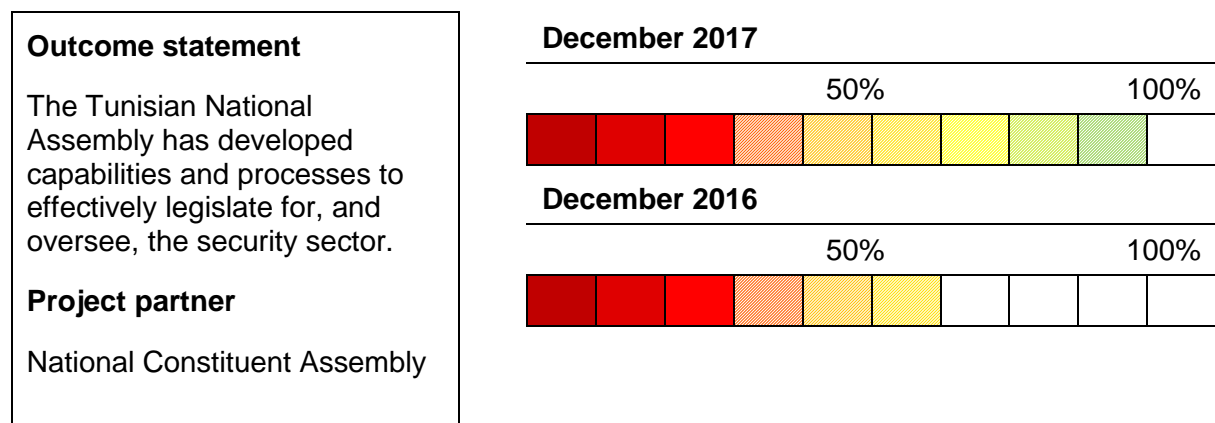
DCAF's response: DCAF is working with Tunisian media to professionalise security sector coverage, and has signed MoUs with two media agencies: the Tunisian Press Agency and the High Authority on Independent Broadcasting. DCAF provides regular information and analysis on the Tunisian security sector through its online security sector observatory ("Marsad Tunisia"). It has also created an online database of security sector legislation which is widely used by Tunisian officials as a key reference in the field (www.legislation-securite.tn). DCAF also offers its support to the Tunisian authorities on implementation of the new law on access to information.

Implementation in 2017:

- DCAF developed an [online platform](#) to explain the criminal justice system in Tunisia with the objective of improving citizens' knowledge of their rights and promoting inclusive debate on criminal justice reform. Since its launch in October 2017, the platform had over 1200 visitors, 69% from Tunisia, 9% from USA and 3 % from Algeria and Morocco. Following a request from the observatory of young Tunisian journalists (ONJT), DCAF organised in December 2017 a presentation of the platform.
- DCAF updated the online platform of Marsad Tunisia with a new interface and the addition of a series of infographics related to SSR/G. In 2017; the platform recorded a total of 52'782 users, which represents an increase of +6% compared to 2016. The large majority of users are from Tunisia (80%), followed by the United States (4.2%), France (4%), Algeria (2%) and Morocco (1%). The platform enjoys a significant popularity in social media, with 661.000 fans on Facebook and 5.800 followers on Twitter.
- DCAF organized 11 training sessions for field journalists working for public, private and community media, in collaboration with national and international actors such as TAP and HAICA, Small Arms survey and UNESCO. These trainings tackled 5 topics; online research and usage/visualization of data; journalistic sources and techniques for covering issues related to the good GSS; access to information; techniques to conduct interviews with counterparts from the security forces; and the smuggling of light weapons. In total, more than 140 participants took parts in these trainings.

Constraints and challenges: The fight against terrorism presents many challenges regarding the implementation of the access to information law. The reform of the Intelligence services would also need to be aligned with this law. Access to information touches upon core prerogatives of the state, as well as upon relations between the executive and the parliament, making it a long and politically sensitive process.

8 Strengthening parliamentary capacity to oversee the security sector



How was this grade calculated?

✓	Parliament has the legal authority to legislate for the security sector and oversee its activities.
✓	Parliament has assigned oversight of defence, security and intelligence to special committees.
Ongoing	Parliament has done an assessment of its capacities with regards to the oversight of the security sector.
Ongoing	Parliament has implemented the recommendations from the assessment.
Ongoing	Parliament has developed the capacity of parliamentarians dealing with defence, security and intelligence matters.
Ongoing	Parliament has recruited and trained parliamentary support staff for its committees dealing with defence, security and intelligence.
	Parliament has a clear set of priorities for adapting and amending the country's existing security laws to the new Constitution.
Ongoing	Parliament oversees the government and defence/security organisations in the area of compliance with laws and regulations, budgetary discipline, and/or creates independent bodies to do so.

25 % + of project completed

Notes

Problem statement: The Tunisian Parliament (Assembly of People’s Representatives, ARP) has since the revolution in 2014 taken on new responsibilities, and this requires the development of new skills and processes. Providing effective security sector oversight, reviewing defence budgets, calling parliamentary hearings on this topic, and reviewing and drafting new legislation for security institutions, all require Parliamentarians to acquire new specific knowledge and skills.

Background/context: The new Tunisian Constitution provides for a strong parliament that can legislate and oversee the security sector, its actions and its budgets. Focused assistance to parliament and parliamentarians is necessary to enhance the parliamentary capacities in the area of security sector governance. DCAF has extensive expertise on this topic, and has well-established relationships with the Tunisian parliament, having assisted it (upon invitation) on several occasions with relevant expertise.

DCAF’s response: The Assembly established in March 2015 two commissions dealing with security and defence issues:

- The Standing Commission on the Organisation of the Administration and Armed Forces Affairs (COAAFA), in charge of examining bills related to the armed forces;
- The Special Commission on Security and Defence (CSD), overseeing questions pertaining to the security sector, including the implementation of governmental strategies and policies.

During 2015 and 2016, DCAF briefed and provided extensive documentation for the members of these two commissions. In addition, DCAF facilitated for both commissions several working meetings aiming at identifying their needs and developing resource mobilisation strategies and developing work. In late 2015, DCFA and UNDP assisted the COAAFA in developing a work plan and internal procedures.

Implementation in 2017: The CSD initiated a self-evaluation process with the support of DCAF. It also benefited from DCAF expertise in various areas, noticeably on oversight of the intelligence services and the concept of a “white paper” on security and defence. In October 2017, DCAF organised a study trip to Spain for members of the CSD to discuss topics related to the country’s democratic transition and, in particular, the role of its parliamentary institutions in this process. In 2018, DCAF will work on multiple topics with both the CSD and the COAAFA.

Constraints and challenges: Certain distrust towards the ARP’s oversight role in matters of security still remains. This represents a challenge to a proper parliamentary oversight of the security sector.

9 Improving the use of forensic evidence in torture-related investigations

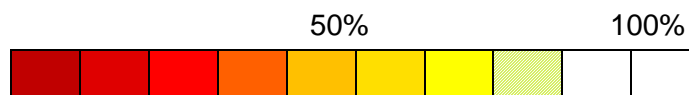
Outcome statement

Forensic evidence constitutes a main element of evidence in torture related investigations: Forensic doctors undertake examinations in line with standards outline in the Istanbul Protocol. Judges and prosecutors understand and are able to interpret reports written by forensic doctors.

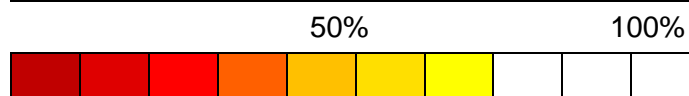
Project partners:

Ministry of Justice
College of legal medicine

December 2017



December 2016



How was this grade calculated?

✓	DCAF has provided initial training to all of Tunisia's forensic doctors as well a pool of judges on conducting forensic investigations in line with the standards set out in the Istanbul protocol
✓	DCAF has drafted a working paper containing specific recommendations on how improve the use of forensic evidences in torture related investigations. The recommendations have been presented to the Ministers of Justice and Health.
✓	A standard requisition order for prosecutors to forensic doctors has been developed
✓	A reference on legal medical terminology has been developed
Ongoing	The Ministry has engaged in reinforcing the group of trained judges and prosecutors with the aim to have a pool of expertise that will work specifically on alleged cases of torture
	The Institute for higher education for judges has added into their curricula, a module on the specificities to work on alleged cases of torture and the cooperation with forensic doctors.

66 %+ of project completed

Notes

Problem statement: No one has been convicted of torture in Tunisia since 2011. This is due to a variety of factors. One contributing factor is that the physical traces of torture, as documented by forensic doctors during examinations of alleged victims, is often not admitted as evidence in court cases.

Background/context: Since 2011, the Tunisian authorities have been committed to eradicating the practice of torture and other cruel, inhuman or degrading treatment or punishment and to end impunity of torture crimes. The optional protocol to the UN convention against torture (OPCAT) was ratified by Tunisia in June 2011 and was followed by the adoption of a law that stipulates the establishment of a national preventive mechanism on torture. The new Tunisian constitution prohibits torture and defines torture crimes as imprescriptible. Forensic evidence is an essential part of a torture investigation and in order to guarantee a fair and efficient judicial process, the use of such evidence is key. Based on discussions with partners, DCAF concluded that the production, use and interpretation of forensic evidence could be significantly improved in Tunisia.

DCAF's response: The completed phases of this project (trainings and workshops) have already proven that significant progress can be made by just improving coordination between forensic doctors and judges. A common understanding of challenges helped them to formulate recommendations to improve their work and DCAF continues to support the implementation of these recommendations. The Ministries of Health and Justice created in late December 2015 a joint working group, which started working on a standard requisition order for prosecutors to forensic doctors as well as a reference manual on forensic terminology. In December 2015, DCAF and representatives of the ministries of Justice and Health finalised a working paper outlining challenges in the production and use of forensic evidence in cases dealing with allegations of torture. The working paper was presented to the Ministers of Health and Justice in January 2016. A working group comprised of forensic doctors and magistrates is developing a manual aimed at standardising processes for the production and use of forensic evidence in cases related to torture and ill-treatment. Several components of the manual have already been finalised and the aim is to carry out consultations with the larger judicial community by the beginning of 2017 and formerly adopt the manual.

Implementation in 2017: From January to August 2017, DCAF supported the working group in charge of developing the guide in organising 10 working sessions. In May 2017, DCAF organised three working sessions to present a first draft of the "Guide on the use of forensic evidence in investigations of allegations of torture and mistreatment" in Sfax, Sousse and Tunis, on May 3rd, 4th and 5th respectively. Invited by the Ministry of Justice and the College of Forensic Medicine, more than 80 judges and forensic doctors took part in these working meetings and were asked able to comment on three key sections of the Guide. The publication of the guide is expected in May 2018 and will be presented in the course of an event organised by DCAF.

Constraints and challenges: Although it enjoys attention and political support, the project is implemented at slow pace, mainly due to time constraints on the side of the Ministry of Justice, the forensic doctors and the members of the working group.

10 Support the national Truth and Dignity Commission (IVD) in the framework of the transitional justice process⁶

Outcome statement

The IVD Commission for the Institutional reform has better knowledge and the required tools to develop recommendations to ensure the non-repetition of human rights violations and to reform the institutions involved in these violations.

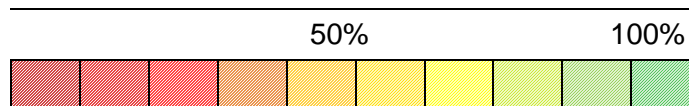
Project partner

The Truth and Dignity Commission and its Commission for the Institutional reform

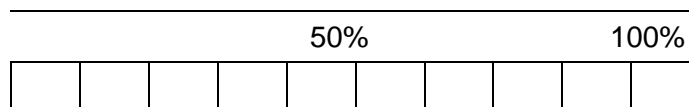
Associated institutions

Ministry of Justice and Ministry of Interior

December 2017



December 2016



How was this grade calculated?

Ongoing	The IVD carried out a mapping of the guarantees of non-repetition as formulated in the context of other experiences of transitional justice in the world
Ongoing	It carried out an inventory of the institutional reforms in the sectors of security and justice in Tunisia since 2011
Ongoing	It organised a public event to present those studies
Ongoing	The IVD has a clear overview of the institutional reforms in the areas of security and justice implemented in Tunisia since 2011

0% + of project completed

⁶ New project

Notes

Problem statement: The mission of the IVD's Commission for the Functional Review and Reform of Institutions" (hereafter "the Commission") is central to ensuring the sustainability and continuity of the transitional justice process. Despite the multiplicity of studies on guarantees of non-repetition and vetting in the framework of transitional justice, none exists specifically for the Commission that proposes tools adapted to its needs and to the Tunisian context. A better understanding of the concept of "guarantees of non-recurrence" and the international practice in this area, as well as the process of institutional reforms underway in Tunisia since 2011, would strengthen the knowledge of the Commission's members so that they can successfully accomplish their mission.

Background/context: The Commission has the responsibility "to present practical proposals to reform the institutions involved in corruption and violations, to present proposals to lustrate the administration and all sectors requiring vetting ..." (art 43.4, Law No. 2013-53). At the beginning of 2017, the IVD requested technical support from DCAF for its members in the formulation of recommendations on institutional reforms and guarantees of non-recurrence.

DCAF's response: DCAF will support the IVD to strengthen its Commission for Institution reform by providing the necessary tools and capacities to support the formulation of recommendations geared at the non-recurrence of human rights violations and the institutional reform of the institutions previously involved in these violations.

Implementation in 2017: DCAF has committed to support the Commission through the provision of two studies drafted by renowned international and national experts in the field of transitional justice. Both studies will be finalised and presented during a workshop at the end of March 2018. The first study drafted by international experts is a comparative study and mapping of the practice of guarantees of non-recurrence in nine countries around the world, whereas the second study drafted by a Tunisian expert is a mapping of current institutional reforms in Tunisia. Both studies aim at providing tools to the IVD to facilitate the formulation of recommendations in its final report.

Constraints and challenges: At the time of writing, it remains unclear whether the IVD's mandate will be renewed by Parliament beyond May 2018.

11 Improving the capacity of security sector actors to better respond to the security needs of young citizens

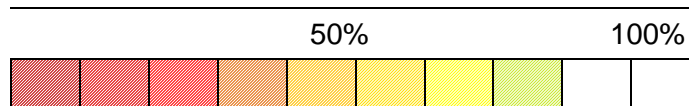
Outcome statement

Security sector actors at the local and national levels develop and implement well-informed public policies which respond effectively to the security needs of young Tunisians. As a result, trust between youth and state institutions is enhanced.

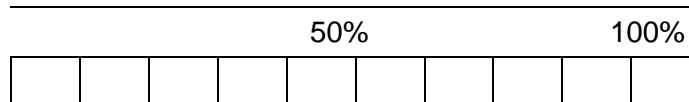
Project partners:

Youth civil society organisations
Local authorities
Ministry of Youth Affairs

December 2017



December 2016



How was this grade calculated?

Ongoing	A youth organisation has carried out an assessment of youth security perceptions and needs in 6 municipalities
Ongoing	Youth in two disfavoured neighbourhoods have developed and implemented small initiatives for greater community safety
Ongoing	The General Delegate for Child Protection has increased its visibility among citizens and professionals working with minors as well as its capacity to effectively conduct oversight visits of minors' detention centres
Ongoing	Young magistrates, lawyers and activists have a better understanding of the constitutional clause allowing for legitimate limitation of rights and freedoms
Ongoing	DCAF has promoted among Tunisian public authorities good practices in the field of crime prevention, including the prevention of violent extremism

0%+ of project completed

Notes

Problem statement: Many Tunisian youth lack trust in their security providers, and perceive that official security policies do not correspond to the social context or respond to their security needs. There is a need for greater dialogue and mutual understanding between youth and security providers.

Background/context: Tunisia is developing a national strategy for preventing violent extremism, mainly targeting young people. However, Tunisia has not yet developed a comprehensive strategy for preventing and combatting youth violence and crime in general. In spite of various consultation initiatives (such as the National Youth Dialogue in 2016), many young citizens still consider that public authorities operate with a top-down approach. Specifically, no in-depth analysis of young people's security perceptions and needs has taken place.

DCAF's response: In January 2017, DCAF launched its new support programme on "Youth and Security". Through the different components of the programme, DCAF aims to strengthen the capacity of Tunisian youth, both through its civil society organisations to communicate its security needs and recommendations to public authorities; and for them to play an active role in promoting good security sector governance. The project also aims to support the public authorities in developing and implementing well-informed, inclusive and effective security policies for youth. In doing so, the project aims to contribute in the long term to trust-building between young citizens and core security providers.

Implementation in 2017: DCAF held several activities under the project:

- DCAF and its local partner organisation Réseau Alternatif des Jeunes started their questionnaire-based research on youth security perceptions and needs. The questionnaire was developed in 2017 with the support of a Tunisian sociologist and a statistician. In total around 2500 youth between 15 and 29 years of age will be interviewed in the municipalities of Bizerte, Ariana, Monastir, Kasserine, Metlaoui and Tataouine. DCAF will finalise a preliminary report by May 2018.
- DCAF and International IDEA began developing two videos on the constitutional limitation clause related to the regulation of rights and freedoms. These videos will be used as awareness-raising tools on social media as well as during workshops with young magistrates, lawyers and activists. The project is scheduled to end by summer 2018.
- DCAF now supporting the Office of the General Delegate for Child Protection on two fronts. On the one hand, DCAF has developed a project aiming at reinforcing the Office's external communication. Its implementation will be starting in 2018. On the other, in December 2017, DCAF has trained 12 child protection delegates who are allowed to conduct visits on minors' detention centres on international best practices for conducting such oversight missions. A training programme for these delegates is being developed.

Constraints and challenges: Most Tunisian civil society organisations have not previously engaged in the field of security sector governance, and lack experience with working on these issues.

12 Supporting the implementation of the new constitutional framework in the field of SSG7

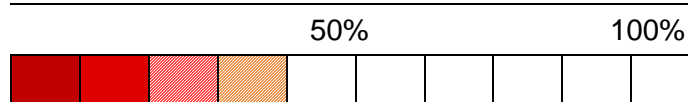
Outcome statement

Security sector actors' have assimilated the new constitutional culture in terms of good governance of the security sector, the protection of rights and freedoms and the accountability of the state.

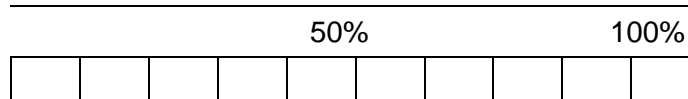
Project partners

Ministry of Justice
International IDEA

December 2017



December 2016



How was this grade calculated? *

✓	9 Tunisian high-level magistrates participated in a study tour in Germany on the constitutional clause allowing for legitimate limitation of rights and freedoms in the German context
Ongoing	Magistrates, parliamentarians and representative of the executive authority are sensitized to the new constitutional framework for the protection of rights and freedom and the different roles they play for effective implementation
	Once established, the Constitutional Court members are trained on the various aspects of Article 49.
	A mapping of the laws that require revision on the basis of Article 49 is carried out
	These laws are amended

20%+ of project completed

⁷ New project

Notes

Problem statement: The effective implementation of the 2014 Constitution depends largely on the ability of all relevant actors (state authorities, the judiciary, civil society and citizens) to understand and interpret the content of the Article 49, and to work accordingly. Article 49 reads as follow: *“The limitations that can be imposed on the exercise of the rights and freedoms guaranteed in this Constitution will be established by law, without compromising their essence. Any such limitations can only be put in place for reasons necessary to a civil and democratic state and with the aim of protecting the rights of others, or based on the requirements of public order, national defence, public health or public morals, and provided there is proportionality between these restrictions and the objective sought. Judicial authorities ensure that rights and freedoms are protected from all violations. It also states that “No amendment that undermines any human rights acquisitions or freedoms guaranteed in this Constitution is allowed”.* However, security sector actors are not always able to assess the proper balance between the protection of rights and freedoms on the one hand and their legitimate restriction on the other. It is therefore important to provide the actors concerned by the application of Article 49 with conceptual and practical tools to facilitate the understanding and the interpretation of this provision, which is crucial for the success of the democratic transition.

Background/context: The success of the Tunisian Constitution will depend on its proper implementation. The constitution incorporates the Arab region’s first “limitations clause”, which offers guidance on how the State can and should limit rights. This is a major improvement in comparison to what existed in Tunisia before the Revolution. Policy makers, jurists and judges will have to familiarise themselves with this new framework. This presents some challenges, because of the provision’s complexity, and because the concepts it introduces are entirely new to Tunisian law and to Tunisian legal practitioners.

DCAF’s response: In 2017, DCAF in collaboration with International IDEA launched a new project “Working towards a new era in the protection of fundamental rights in Tunisia”. This project aims to support the legal community, policy makers who may not be legally trained (parliamentarians, cabinet ministers and bureaucrats) to prepare for the complications that will inevitably arise through the interpretation and implementation of the new Constitution. It also aims to promote the development of national expertise on the new constitutional framework for the protection and legitimate restriction of rights and freedoms

Implementation in 2017: The implementation of several activities under DCAF – International IDEA collaboration:

- DCAF and International IDEA organised a study trip to Germany for nine Tunisian high-level professionals, among them eight senior administrative and judicial magistrates and a law professor. The visit aimed at providing the participants with a hands-on insight into the roles and procedures of the legislative, executive and judicial authorities on the restrictions that can be made to human rights in the German context, with a particular focus on the principle of proportionality.
- In collaboration with the Tunisian Ministry of Justice and International IDEA, DCAF is preparing the organisation of a study day on the legal and practical consequences of Article 49 of the Tunisian Constitution for a good governance of the sector of Security. The event is intended for government actors in the security sector (magistrates, parliamentarians and representatives of the executive authority). It aims at enriching the debate and reflections on the implementation of Article 49 of the Constitution, at facilitating interactions between the various actors present and sensitizing them to the new constitutional framework for the protection of rights and freedom.

Other activities are planned but not yet defined.

Annex 1: National Governance Indicators Data Sets

Data sets chosen for National Governance Indicators:

Impact is determined annually by an assessment of **national societal change** in 8 equally-weighted ratings drawn from multi-country data sets

State legitimacy	Annual Fragile States Index (Fund for Peace)	http://fundforpeace.org/fsi/2017/05/14/fragile-states-index-2017-annual-report/
Rule of law	Mo Ibrahim Foundation	http://www.moibrahimfoundation.org/iiag/data-portal/
	World Justice Project Rule of Law Index	http://data.worldjusticeproject.org/#/groups/TUN
Effectiveness of the security apparatus	Annual Fragile States Index (Fund for Peace)	http://fundforpeace.org/fsi/2017/05/14/fragile-states-index-2017-annual-report/
	Social Progress Index – Personal Safety	http://www.socialprogressimperative.org/en/data/spi/countries/TUN
Effectiveness of state excl. security apparatus	Annual Fragile States Index (Fund for Peace)	http://fundforpeace.org/fsi/2017/05/14/fragile-states-index-2017-annual-report/
	World Justice Project Rule of Law Index	http://data.worldjusticeproject.org/#/groups/TUN
Corruption	Government Defence Anti-Corruption Index	http://government.defenceindex.org/countries/tunisia/
	Corruption Perceptions Index	https://www.transparency.org/news/feature/corruption_perceptions_index_2017#regional
	TI World Justice Project	http://data.worldjusticeproject.org/
Media freedom	Reporters sans Frontières	https://index.rsf.org/#/
	Freedom House - Press Freedom Score	https://freedomhouse.org/report/freedom-press/freedom-press-2016

Parliamentary oversight of the security sector	Government Defence Anti-Corruption Index – Budgets	http://government.defenceindex.org/countries/tunisia/
	World Justice Project Rule of Law Index	http://data.worldjusticeproject.org/#/groups/TUN
Human Rights	Freedom House: Freedom Rating, Civil Liberties, Political Rights	https://freedomhouse.org/report/freedom-world/freedom-world-2016-world#.VQrRmOEerhl
	Annual Fragile States Index (Fund for Peace)	http://fundforpeace.org/fsi/2017/05/14/fragile-states-index-2017-annual-report/
Gender Equality	Gender Inequality Index (Human Development Indicator)	http://hdr.undp.org/en/content/gender-inequality-index-gii
	Gender Gap Index (World Economic Forum) ⁸	https://www.weforum.org/reports/the-global-gender-gap-report-2017

The figures from these organisations were adjusted to fit on a scale from 1 to 10, with 10 being the 'best' (most state legitimacy, most rule or law, least corruption, etc.). These figures are then combined to make a composite 'indicator'.

Tunisia scores in data sets (2017):

Organisation	Indicator / Question	Score	Maximum	Adjusted score (scale of 1 to 10)
State legitimacy				3.5
Fragile State Index	Legitimacy of the State	6.5	1 (worst=10)	3.5
Rule of law				5.8
Mo Ibrahim Foundation	Safety and the Rule of Law	62.9	100	6.3
World Justice Project	Overall score	0.53	1	5.3

⁸ New Indicator

TFNA Projects Outcome Reporting

Rule of Law Index				
Effectiveness of the security apparatus				4.5
Fragile State Index	Security Apparatus	8.2	1 (worst=10)	1.8
Social Progress Index	Personal Safety	71.73	100	7.2
Effectiveness of state excl. security apparatus				6.3
Fragile State Index	Public Services	4.4	1 (worst=10)	5.6
World Justice Project Rule of Law Index	Order and security	0.69	1	6.9
Corruption				4.6
Government Defence Anti-Corruption Index⁹	Political	38	100	3.8
	Financial	44	100	4.4
	Personnel	46	100	4.6
	Operational	30	100	3
	Procurement	20	100	2
Corruption Perceptions Index	Country score	42	100	4.2
World Justice Project Rule of Law Index	Absence of Corruption	0.49	1	4.9
Media freedom				4.6
Reporters sans Frontières	Ranking	97	180	4.6
Freedom House	Press Freedom Score	54	100	4.6
Parliamentary oversight of the security sector				2.9
Government Defence Anti-Corruption Index¹⁰	Budgets Question 11	1	5	2
	Budgets	2	5	4

⁹ 2015 figures

¹⁰ 2015 figures

TFNA Projects Outcome Reporting

	Question 12			
	Budgets Question 12.a	1	5	2
	Budgets Question 12.b	2	5	4
	Budgets Question 13	1	5	2
	Budgets Question 14	1	5	2
	Budgets Question 15	1	5	2
World Justice Project Rule of Law Index	Open Government	0.5	1	5
Human Rights				5.7
Freedom House	Freedom Rating	2.5	7	6.4
	Civil Liberties	3	7	5.7
	Political Rights	2	7	7.1
Fragile State Index	Human Rights Defence	6.5	1 (worst = 10)	3.5
Gender equality				6
Gender Inequality Index	Gender inequality Rank	58	188	6.9
Gender Gap Index	Gender gap Rank	71	144	5.1

Annex 2: DCAF Security Sector Governance Indicators

1. Legal and Policy Framework

1

The constitution provides a solid basis for democratic governance of the security sector.

✓	A body was elected to write a new constitution which provided for democratic governance of the security sector (the National Constituent Assembly, NCA).
✓	A draft constitution was written which provided for democratic governance of the security sector.
✓	The draft was discussed and amended by the National Constituent Assembly.
✓	The National Constituent Assembly adopted a new constitution which provided for democratic governance.
✓	The constitution does not assign a guardian role, to the military establishment, nor does it provide for political/economic reserve areas for the military.
✓	The constitution does not provide a political reserve.
✓	In general, the constitution provides for effective control and oversight of defence, security and intelligence as for any other area of government activities.
✓	The appointment/election and removal of senior defence, security and intelligence officials is subject to democratic process and control.
✓	The constitution provides for transparency in defence, security and intelligence with regards to budgeting, expenditure and procurement.

Steps completed: 9 / 9. Grade: 100%

2

All organic laws, laws, decree-laws, decrees and circulars concerning the security sector are published and easily accessible to the public.

ongoing	Organic laws, laws, decree-laws and decrees are published in Arabic in the official gazette 4 days after the constitutional court has passed on their constitutionality.
✓	Organic laws, laws, decree-laws, decrees are made available electronically and free of charge.
	Circulars (circulaire d'application) are made available on the website of the institution concerned in a systematic and timely manner.
ongoing	Consolidated versions of the organic laws, laws, decree-laws, decrees are made available to the public.
✓	There is a comprehensive inventory of Tunisia's security sector legislation which is updated on a regular basis.

Steps completed: 2+ / 5. Grade: 40%+

3

The State has developed a legislative reform agenda for the security sector.

	A reform agenda has been proposed within the National Assembly.
ongoing	A mapping of existing laws concerning the security sector was accomplished.
ongoing	A working group has been established to examine the direction of a potential legislative reform agenda.
✓	Consultations were held with representatives of the key ministries (interior, defence, justice, finance) and the main security/defence forces.
	The reform agenda was submitted to public consultation.
	The reform agenda is adopted and embraced by the government.

Steps completed: 1+ / 6. Grade: 17%+

4 *The use of force by law enforcement officials is regulated by national law and clear policies, which all conform to international norms and practices.*

	There is a law which clearly details who can use force, and which types of force are allowed.
	The law/policies clearly states under which circumstances law enforcement official may use force.
	The law clearly distinguishes between law enforcement and military forces.
	The law stipulates that members of the security forces should apply non-violent means as far as possible before resorting to the use of force.
	The law precisely instructs law enforcement officials to exercise restraint, and minimize damage and injury as far as possible when using force.
	The law stipulates that law enforcement officials may only use firearms when their own lives or the lives of others are under direct and imminent risk.

Steps completed: 0 / 6. Grade: 0%




5 *The State has a law for its police forces that is based on international good governance norms and standards.*

✓	Reforms to police laws have been proposed within the Ministry of the Interior.
ongoing	A mapping of existing police laws was done by the Ministry of the Interior.
ongoing	A working group has been established to examine potential reforms to police laws.
	A new law(s) was drafted and submitted to a public consultation.
	The new law(s) was submitted to the parliament.
	The new law was passed by the parliament.
	The new law was translated into policy, and forms part of the training and exercise of activities of the security providers mentioned in the law.

Steps completed: 1+ / 7. Grade: 14+%

6


The State has a law for its intelligence service(s) that is based on international good governance norms and practices.

	Open legislation governing the intelligence service(s) has been proposed within a core Ministry.
	A mapping of existing intelligence services was done by the Ministry concerned.
	A working group has been established to examine the potential of a law governing the intelligence service(s).
	A law(s) was drafted and submitted to a public consultation.
	The law(s) was submitted to the parliament.
	The law(s) was passed by the parliament.
	The law(s) was published in the official gazette, and is openly available to members of the public.

Steps completed: 3 / 7. Grade: 43%

7

The State has a law for its armed/defence forces that is based on international good governance norms and practices.

	Reforms to laws governing the armed/defence forces have been proposed within the Ministry of National Defence.
	The Ministry of National Defence conducted a mapping of existing to laws governing the armed/defence forces.
	A working group has been established to examine potential reforms to armed/defence forces.
	A new law(s) was drafted and submitted to a public consultation.
	The new law(s) was submitted to the parliament.
	The new law was passed by the parliament.
	The new law was translated into policy.

Steps completed: 1 / 7. Grade: 14%

8

The roles of, and coordination among, the various armed/defence and security forces, as well as the intelligence service(s), are clearly defined by law.

	The roles of the various armed/defence, security forces and intelligence are clearly defined in the relevant laws for each of these.
	The roles of these forces/services do not overlap, unless they are specifically intended to.
	The power of arrest is unique to the police forces, and is not shared by the intelligence forces.
✓	There exists a national security council to oversee the coordination of the armed/defence, security forces and intelligence services.

Steps completed: 1 / 4. Grade: 25%

9

The military justice system is based on a law that conforms to international norms and practices.

✓	Parliament has the power to pass military justice legislation and approve the related budget.
	Military tribunals cannot extend their jurisdiction to include person who are not on active service in the Armed Forces.
✓	The independence of military judges is protected by clear legislation outlining appointment procedures that are fair and do not rely solely on the chain of command.
	The scope of military justice is limited, including that civilians cannot be tried under military jurisdiction.
	There exists an independent military ombudsman who can monitor cases in the military justice system and make recommendations.
✓	There is clear legislation outlining the limits of military jurisdiction, including what is a military offence, and who the system is applicable to.

Steps completed: 3 / 6. Grade: 50%

10

The legal framework explicitly provides for civil democratic executive control over the defence and security forces, as well as the intelligence service(s).

✓	There is a comprehensive legal framework outlining the accountability of public institutions and organisations in the security sector to parliament.
✓	Security and defence budgets are submitted by the executive or other security institutions to parliaments, and examined by parliamentary committees.
	The parliamentary committee coordinates with specialised committees and makes comments about the proposed budget document.
	The parliamentary committee(s) have the power to amend the budget, including specific budget lines.
✓	The parliament can conduct plenary debates on the security and defence budget, including the power to call and question government officials.
✓	The parliament can create <i>ad hoc</i> commissions of inquiry to investigate security and defence spending.
	The parliament has created an independent Supreme Audit Institution to carry out external and independent audits of public institutions related to the security sector.

Steps completed: 4 / 7. Grade: 57%

11

Parliamentary authority to decide on the line item budget of the defence and security forces, and to exercise oversight over budget planning and execution, is enshrined in law

✓	Civil democratic institutions, such as parliament, define basic policy directions for security sector institutions, including the internal security forces and the defence/armed forces.
✓	Civil democratic institutions, such as parliament, have budgetary control over security sector institutions.
	Democratic institutions such as parliament and parliamentary committees can review and amend specific budget lines.
	Civil democratic institutions have the power of oversight of security sector institutions, and thus have access to necessary information and documents concerning these institutions.

Steps completed: 2 / 4. Grade: 50%

12

All members of the defence and security forces are bound to respect the law, and can be held accountable for their acts by the judiciary.

	There are clear laws explaining how individuals in the security sector are supposed to behave.
✓	The judiciary has power of oversight over the security sector.
✓	Individuals in the security sector can be tried in civil and military courts, and held accountable for their actions.

Steps completed: 2 / 3. Grade: 67%

13

The expected behaviour of members of the police/security forces is laid out in a code of conduct.

✓	Proposals for a code of conduct for police/security forces have been made within the Ministry of the Interior.
✓	A working group has been established to examine potential ideas for a code of conduct.
✓	A code of conduct was drafted and submitted for consultation to members of the security forces.
✓	A code of conduct is written which outlines the principles, values, norms and practices, or rules of behaviour that guide the decisions and procedures of the security forces.
	The code of conduct is adopted by the Minister of interior
	The code of conduct is translated into policy, and forms part of the training and exercise of activities of the security providers mentioned in the law.

Steps completed: 4 / 6. Grade: 67%

14

The right of members of the police/security forces to form associations and unions is protected by law.

✓	Members of the police/security forces have the right to form and join a union, a right which is enshrined in law.
	Members of the police/security forces have the right to form associations, and to join political parties.

Steps completed: 1 / 2. Grade: 50%

15

The regulatory framework ensures respect for the human rights of members of the defence and security forces.

✓	Members of the defence/security forces are subject to the same national and international human rights conventions as other Tunisian citizens.
✓	Defence/security personnel enjoy and exercise their human rights and fundamental freedoms as reflected in [international law, in conformity with relevant constitutional and legal provisions and with the requirements of service.
✓	Members of the defence/security forces enjoy the rights accorded to them in the UN Charter and the Universal Declaration of Human Rights.
	Tunisia respects its obligations as a signatory of the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights.

Steps completed: 3 / 4. Grade: 75%

16

There is a national security policy, and a process to regularly review and update it.

✓	The creation of a national security policy has been proposed within the executive.
✓	A working group, involving representatives from all key security ministries and forces has been established to examine potential aspects of a national security policy.
ongoing	The national security policy was drafted and submitted to consultation within the government, and to civil society groups.
ongoing	The policy is submitted to the executive for approval.
	The policy is approved by the executive, and implemented.

Steps completed: 2+ / 5. Grade: 40%+

17

There is a national defence policy, and a process to regularly review and update it.

✓	The creation of a national defence policy has been proposed within the executive.
✓	A working group, involving representatives from Ministry of Defence, Foreign Affairs, and relevant security forces has been established to examine potential aspects of a national defence policy.
ongoing	The national defence policy was drafted and submitted to consultation within the government, and to civil society groups.
ongoing	The policy is submitted to the executive for approval.
	The policy is approved by the executive, and implemented.

Steps completed: 2+ / 5. Grade: 40%+

18







Laws guaranteeing freedom of expression and freedom of information are in place.

✓	The right to freedom of speech and expression is enshrined in the constitution.
✓	The right to freedom of information is enshrined in the constitution.
✓	There is a law granting citizens freedom of information from public institutions in line with international norms and practices.
✓	The law provides a mechanism through which citizens can make requests for information and documents for public institutions in the security sector.
	Public institutions can only restrict information under clear and specific circumstances.
ongoing	Citizens who have demands for information or documents rejected can appeal the decision to an independent arbiter.

Steps completed: 4+ / 6. Grade: 67%+

19

The law guarantees that all government activities, including security and defence issues, can be discussed in the media and in public.

	The law enshrines the right for the media to access official information, legislative and judicial proceedings as well as all other types of deliberative public meetings.
	There exists in law the right for the media to disseminate information and ideas to the public, and the right of the public to receive information and ideas via any medium, including foreign sources.
	The freedom of expression and opinion and the prohibition of censorship exist in law.
	The right of natural and legal persons to own and manage written and audio-visual media outlets is not infringed
	The law acknowledges the right of public and private media entities to operate freely and independently of state control.
	There are laws protecting journalists against intimidation and physical attacks.

Steps completed: 6 / 6. Grade: 100%

2. Institutional Framework and Systems

20

There are effective and efficient national security institutions in place, such as a national security council.

✓	An inclusive reflection process leads to a government proposal outlining a national security structure.
✓	The government's proposal is debated in parliament and in the media both in terms of its added value for national security and its resources implications.
✓	A law/decreed creates a national security coordination mechanism (such as a national security council) that encompasses the Ministries relevant to national security (Foreign Affairs, Defence, Interior, Justice, Finance, Economy).
✓	The head of state or of government appoints a senior political nominee or civil servant – with a direct reporting line – to coordinate the workings of the national security coordination mechanism.
ongoing	The appointed coordinator has at his disposal human resources from the participating ministries as well as from armed forces, security providers, and intelligence agencies, that can provide expertise where needed.
	The staff working within the national security coordination mechanism has been trained in multi-stakeholder coordination, strategic intelligence, and policy outcome forecasting.

Steps completed: 4+ / 6. Grade: 67%+

21

The state has a national institution in charge of developing and periodically reviewing a national security policy.

✓	The responsibilities for developing and periodically reviewing a national security policy are defined either in a public law or a public decree.
ongoing	The head of state or of government appoints a senior political nominee or civil servant to coordinate all matters related to national security policy (who is <i>in personam</i> also the coordinator of the national security coordination mechanism).
	Government approves timeline and responsibilities for the drafting and review of a national security policy, based upon a proposal by the appointed coordinator.
ongoing	A national security policy is drafted under the operative steering of the appointed coordinator and the leadership of the head of state or of government.
	The draft national security policy is presented to parliament, and where possible debated by specialised parliamentary committees.
	A finalised version of the national security policy is publicised and debated in the media.
	A regular review process of the national security policy is steered by the appointed coordinator (changes to the national security policy are carried out as identified in the review process, following the same process as for the initial strategy).

Steps completed: 1+ / 7. Grade: 14%+

22

The state has established a national security sector reform committee that develops national SSR strategies and monitors their implementation.

	A national security sector reform (SSR) committee is established by the government and a senior political nominee or civil servant appointed as operative coordinator.
	In consultation with parliament and civil society, the government debates and approves an agenda proposal for the national SSR committee.
	Within the overall agenda, SSR projects are then approved by the government or the committee, with clearly defined responsibilities, tasks, and milestones.
	The national SSR committee monitors the implementation of SSR projects and reports on their advances to government, parliament, and the public.
	The national SSR committee makes recommendations to the government and to parliament on how to adjust SSR projects, where necessary.

Steps completed: 0 / 5. Grade: 0%

23

The state has an effective and functional ministry in place that oversees internal security and policing, such as a Ministry of Interior.

✓	A ministry overseeing internal security and policing is created by an organic law.
✓	The minister is a political appointee.
ongoing	Through specialised units (such as an internal oversight unit) the ministry has full control over the material and financial resources, as well as over strategic human resources management, within both the ministry and the internal security forces.
	The ministry has a strategic planning unit.
	The ministry and the internal security forces manage its human resources strategically.
	The ministry has a transparent and efficient procurement process for equipment that responds to its strategic needs and those of the internal security forces.

Steps completed: 2+ / 6. Grade: 33.3%+

24

The state has an effective and functional ministry in place in which civilians assure the key responsibility for defence policy, planning and budgeting, and the control of the national defence forces.

✓	Organisation and attribution of the ministry is regulated by law.
✓	The minister is a political appointee.
✓	Through specialised units (such as an internal oversight unit) the ministry has full control over the material and financial resources, as well as over strategic human resources management, within both the ministry and the national defence forces.
✓	The ministry has a strategic planning unit.
	The ministry and the national defence forces manage its human resources strategically.
	The ministry has a transparent and efficient procurement process for equipment that responds to its strategic needs and those of the national defence forces.

Steps completed: 4 / 6. Grade: 67%

25

The state has at least one effective and functional national agency which monitors the development of threats to national security, and provides top decision makers with accurate, security- relevant and timely information.

✓	At least one intelligence agency is created by an organic law.
	The intelligence agency is led by a political appointee or an appointed senior civil servant, under the direct supervision of the head of state or of government or the ministers of internal security, defence, or foreign affairs.
	Through specialised units (such as an internal oversight unit) the ministry has full control over the material and financial resources, as well as over strategic human resources management, within both the ministry and the internal security forces.
	The agency manages its human resources strategically.
	Staff of the agency is continuously trained in the respect for human rights and civil liberties in their work, and its role within good security sector governance.

Steps completed: 1 / 5. Grade: 20%

26

The legislature has a functioning committee dedicated to defence, with powers and resources necessary to decide, review and oversee matters of national defence.

✓	Parliament has created a specific committee for defence matters.
✓	Parliamentarians and their individual staffers are regularly trained on the concept and the importance of good security sector governance and the role and responsibilities of the legislative with regards to defence oversight.
	The committee disposes of an adequate number of permanent staffers with in-depth knowledge of defence matters.
✓	The committee holds regular hearings for government officials and leadership of the armed forces on matters of national defence.
ongoing	The committee is able to hold government officials and leadership of the armed forces accountable on matters of national defence, notably by influencing defence budgeting.
	The committee regularly publishes information for the general public on its activities and topics and trends it deems strategically relevant for national defence.

Steps completed: 3+ / 6. Grade: 50%+

27



The legislature has a functioning committee dedicated to internal security, with powers and resources necessary to decide, review and oversee matters of internal security.

✓	Parliament has created a specific committee for internal security matters.
✓	Parliamentarians and their individual staffers are regularly trained on the concept and the importance of good security sector governance and the role and responsibilities of the legislative with regards to internal security oversight.
	The committee disposes of an adequate number of permanent staffers with in-depth knowledge of internal security matters.
✓	The committee holds regular hearings for government officials and leadership of the armed forces on matters of internal security.
ongoing	The committee is able to hold government officials and leadership of the armed forces accountable on matters of internal security, notably by influencing internal security budgeting.
	The committee regularly publishes information for the general public on its activities and topics and trends it deems strategically relevant for internal security.

Steps completed: 3+ / 6. Grade: 50%+

28


The legislature has assigned a committee, or an independent mechanism, the responsibility of overseeing intelligence services, and given it the powers and resources necessary to decide, review and oversee national intelligence matters.

	Parliament has created a specific committee, or an independent mechanism, for intelligence oversight.
	Parliamentarians and their individual staffers are regularly trained on the concept and the importance of good security sector governance and the role and responsibilities of the legislative with regards to intelligence oversight.
	The committee or mechanism disposes of an adequate number of permanent staffers with in-depth knowledge of internal security matters.
	The committee or mechanism holds regular hearings for government officials and leadership of the armed forces on matters of internal security.
	The committee or mechanism is able to hold government officials and leadership of the armed forces accountable on matters of internal security, notably by influencing internal security budgeting.
	The committee or mechanism regularly publishes information for the general public on its activities and topics and trends it deems strategically relevant for internal security.

Steps completed: 2 / 6. Grade: 33%

29

There exist clearly distinct mandates, functions and structures for national defence, internal policing and national intelligence.

	The mandates of national defence, internal policing and national intelligence are defined and publicly available
	In both organic laws as well as in general legislation, it is clearly stipulated that an intelligence agency cannot simultaneously dispose of internal security powers, and vice versa.
	Abuses of this “Chinese wall” are picked up by the government, parliament, the media and civil society, and necessary legislative, management and personal changes enacted as soon as possible.

Steps completed: 1 / 3. Grade: 33%

30

The state has established effective complaints mechanisms which have the power to receive complaints, investigate all allegations of misconduct and criminal offenses by security providers, and to holds the perpetrators accountable.

	Complaints mechanisms concerning allegations of misconduct and criminal offenses by security providers are created by law. This includes their obligation to publish an annual public report as well as their liberty to review any complaint, and to issue public recommendations, free from political pressure.
✓	Parliament elects independent responsible(s)/coordinator(s) for the respective complaints mechanisms.
	Responsibilities within the corresponding ministries and mechanisms for receiving complaints are assigned and clearly communicated both within the state and to the public.
	Within the corresponding ministries and mechanisms, a clear process is defined on how complaints are analysed and treated (incl. responsibilities; maximum delay allowed for treating a complaint; and standardised follow-up procedures based on gravity of established facts).
	The complaints mechanisms dispose of sufficient financial and human resources to analyse and treat complaints in the timeline that is allocated to them.

Steps completed: 1 / 5. Grade: 20%

31

The state has ratified the Optional Protocol to the Convention Against Torture, and has established a National Preventive Mechanism.

✓	The state has ratified OPCAT.
✓	Following the ratification of OPCAT, the parliament adopts a law that establishes a National Preventative Mechanism (NPM). The law provides for the legal power and the financial and human resources necessary for an effective preventive work.
✓	The members of the NPM are confirmed by parliament and begin their work
ongoing	The NPM is legally at liberty to review any aspect of the security and justice chain, and to issue recommendations, free from political pressure.
	Recommendations by the NPM are systematically incorporated into state policies.

Steps completed: 3+ / 5. Grade: 60%+

3. Practices and Culture

32

The armed defence and security forces have an understanding of their role in a democratic society, and a culture of submitting to the control and oversight of democratically elected civilian authorities.

✓	The armed defence and security forces are legally subordinate to democratic civilian authorities
✓	The armed defence and security forces respect their civilian superiors, and do not engage in extra-legal activities, or act without the consent of government officials
ongoing	The armed defence and security forces cooperate with civilian authorities, including parliament, and submit to their requests for interviews, investigations and documents
✓	The armed defence and security forces remain neutral politically, and neither attempt to influence elections, nor support certain political parties or points of view.

Steps completed: 3+ / 4 Grade: 75%+

33

Security providers are responsive to the security needs of the population, and understand the importance of crime prevention.

	Security providers base their national and local strategies on an in-depth analysis of the security trends and needs.
ongoing	Security sector institutions and security providers devise local consultation mechanisms to create forums for continuous interaction with citizens.
✓	The focus of policing is defined both by policies and in trainings as crime prevention, not repression.
	Security strategies are publicised and discussed in the media.
	Security sector institutions and security providers report against their strategic national and regional objectives (incl. broken-down crime numbers) at least bi-annually.

Steps completed: 1+ / 5. Grade: 20%+

34

Key security ministries have the will to communicate with citizens, and do so in a transparent, regular and credible manner.

✓	Key security ministries hold regular press conferences, and publish the time and subject of the conference in advance.
ongoing	The ministries have functioning websites which include contact details and information for those who wish to make requests / depose complaints
ongoing	The ministries' organigrams and strategies are publicly available
✓	Key security ministries have a contact list of journalists and groups who have signed up to receive information from the ministry

Steps completed: 2+ / 4. Grade: 50%+

35

The internal communications of key security sector institutions are effective, and allow for key information concerning security incidents, trends and challenges to flow to decision-making bodies when needed.

✓	Security sector institutions have research/information/planning offices designed to guide the strategy of the institution
ongoing	Security sector institutions have information coordination offices or mechanisms
ongoing	Members of the armed, police and security force receive information about changes and priorities through their chain of command and are able to provide feedback back into the system
ongoing	Security sector institutions are capable of transmitting the information gathered to the decision makers

Steps completed: 1+ / 4 Grade: 25%+

36

The defence forces are aware of their human rights and international humanitarian law obligations, and respect these obligations in their day-to-day work.

✓	Human rights and international humanitarian law obligations contracted by a respective country are systematically incorporated into national legislation.
✓	Human rights and international humanitarian law obligations contracted by a respective country are systematically incorporated into policies and codes of conduct for the members of the defence forces.
✓	Members of the defence forces are regularly trained on their human rights and international humanitarian law obligations.
✓	Members of the defence forces that have violated the country's human rights and international humanitarian law obligations are held accountable by (military) justice.

Steps completed: 3 / 4. Grade: 75%

37


The internal security forces are aware of their human rights obligations, and respect these obligations in their day-to-day work.

ongoing	Human rights obligations contracted by a respective country are systematically incorporated into national legislation.
ongoing	Human rights obligations contracted by a respective country are systematically incorporated into policies and codes of conduct for the members of the internal security forces.
✓	Members of the internal security forces are regularly trained on their human rights obligations.
✓	Members of the internal security forces that have violated the country's human rights and international humanitarian law obligations are held accountable by justice.

Steps completed: 1+ / 4. Grade: 25%+

38

The human rights of members of the armed defence and security forces are respected in their day-to-day work.

	Organic and regular legislation clearly lays out the human and political rights members of the armed defence and security forces dispose of.
	Ombudspersons are created by law within the ministries or as independent mechanisms appointed by parliament. This includes their obligation to publish an annual public report as well as their liberty to review any complaint, and to issue public recommendations, free from political pressure.
	Members of the armed defence and security forces have unfettered access to their respective ombudsperson.
	Recommendations by the ombudspersons are systematically incorporated into government policies.

Steps completed: 1 / 4. Grade: 25%

39

Security providers and broader security sector actors are representative of their population, and reflect its full diversity.



	Security providers and broader security sector actors hire staff in a manner that is fair, transparent and efficient, and that leads to institutions that reflect the diversity of the society.
	Security providers and broader security sector actors manage their human resources in a manner that is not biased towards race, belief or gender.

Steps completed: 0 / 2. Grade: 0%

4. Access to Information

40

The system of allowing citizens access to government information is functional.

	Government and parliament engage a public discussion on access to information and the security exceptions deemed relevant.
	An access-to-information law that is based upon the findings from the public discussion is voted by parliament. It contains a clear definition of the grounds upon which information can be retained from the public as well as responsibilities and timelines for the provision of information based upon access-to-information requests.
	Security sector institutions budget the human resources necessary for providing access to information, based upon their legal requirements.
	Every year, the government publishes a broken-down annual overview of access to information requests.
	Parliament regularly assesses the need to strengthen access to information.

Steps completed: 2 / 5. Grade: 40%



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