



Report of the Annual Conference

Participatory governance in the context of democratic transition in Tunisia: Which roles and tools?

June, 11th and 12th, 2015, Ramada Plaza hotel Gammarth

Table of Contents

Table of Contents.....	2
Concept Note	3
Conference Agenda.....	7
I. Introduction:	10
II. Proceedings of Day 1:	12
a) Recap of Panel n°1: What is participatory governance? What is its importance in the transitional context?	12
b) Recap of Panel n°2: tools of participatory governance: implementation in the Tunisian context	17
c) Recap of panel n°3: Monitoring democracy in Tunisia: a new form of participatory governance? Testimonials and experiences	20
d) Recap of Panel n°4: Evaluation of Public Policies in a democracy: approaches and criteria....	25
III. Proceedings of Day 2:	28
a) Recap of Roundtable n°1: Decentralization: Making Local Governments Accountable through Citizen Participation	28
b) Recap of roundtable n°2: Transitional Justice: Current State of an Ongoing Process.....	33
c) Recap of roundtable n°3: Social and Solidary Economy: Challenges and Opportunities of Implementation	37
d) Recap of the side event: Promoting Start-Ups to Foster Employment	40
IV. Biographies of the Panelists of JFRC Annual Conference	45

Concept Note

Having passed the first test of democracy by holding free elections and adopting a new constitution, Tunisia is now facing many challenges including that of power sharing, not only between and within the institutions of democracy but also with civil society which since January 14 grew stronger and has claimed an important role as a social and political actor, as well as with citizens determined to remain vigilant against the risk of the return of dictatorship. These citizens are more and more present in the public arena, namely in the field of politics, and participate more creatively to the definition of public interest. They seek to be not simply involved in just choosing their elected officials, but also by participating in the monitoring and evaluation of public governance.

The Tunisian Constitution strengthens the legitimacy of a mode of democratic and participatory governance based on power sharing, particularly through decentralization, which appears as a necessary complement to the transition to democracy.

But the constitution provides no legal framework for decentralization and do not give citizens the tools to more participation (lack of recognition of popular initiatives, petitions and referendums) apart from the recurring elections rendezvous. Similarly, the transition from a highly centralized state which combines the powers infinitely to a decentralized state is not a simple process. To the complexity of legal procedures and organizational frameworks and definition of local communities, territorial and resources management, once can add the persistence of regional inequalities and imbalances and the old reflexes and representations relating to the idea of omnipresent and omnipotent central government. The reforms that the Tunisian state must engage in this context will be crucial in determining the success of the transition.

What are the conditions for success of this transition? How can the delegation of the powers entrusted to the central government to local authorities be successful?

The second annual conference of Jasmine Foundation chose to focus on the theme of participatory governance because it is at the heart of the abovementioned issues. Calling upon the collective intelligence early on in the first phases of reforms planning will increase the chances of their success and facilitate their implementation. How to better engage citizens and local authorities in these reforms?

During the last twenty years, the logic of “top-down” governance, characterized by a concentration of power in the hands of government agencies, has gradually given way to a more open form of organization, decision-making and management, or “bottom-up”, integrating multiple stakeholders in the decision-making process. This form of governance, participatory governance, which favors the inclusion of the interests of various concerned stakeholders, seems more in line with the principles and values of democracy.

As part of the transition to democracy in Tunisia, participatory governance is becoming more and more a privileged way of creating synergies to better manage the challenges and avoid blockages relating to the management of the transition. This mode of governance allows, in fact, dealing with complex issues relating to the context of transition and reform, and has been proven in many countries that have experienced a transition process like the one we live in Tunisia.

The ideals and principles of democracy are easier to adopt than to put into practice. What are the practical implementation tools of participatory governance? How to assess and measure the levels of participation achieved and the progress of the construction of democracy?

Civil society has been active in many sectors since the 2011 Revolution, but although it is often considered a “fifth power” after the media sector, there has been no strategic thinking around its role or its integration in the construction and management of public policies.

Now is the time to capitalize on all the experiences of participation of civil society especially by evaluating the experiences of its involvement in the monitoring and tracking of the various decision-making institutions and identifying the challenges and the opportunities bundled with the new Tunisian democratic context.

A deep thinking is then required on how to establish and strengthen mechanisms for participatory governance in Tunisia and on finding opportunities for collaboration and creation of cross synergies between public, private sector and civil society, not only regarding the decentralization process but, even more generally, in the design and implementation of public policies.

In continuity of its work on the democratic and participatory governance, and in collaboration with National Endowment for Democracy (NED), Democracy Reporting International (DRI), and Project On Middle East Democracy (POMED), Jasmine Foundation for Research and Communication (JFRC) organizes this conference to discuss the participatory governance

mode and the tools and ways of its implementation (e.g. decentralization). The conference will also examine Tunisian experiences of civil society participation in the monitoring and tracking of policies and institutions in order to initiate such reflection on the achievements made, constraints and challenges faced as well as the opportunities of improvement of the civil society participation level.



Jasmine Foundation for Research & Communication (JFRC)

JFRC is a multidisciplinary research institution specializing in the human, social and political sciences. Its objective is to contribute to the construction of the nascent democratic society in Tunisia by mobilizing the field of social and political research while contributing to public debate. Since its inception in June 2013, JFRC has undertaken several projects, including on parliamentary monitoring, vulgarization of constitutional concepts, civic education, and more recently public policy analysis and social entrepreneurship. Several donors have chosen to support JFRC like UNDP, British Council, NED and just recently EU delegation in Tunisia.

Democracy Reporting International (DRI)

Democracy Reporting International (DRI) is an independent, non-partisan, not-for-profit organization registered in Berlin. DRI promotes political participation of citizens, accountability of public bodies and the development of democratic institutions worldwide. DRI helps support local capacities for promoting the universal right of citizens to participate in political life in their countries, as stipulated in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

The DRI work is done through an international network of experienced employees with many years of activity in the democratic governance, human rights and participatory democracy.

National Endowment for Democracy (NED)

“National Endowment for Democracy” is a non-profit US organization founded in 1983 to support democracy abroad. It is mainly funded by an annual grant from the US Congress. It has supported numerous projects in various countries to promote democracy and human rights.

Project On Democracy in the Middle East (POMED)

The Project On Democracy in the Middle East (POMED) is a nonprofit, nonpartisan organization based in Washington DC dedicated to examining how true democracies can develop in the Middle East and how best to support this process. Through dialogue, research and advocacy, POMED works to strengthen the support for peaceful democratic reform in the Middle East and North Africa.

Conference Agenda

Thursday 11 JUIN

09:00-09:30	Registration
09:30-10:00	Welcome Word and introduction
10:00-11:15	<p>WHAT IS PARTICIPATORY GOVERNANCE? HOW IMPORTANT IT IS IN A CONTEXT OF DEMOCRATIC TRANSITION?</p> <p>Key note speech: Pr. André ROUX (University Aix-Marseille)</p> <p>Discussion Panel:</p> <p>Citizens participation in decision making, EU experience: Madi Sharma (European Economic and Social Committee)</p> <p>Participatory Governance in the Tunisian Constitution: Imed Hammami (Member of Parliament)</p> <p>Participatory Governance and Local and Regional Development: Jamel Eddine Gharbi (CERES)</p> <p>Moderator: Dr. Tasnim Chirchi</p>
11:15 - 11:45	Coffee Break
11:45-13:00	<p>TOOL OF PARTICIPATORY GOVERNANCE: IMPLEMENTATION IN THE TUNISIAN CONTEXT</p> <p>Themes:</p> <p>Participatory budget as a tool of participatory governance:</p> <ul style="list-style-type: none"> • Yosry Megdiche (Centre de Formation et d'aide à la Décentralisation) • Amal Homrani (Municipalité Menzel Bourguiba) • Ridha Ellouh (Municipalité Oued Ellil) <p>New technologies at the service participatory governance:</p> <ul style="list-style-type: none"> • Wala Kasmi (Youth Decides) <p>Moderator: Hatem Dammak</p>
13:00 - 14:00	Lunch
14:00 -15:30	MONITORING OF DEMOCRACY IN TUNISIA: A NEW FORM OF PARTICIPATORY GOVERNANCE? EXPERIENCES AND TRESTIMONIALS.

	<p>Themes:</p> <p>Monitoring of the government by ARP: Nejjib Jeridi (Westminster Foundation)</p> <p>Monitoring of the administration: challenges of internal control and accountability: Anis Ben Smail, (PNUD)</p> <p>Monitoring of ARP, towards a culture of accountability?: Ons Ben Abdelkarim (Al Bawsala)</p> <p>Monitoring of local governments: which implementation models? Donia Turki (Arab Governance Institute)</p> <p>Moderator: Ghofrane Dounissi</p>
15:30 – 16:00	PAUSE-CAFE
16:00 –17:30	<p>ROLE OF CIVIL SOCIETY IN EVALUATION OF PUBLIC POLICIES</p> <p>Theme :</p> <p>The importance of Evaluation of Public Policies in a Context of Democratic Transition: Anis Ben Younes (TEN: Tunisia Evaluation Network)</p> <p>Evaluation of Public Policies at the Local Level: Khalil Amiri (Arab Governance Institute)</p>
17:30 – 18:00	Recap and Closure

Friday 12 JUIN

09:00-09:30	Registration
09:30 - 11:30	<p>Workshops</p> <ol style="list-style-type: none"> Decentralization: accountability of local governments Moderator : Intissar Kherigi Transitional Justice transitionnelle: current state of an ongoing process Moderator: Ghofrane Dunissi Social and solidary economy: challenges and opportunities of implementation Moderator: Moadh Jemai
11:30 - 12:00	Closure and Refreshments

Afternoon Side Event: Promoting Startups to Foster Employment

14:00 - 14:15	Registration
14:015 - 14:30	Welcome word and introduction to the roundtable
14:30 - 16:00	<p>Keynotes and discussion :</p> <ol style="list-style-type: none"> Promoting SME's within the ministry of employment: Mr. Faïçal Ezahar, Director of Small Business Promotion Division at the ministry of Employment Initiatives to promote startups in Tunisia: IntilaQ as an example by Mr. Khaled Ben Younes, Director of IntilaQ Funding and partnership opportunities with European institutions, startups and incubators: Ms. Madi Sharma, representative at the European Economic and Social Committee (EESC)
16:00 - 16:30	Open discussion with the presence of MP (Member of Parliament) Ms. Aroua Ben Abbes
16:30 - 17:00	Refreshments and Networking

I. Introduction:



On June 11th and 12th, 2015, the third annual conference of Jasmine Foundation was held on “Participatory Governance” at Ramada Plaza Hotel, Gammarth, Tunis.

In her opening speech, Dr. Tesnim Chirchi, Executive Director of Jasmine Foundation, explained that the choice of participatory governance as a theme for the third annual conference was not made randomly. Indeed, *“Participatory governance is a way of thinking and managing freedom and citizenship in a given society. Its understanding is strongly related to the reform of the state in democratic transition”*.



Participatory governance is about conceiving representative democracy in a more collaborative manner. Participatory governance takes into consideration traditional institutions of democracy, such as the Parliament, but tends to include more actors in the process of decision-making. The aim of Jasmine Foundation Annual Conference was to look for the means by which each citizen can partake in the exercise of power and in the implementation of local and national policies. Dr. Tesnim Chirchi put an emphasis on the importance of creating Tunisia's proper models of participatory governance. *“Participation is not simply an idea. It is about creating mechanisms which reflect the Tunisian specificities. The Constitution affirms decentralization, yet how can we make sure that this will become a reality?”*

To answer these questions, four panelists from the academic world, the political sphere and the international cooperation have expressed themselves. Prof. André Roux, Ms. Madi Sharma, Dr. Jamal Eddine Garbi, and Mr. Imed Hammami (MP) have delivered their vision on participatory governance in Tunisia 2015.

II. Proceedings of Day 1:

a) Recap of Panel n°1: What is participatory governance? What is its importance in the transitional context?



André Roux, est professeur de droit public à l'Université Aix-Marseille, il est l'un des spécialistes français de la réforme de la Décentralisation. Il est notamment directeur de la Revue Française de Droit Constitutionnel.

Professor Roux delivered a keynote on the relationship between decentralization and the implementation of participatory democracy at the local level. He reminded the audience that this link is not automatic. Decentralization does not necessarily imply participatory governance at the local level. In fact, one can observe that most of the states that adopted a reform of decentralization have firstly benefited to local elected politicians who consequently obtained more power and authority from the central state. However, the population was most of the time marginalized and kept out of the process of decentralization, let alone the civil society whose contribution is only solicited when the elections approach.

According to professor Roux, the real challenge concerns the transition from a decentralization that fits only the local elected politicians to a decentralization that is beneficial to citizens and driven by the civil society.

He also noted that the Tunisian model is original in that regard since it affirmed participatory governance within the set of the objectives of constitutional value. Indeed, the Tunisian Constitution mentions in the article 139 that participatory democracy is exercised through the establishment of mechanisms of inclusion for citizens and civil society in the process of decision-making.

Then, professor Roux presented the different approaches of participatory governance enabling a better understanding of the evolution of democratic practices.

In the functional approach of participatory governance, the objective is to improve local management, according to the logic: a better management is managing with the citizens. Peoples' aspirations should be incorporated in the process of public decisions. Thus, the processes will be more effective and the conflicts better managed. The aim is to optimize the rationality of decisions.

The substantial approach includes participatory governance as a way to improving social cohesion. In some cities, the participatory management promotes social peace, especially in critical contexts. It enables mending confidence between citizens and the institutions of the state.

Professor Roux also reminded the attendees that the core value of participatory governance is transparency as the elected officials act under the surveillance of citizens. Local participatory governance implies knowing the expectations of citizens; it allows for engaging the voters in the execution of local policies and in monitoring and evaluating public policies.

Several levels of democracy can be distinguished: firstly, informative democracy that endorses the right of the habitants to be informed. It necessitates the advertisement of acts and projects, especially of budgets, but the disseminated information must also be comprehensible for the population.

The second stage is associative democracy that can function on territorial and infra territorial levels. It is executed through local councils and commissions of information about local public services that allow associations of public service users to participate in the evaluation and the reform of services.

The third stage is consultative democracy that is translated by the system of public debates via consultative commissions and consultative referendums, generally triggered by the initiative of elected officials. Still, there are a small number of countries that accord to citizens the right to trigger a referendum (popular initiative).

Finally, the fourth stage is deliberative democracy, via decisional referendum where the population is given the opportunity to decide by itself.

In conclusion, professor Roux stressed the fact that sometimes these mechanisms get owned and hijacked by elected officials. They design them as tools of communication or control of associations. Some critical approaches demonstrate in fact that sometimes these mechanisms

can be recovered to become cooptation processes, associations participating in these consultations becoming the only legitimate actor and setting themselves up to the rank of institutional political actors, although these “professionals of participation” can be cut out from the popular base. In this context, a study on neighborhood councils in France has shown that young people are not very present while favored classes are overrepresented. In Tunisia and elsewhere, the challenge remains to mobilize the working classes, and to ensure a real representation of civil society actors engaged in public consultation.



Madi Sharma is founder and director of the international Group Madi including non profit companies and NGOs. She is also member of the European Economic and Social Committee in Brussels.

Madi Sharma delivered an enthusiastic speech on the implication of the European Economic and Social Committee (EESC) towards civil society in general and its particular interest in the Tunisian experience. She commended the good the smooth conduct of the Tunisian transition despite the challenges faced by the Tunisian people. Then, Madi Sharma presented the role of EESC in the promotion of dialogue between civil society, the business community and the public authorities. The tripartite relation between these different actors who represent the interests of a region of more than five hundred millions people lies on Consensus.

In this regard, Madi Sharma appreciated the efforts of Tunisians in terms of dialogue. She said that the spirit of initiative and consensus encouraged EESC to reinforce the role of the European Union in this region. In this occasion, EESC sent a European delegation to lead a field study on the needs of civil society in Tunisia that led to a report written in collaboration with the experts of Jasmine Foundation. This report will be presented later on before the European Union.

Madi Sharma stressed the fact that she is conscious of the challenge of decentralization in Tunisia and she confirmed that the implication of civil society in this process can only be beneficial. Finally, she assured that Tunisian civil society would receive the appropriate

support from the European Union to meet this challenge so that the Tunisian democratic transition remains an inspiration for the rest of the world.



Imed Hammami is a deputy at the Assembly of Representatives of People (ARP). He was member of the National Constituent Assembly (NCA) where he was Head of the Commission of Public, Regional and Local Authorities.

Imed Hammami started his keynote by putting the dynamic of the revolution in its context. Indeed, the starting point of the Tunisian revolution was at the local level. Spontaneously, the protestors united against local authorities that became the only representatives of the state and the central authorities instead of the local communities and inhabitants. The municipalities have become local unities in service of dictatorship and they control citizens for the ministry of interior. In addition, municipalities do not have much power and their role at the local level was limited.

After Ben Ali left and before the citizens were called for the ballot boxes to vote for the members of the National Constituent Assembly, Tunisia was in a fragile constitutional situation. What maintained the nation standing, according to Imed Hammami, is the persons, who at the local level were united to save the spirit of the revolution and to protect the local populations and their goods.

The deputy underlined that participatory governance is inseparable from confidence that citizens have towards the authorities. It should be able to get inserted rapidly in order to prove to the citizens its real effects.

One of the innovations of the Constitution of 2011 is the total consecration of the notion of local authorities. In the constitution of 1959, the local authorities (collectivités locales) were mentioned in one article and there was no possibility of elections. The old constitution gave much power to governors, which created an overlap between decentralization and deconcentration where the authority that represents central state was also the supervisor of local authorities. The new constitution introduces a modern understanding of local power.

Participatory governance is not illustrated only at the local level. In this regard, Imed Hammami reports that even in the commissions and plenary sessions of the NCA, the deputies applied the principle of participatory governance in its best reform. The Tunisian Constitution was drafted in a participatory manner including civil society: Tunisian and international Experts and NGOs in order to get inspired by the international good practices and shape an adequate model in Tunisia. It wasn't easy; numerous studies have been conducted in Tunisia in order to identify the real needs of the citizens. A real dialogue took place in all the regions. Thus, Mr Hammami concludes by claiming that drafting the Tunisian Constitution by an Assembly whose doors were wide open for the citizens, is a great experience in the emerging tradition of participatory governance in Tunisia.



Jamal Eddine Gharbi was minister of regional development and planning in the Tunisian government. He is vice president of the University of Jandouba where he teaches marketing. He is also Head of Section at the Center of Strategic Thinking for the Development of the North-West at Jendouba.

Jamel Eddine Gharbi shared his analysis of the current situation stating that Tunisia is about to cross a new significant threshold with the implementation of participatory governance at the local level. However, he says that participatory democracy is not an objective per se but a means to achieve human, institutional and economic development. Democracy is a mode of structuring public space, powers and resources. Democratic structures need to be shaped in a way that serves the local needs and completes development objectives.

Jamel Eddine Gharbi identifies the reform of the development model as the most important issue in Tunisia. He mainly explains that a model is not a series of rules but a set of collective and individual cultural practices. The structure of a model is made of several elements: a compilation of norms and values, a structure that organizes power and access to resources with the possibility of affecting the conduct of social reports. Participatory governance cannot be conceived without these elements.

He adds that development is nothing less than the freedom of achieving one's own capacities. Decentralization is the reinforcement of capabilities of individuals and local structures. Finally, he estimates that even if there is no direct correlation between development, decentralization and good governance, these elements are surely organized in a dialectic manner and they have an undeniable influence on each other. Thus, development, decentralization and good governance must be thought about in a collective and intertwined way with a dynamic where each element serves the other.

b) Recap of Panel n°2: tools of participatory governance: implementation in the Tunisian context

Jasmine Foundation for Research and Communication organized a discussion session on the tools of participatory governance and the means of its implementation in Tunisia with the presence of a group of experts and activists in this field as well the attendees who made valuable interventions.

The session was launched by M. Hatem Dammak, a project coordinator at Jasmine Foundation and moderator of the panel. He presented an overview of the major and the most widespread tools of participatory governance in the world such as referendum, popular initiatives and petitions. He also mentioned the qualities and the limits of each tool. Then, he presented one of the most important tools: the participatory budget on the local level. Indeed, there are more than 3000 municipalities in the world applying participatory budget (PB) and it has been used by some municipalities in Tunisia since more than one year.



In order to present and vulgarize this mechanism to the audience, **M. Yosri Magdich, Counselor for the Public Interests and Director of Programs at CFAD (Centre de Formation et d'Appui à la Décentralisation) at the ministry of interior**, made an interesting presentation ornamented with clarifying photos and videos explaining most of the concepts related to participatory budget. PB is a process of democratic consultation through which ordinary people decide how to allocate a part of the public resources. M. Magdich focused on the positive consequences of implicating citizens in

the planning process even for a part of the public expenses. He provided, indeed, several examples where using the principle of participatory budget in one of the municipalities in Burkina Faso contributed to raising tax incomes, the amount of credibility and the citizens' trust towards their the municipality. Additionally, this mechanism enables municipalities to benefit from the precious expertise of some experienced citizens for free and help avoid conflicts while implementing projects since they got the popular consensus right from the start. Another quality of participatory budget is orienting the public expenses to the real needs of the region more accurately. The residents of a given region are clearly more acquainted with its problems and needs; thus, they are more qualified to know the best and the most effective way of meeting those needs. Overall, most of the studies reveal that implementing participatory budget fosters transparency and accountability which are the very bases of any successful democratic transition.

In order to dig deeper into the way of applying this mechanism especially in the Tunisian context, **Mrs. Amel Homrani, Deputy Mayor of the municipality of Manzel Bourguiba and the responsible of its participatory budget project**, shared her experience in this field with the audience. The start was with a municipal decree dedicating a part of the budget of 2015 -valued to 100 thousand dinars- for “Embellishment of the City” to share with the citizens who will determine how it will be spent. A municipal committee and the secretary general of the municipality should work on the execution of the decree. The second step was signing a convention between the municipality of Manzel Bourguiba and the local civil society organizations which will help in the communication process with the citizens and in moderating the different meetings and events. Then, campaigns of communication with the citizens were launched and according to Mrs. Homrani, one major characteristic of this stage was the positive reaction of the Tunisian citizen to the initiative and his proactive participation in citizen forums that took his opinions into consideration. During the forums where the citizens meet with the municipal PB team, the participants choose/elect projects of ornamenting the city and they nominate their regional representatives. These meetings are directed by trained facilitators. Even though the experience is still at the very beginning, it generated a new dynamism in the entire region and residential cities where the forums were organized (the city of Chlaghmia, the city of the revolution, the city of Success). Moreover, they proved the possibility of adopting participatory budget on the level of municipalities in Tunisia. However, there is no doubt that there are upcoming stages that are determinant to the success of the project. Indeed, the issue does not only concern choosing projects, but also

choosing their executor, implementation follow-up, as well as ensuring a good governance of the project in all its aspects and making the best use of the allocated resources.



In this context, **Mr. Ridha Al-louh, a budgetary expert and in charge of the participatory budget at Oued Ellil municipality**, presented a critical analysis of the current approach adopted in managing the participatory budget. He considered that this budget represents mostly a small proportion of the overall budget. He added

that it includes a set of rules and codes of conducts related to financial management which are so complicated and complex that the citizen or the civil society cannot understand or follow properly. Besides, the citizen doesn't contribute to the most important phases of the endeavor: the phase of raising the necessary funds for projects that might get paralyzed due to the absence of resources; and the phase of call for proposals and consultation (public procurement) associated with several complicated procedures namely in the issuance of the tender specifications. Mr. Ridha El-louh considered also that the reluctance of citizens in general and the youth and women in particular to political and public issues and the lack of trust between the citizens and the administration represents a serious hindrance for a real participatory approach. Consequently, the current approach for PB may create an active citizen but not a responsible one. He then moved on to present an alternative for the participatory budget based on real participatory programs for the cities' areas where the citizens will be more active throughout all the phases (conception, planning and funding, execution and follow-up) and it allows every local area to raise however much resources and funds it can and mobilize loans and all the aid it could provide in order to execute its own development projects. Therefore, the participatory budget will be independent from the overall budget and the citizens will contribute in financing, controlling and implementing the projects. After that Mr. Ridha El-louh focused on further details about the sources of financing for the participatory budget and the drawn objectives that could be achieved if this new methodology was adopted. Concluding his intervention, he stated that this idea still needs more studies and adjustment with some legal procedures so that it could be applicable.

After these three presentations, the attendees got the opportunity to interact with the guests through asking questions and sharing experiences that enriched the session and made it possible to foresee the prospects of participatory budget in Tunisia.



In a related context, **Ms. Wale Kasmi, founder and president of the organization "Youth Decides"** offered a presentation on the important role of modern technologies in stimulating and facilitating political participation, particularly amongst young people, who represent about 60 percent of the Tunisian people, the ones who were the

real fuel of the revolution since its inception. Fully aware of the importance of this role, Miss Wale and her colleagues worked on designing applications operated online and on smartphones that enable users to comment in real time on the most important events and issues on the national scene, and express their opinions openly about the candidates for presidency. These applications have been widely acclaimed among the youth and have been used extensively to a high degree of accuracy pertaining to the prevailing public opinion. This, if anything, shows that young people have the ability and desire to participate in political life and in public affairs, but it should go through the appropriate modern channels and tools.

c) Recap of panel n°3: Monitoring democracy in Tunisia: a new form of participatory governance? Testimonials and experiences

Jasmine Foundation for Research and Communication organized on June 11th, 2015 a session on "monitoring democracy in Tunisia" with the presence of a panel composed of prominent experts and civic actors.



Monitoring is defined as the set of actions that seek to track, examine and report the state of functioning and the activities of a service of an administrative body or a public institution. Its first objective is the evaluation of the effectiveness of a service and it aims at ensuring that this service accomplishes its mission according to the rules it is supposed to respect. Monitoring aims also at identifying dysfunctions and reporting them to the competent authorities in order to address them properly. Monitoring can be internal, from one administrative system to the other; but also of one authority over another in a system of *checks and balances*.

It is essentially in this context that **Mr. Slim Besbes, deputy of the Assembly of representatives of the people and former secretary of finance within the ministry of finances at the previous government of Hamadi Jebali** presented a keynote on “**Monitoring the government by the Assembly of Representatives of People**”. He started by underlining that the task of control is historically the *raison d’être* of the parliaments whose first objective is to control the executive power (The power of the king at early times). In Tunisia, although this role was stipulated in the old constitution, the parliament did not

play this role before the revolution since it was the state of the one and only party and not the state of institutions. Then, he mentioned the experience at the NCA (National Constituent Assembly) and the nature and the particularity of parliamentary control on the government in the period of democratic transition which is a new experience in Tunisia. After that, he tried to identify the challenges of controlling the newly-elected assembly. Indeed, the coalition government that currently governs Tunisia gathers the majority of political parties in the Parliament.

Given that situation, M. Besbes mentioned that the legislative power faces the challenge of preserving its independence towards the executive power and he presented some tools used by ARP to ensure this role: first, the new constitution of January 27th, 2015, accorded to the opposition in the parliament prerogatives and tools making of it a real and effective opposition by setting its relative presence in different commissions namely at the head of the commission of finances and by according to it the right of creating a commission of investigation, etc. Moreover, the new constitution detailed the tools of control of the whole parliament: anterior and posterior control through special legislative commissions; possibility of creating investigation committees; obligation of the state to make available for ARP all the necessary means so that it succeeds in its mission especially its role of monitoring; to consolidate the role of the members of parliament (to be detailed with subsequent laws); etc. All these measures aim at enabling ARP to control in a real and effective way the action of the government especially through its different parliamentary commissions. Thanks to such control, the principle of separation between powers can be preserved.

In the same vein, **Mr Nejib Jeridi, Project Manager at Westminster Foundation for Democracy in Tunisia since 2011**, started by stressing the importance of **parliamentary control of the government**, especially when it comes to public spending. Since the deputies represent the people who elected them, the government is accountable to the elected deputies as it is accountable to the people. It is through control that ARP can evaluate public policies of the state and play a regulatory role whenever necessary.

Then, he presented the different control tools that the parliaments have (anterior control of budget, posterior financial control, questioning of the government, legislation, etc.) and made the case in this context for the necessity of resorting to a High Audit Authority because budget control presents a delicate and complex operation that the parliament cannot carry out by itself. It is important though that the relation between this High Audit Authority, the parliament and the government is based on independence. Indeed, the High Audit Authority presents its reports to the parliament that also presents its remarks and recommendations to the government. Then, he presented the opportunities and current possible manoeuvres that can consolidate the control of ARP over the government in a more efficient way, and he wrapped up his presentation by presenting the set of activities of Westminster Foundation in Tunisia since 2011, what has been achieved and the challenges of the future.

Furthermore, monitoring can be external when it is driven by civil society on public institutions. **Ms. Ons Ben Abdelkarim, President of the CSO “Al Bawsala”**, presented a keynote on the **monitoring of ARP by civil society** that revolves around a central idea “Dear deputies, you are here to report for the people who elected you”. Thus, she talked about her experience in Al Bawsala in monitoring the NCA and ARP in the framework of the project “Marsad Majles”. This action of “monitoring-reporting” had a positive impact on the Assembly in terms of accountability of the parliamentarians concerning their mandate and enabled a better accountability reporting of the elected officials to the rest of the people. Furthermore, it enabled to create a confidence between the parliamentarians and the civil society that, in spite of being ready to denounce the deputies in case of any violations, it ended valorising their work and efforts. This action has equally led to the consolidation of the principles of transparency and the right of access to information so that the people can be rightfully informed.

Finally, Ms. Ons underlined the fact that the control must be continuous. Indeed, if the NCA had the heavy task of drafting a constitution that unites all of us, ARP has an equally daunting

task which is guaranteeing the execution of the principles stipulated in the constitution and ensuring their respect and implementation.

The following presentation was offered by **Mrs. Donia Turki, Project Manager at the Arab Governance Institute**. She talked mainly about **control and evaluation of local government by the citizens**. Mrs. Turki started by explaining the logic behind monitoring at the local level and its means. Indeed, monitoring and evaluation of local governments helps identify the challenges that block the implementation of public policies at a given community, define the needed resources for the building of necessary capacities for local development, improve public services, engage civil society and the private sector in the governance and consolidate the participation of citizens at local levels which also leads to a better inclusion of local communities in the elaboration of public decisions.

Then, she presented the project “Baladiti” initiated by the Arab Governance Institute, especially the tool “Baladia Meter” that is a web-based interface enabling the citizens to evaluate the different aspects of governance at the level of their municipalities (quality of services offered by the municipality, level of citizen participation in the elaboration of plans and budgets, quality of economic and commercial activities, transparency and access to information , political integrity and neutrality; etc). This tool, she said, will help create a new dynamic in the municipalities, will push local governments to improve their performances and will also create competitiveness between different municipalities of the country.

The last presentation was made by **Mr. Anis Ben Ismail who is a governmental expert in fight against corruption, general controller of public services in 2013 and now an expert within UNPD**. His presentation was titled “**Monitoring of the Administration: Challenges of Internal Control and Accountability**”.

In Tunisia, the notion of Monitoring was always invoked to talk about the activity of reporting undertaken by civil society towards the Tunisian state. The issue of internal control that the Tunisian administration operates on its proper services was less invoked. Mr. Ben Ismail tried to present the nature and the challenges of internal budget control.

He also mentioned that the Constitution stipulates in article 117 the creation of a Court of Accounts in charge of controlling “The good management of public funds in accordance with the principles of equality, efficiency and transparency.” Likewise, he presented the challenges of budget control in periods of democratic transition, especially the challenge of shaping a culture of accountability in a state that has just started reform after having suffered decades of bad budget management. Finally, he underlined the importance of sharing the results of internal control with the public to not hinder its effectiveness, in accordance with the right of access to information and the principle of transparency endorsed by the Constitution of the Second Tunisian Republic.

d) Recap of Panel n°4: Evaluation of Public Policies in a democracy: approaches and criteria

Within the framework of its annual conference about “participatory governance in the context of democratic transition in Tunisia: Roles and Tools” that was held on June 11th and 12th, 2015 at Ramada Plaza hotel, Gammarth, JFRC closed the set of its activities with a discussion session on the role of civil society in evaluating public policies.

The session was moderated by Mr. Hatem Dammak who started by mentioning the defining role and the importance of civil society in implementing democracy in Tunisia namely through the evaluation of public policies and the tools to be used for this purpose.

He then moved on to introduce the first speaker, **Mr. Anis Ben Younes from TEN (Tunisia Evaluation Network)**, who focused in his presentation on **the importance of evaluating public policies**. He started his speech by a simplified definition of evaluation. Indeed, evaluation is not merely about monitoring or audit but rather a mechanism for the improvement of the government’s performance. Evaluation has nothing to do with monitoring; instead, its major aim is to improve the effectiveness of governmental work.

In the framework of implementing decentralization, which is the current major focus of many CSOs, one can notice that several experiences concerning evaluation have been created or are

in the creation process; among which the project of “Baladiti” (my municipality) of the Arab Governance Institute.

One of the most serious problems nowadays is the issue of monitoring authorities that still do not publish the evaluation reports. Thus, they are only formal reports. Are the already made reports based on international mechanisms and standards?

At this level lies the role of the “Tunisia Evaluation Network” that acts on three strategic themes which are: the issue of evaluation through finding the organizational convenient legal framework; the support of evaluation spaces through creating partnerships with civil society and the local and central administrations; and the creation of a Tunisian model for evaluation that profits from both local and international experiences.

It seems that consolidating the culture of evaluation is one of the most problematic issues that should be worked on in the upcoming period. Indeed, all the parties either representatives of the parliament, officers at the different governmental institutions or activists are responsible for it. All the parties play complementary roles in the evaluation process that can make it more efficient.



The second presentation was made by **Mr. Khalil Amiri, Vice President of the Arab Governance Institute**, who tackled the **mechanisms of evaluating public policies on the local level**.

Mr. Khalil Amiri pointed out that each problem has several solutions or policies that can be followed. However, by the end, only one policy can be executed or followed. To start, we should make a research on the receptivity of the different solutions and policies, then we adopt one of them and we commit to its evaluation by gathering all the corresponding data and studying its pertinence to our reality and relevance to the problem to be solved and finally by adjusting the policy accordingly.

Mr. Khalil Amiri and Mr. Anis Ben Younes argued that the role of organizations and research institutions in Tunisia is weak. Indeed, up until now, there is no master degree in public policies and this represents an alienation of the intellectual elite's role in participating in evaluating public policies. However, developed countries rely on their intellectual elite in proposing solutions and alternatives for politicians based on thorough socio-economic research. Universities, institutions and research institutes undertake this role and present ready-to-implement propositions for politicians and decision makers.

Moreover, Mr. Khalil Amiri talked about the lack of the policies pre-evaluation and its effect on several sectors. He also pointed out the weakness of information system in Tunisia which is considered as one of the most important challenges. Indeed, the information owned by the government is scarce and there is no clear strategy for gathering and exploiting it.

Then, Mr. Amiri talked about the lack of auto-evaluation and its drawbacks that prevent from achieving the wanted objectives. It basically reflects the lack of evaluation culture nationwide and the unconsciousness of its importance. Most of the current problems are due to the lack of training in evaluation methods and the absence of strategic planning in the matter in addition to the lack of political will.

Without embracing evaluation on a personal, institutional and national level, the much-needed reforms that will enable Tunisia to get on a solid and sustainable development track will never take place successfully. First and foremost, it is a mindset that should be embraced so that the change comes from within.

Mr. Amiri considers that Tunisia, today, has an outstanding opportunity to implement the culture of evaluation through decentralization. Indeed, evaluation can start at a local level which is easier due to certain factors: the limits of the territory; the readiness of all stakeholders; the availability of information. Thus, societies' local capacities should be supported to be able to meet the challenge. If local governments adopt the modern evaluation methodologies and processes, it will become much easier to do the same on a national level.

At last, he pointed out that the Arab Governance Institute seeks to build the auto-evaluation capacities in municipalities and various regions believing that it is the most appropriate way too start implementing the culture of evaluation nationwide.

III. Proceedings of Day 2:

a) Recap of Roundtable n°1: Decentralization: Making Local Governments Accountable through Citizen Participation



As part of Jasmine Foundation's third annual conference on « Participatory Governance in the Context of Democratic Transition in Tunisia: Roles and Tools », Jasmine Foundation organized a roundtable entitled « *Decentralization: Accountability of local governments* » on Friday, June 12th, 2015 at Ramada Plaza, Gammarth.



The roundtable began with a presentation by **Ms. Intissar Kherigi** on decentralization and the related topic of accountability of local governments. There is no common definition or understanding of decentralization, but it is generally a common practice in many countries, and refers to “the restructuring or reorganization

of authority so that there is a system of co-responsibility between institutions of governance at the central, regional and local levels... Decentralization could also be expected to contribute to key elements of good governance, such as increasing people's opportunities for participation in economic, social and political decisions; assisting in developing people's capacities; and enhancing government responsiveness, transparency and accountability.”

Ms. Kherigi outlined the benefits of decentralization – more open, responsive, and effective local government, greater public participation and improved quality of services, by bringing decision-making closer to citizens. It is important to note that decentralization is a means to an end, and not an end in itself. Experiences of decentralization around the world show that decentralization is not always a good thing in itself - in some countries, it has led to increased corruption, when local government become prone to capture by local elites and private interests, as well as and deteriorating services, when local government is unable to deliver the services required. This means we need to carefully take into account these risks in designing and implementing decentralized systems.

Accountability: Key to Good Decentralization

Ms. Kherigi outlined that what is particularly important in making decentralization successful is to ensure that local government is accountable to the citizen. Several studies on decentralization show that only when local government is pushed to become accountable to citizens are they likely to be more responsive to the needs of citizens. Arun Agrawal and Jesse Ribot of Yale University argue that “the presumed benefits of decentralization become

available to local populations only when empowered local actors are downwardly accountable.”

When citizens elect officials, they are delegating responsibility to them as their agents. Thus, government has a duty to be downwardly accountable to citizens. This downward accountability is what defines and distinguishes decentralization – the local government is downwardly accountable to their local residents, not just upwardly accountable to central government. They have a duty to serve the interests of their local residents, provide them with better services, meet their needs and involve them in decision-making.

How to get accountability?

The question is how to make local government accountable? What does accountability mean? And are the current tools for accountability enough?

Simply put, accountability means that the holder of responsibility must report to citizens on the use of public resources and must be answerable for failing to meet their legal obligations. Holders of responsibility must be aware that there is a possibility of sanction if they do not fulfil their responsibilities.

Traditional tools for accountability include elections, parliamentary monitoring, public demonstrations, advocacy campaigns and judicial processes. However, these are very limited in bringing accountability. They take a long time to bring accountability (e.g. elections are every 5 years), often require significant resources (e.g. bringing a court case against the government) or expertise (e.g. advocacy campaigns).

Tunisians today have the opportunity to create new tools for accountability and design more effective and innovative ways for citizens to participate. Indeed, our new Constitution specifically emphasizes citizen participation when talking about local government – article 139 states “Local authorities shall adopt the mechanisms of participatory democracy and the principles of open governance to ensure broader participation by citizens and civil society in the preparation of development programmes and land management and monitoring of their implementation, in accordance with the law.” So, local governments have the obligation to enable citizens and civil society to participate not only at the phase of preparation of local programmes, but also in monitoring their implementation.

However, in order for citizens to participate in holding their local government accountable, they must have the necessary information to be able to participate. A World Bank survey in 2014 found that only 2% of citizens had received any communication from their municipality in the previous year. How can we talk about accountability of local government where there is no communication between them and citizens? How can we think about citizen participation when citizens are not receiving information from their local government?

The first step to accountability is to improve communication and sharing of information between municipalities and the citizen. Without communication and information, we cannot move forward towards citizen participation and accountability of local government because citizens simply won't know what their local government is doing and how they can participate.

Solution: Access to information?

Citizen participation in making local government accountable has to be based on information – which means citizens must have access to information. Following the revolution, laws have been introduced giving the public access to administrative documents of public bodies (Decrees 41 and 54 of 2011). Municipalities, like other public bodies, are now required to provide information to citizens, relating to their structure, organization and policies, important decisions that concern the public, lists of staff and their functions, results of public tenders, economic and social statistics, all data relating to public finances including macro-economic indicators, public debt, public assets, medium-term expenditure, and budgets.

Ms. Kherigi outlined the research she had carried out, conducting a number of interviews with municipalities and civil society representatives working in the field of access to information to understand what effect these new laws are having on accountability of local government and shared her findings with the audience.

The research indicates that municipalities in Tunisia are, to varying degrees, gradually providing more access to municipal documents and information. However, significant obstacles remain regarding political will, human and financial resources for managing information requests, outdated means of storing data which makes access slower and more costly, and lack of training and guidance for municipal staff on procedures for sharing of information. Then, Ms. Intissar explained how the related question of whether access to information is making local government more accountable remains problematic. The interest

of ordinary citizen in this information is also to be questioned. She gave many examples and case studies to address these issues raising a set of questions about freedom of information and citizen participation. How can access to information be used to exact accountability? How can we hold the government accountable in a more direct way using freedom of information? What kind of information is useful and interesting to citizens and can motivate them to participate? How can we use information to mobilize and involve the public? A deeper look into many researches suggests that greater downward accountability of local government requires not only access to information, but coordinating the provision of information with mechanisms that enable public collective action and directly engage local government. She then moved on to present the concept of “Social Accountability” which is a field that seeks to “build accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability.”

Social accountability encompasses a range of tools including citizen monitoring and oversight of public services and projects, citizen participation in policy making and in the allocation of public resources, and citizen oversight of public spending. These mechanisms can be initiated and sustained by the state, citizens or both, but they are often bottom-up and driven by citizen demand.

Ms. Kherigi gave the example of the « citizen report card » (CRC) which is a simple but potentially powerful tool first developed in India to provide public agencies with systematic feedback from users of public services (e/g: local transport, access to water, etc.). By collecting feedback on the quality and adequacy of public services from actual users, CRC provides a rigorous basis and a proactive agenda for communities, civil society organizations and local governments to engage in a dialogue with service providers to improve the delivery of public services. Critically, CRCs involve not only the production of useful information on the performance of public services, through surveys and focus groups, but also involve a whole communication strategy to discuss findings with public authorities and engage the public in this discussion, with the aim of creating change.

Q&A

After Ms. Kherigi’s presentation, the floor was opened for questions and comments that further enriched the findings of the roundtable.

b) Recap of roundtable n°2: Transitional Justice: Current State of an Ongoing Process



The second day of the annual conference of Jasmine Foundation was devoted to thematic roundtables. These gathered experts and activists on the main issues tackled by Jasmine Foundation during 2015. One of these roundtables was entitled “**Transitional Justice: Current State of an Ongoing Process**”. Indeed, the Truth and Dignity Authority (IVD) celebrates its first birthday and the need to assess the process of transitional justice is clearly there. Although formally defined by law, transitional justice in Tunisia faces inherent difficulties when it comes to changeability of the context of transition towards democracy and the fragility of institutions in a state of reforms.

This roundtable’s objective is to identify these challenges and understand their origins to better address them. This roundtable cannot aspire to deliver an exhaustive and final report on the state of transitional justice. However, the diversity of the attendees made it possible to draw the main lines of the state of this process in Tunisia.

This session was moderated by **Ms. Ghofran Ounissi, legal expert in human rights at Jasmine Foundation**. She was accompanied by **Judge Omar Weslati, Secretary General of the Tunisian Observatory for the Independence of Magistracy, Mr. Mohamed Kamel**

Gharbi, President of the Tunisian Network of Transitional Justice, Mr. Hedi Chahem, lawyer at the court and Mr. Mustapha Baazaoui, Head of the Commission of Functional Review and the Reform of Institutions at IVD.

Judge Omar Weslati started his keynote by pointing out several challenges. Among these is the difficulty of setting up the specialized jurisdictions stipulated by law which would consequently obstruct the smooth running of the transitional justice process. He mentioned that even when these jurisdictions are created, the problem of training the magistrates on the specificities of transitional justice would remain. Indeed, transitional justice is a legal matter that pursues larger objectives than conventional justice and follows particular procedural rules.

In this regard, the Tunisian Observatory for Transitional Justice has led several training programs for Tunisian magistrates. Nevertheless, it faced a lack of reactivity and official support for such programs. Judge Omar mentioned for instance an international training program on transitional justice to which the observatory tried to initiate the Tunisian magistrates. Unfortunately, this initiative was not carried out because of the lack of implication of the ministry of justice. These trainings are essential; indeed, judging a case in relation with transitional justice is not the same as judging a case of traditional rights and the Tunisian magistrates would not be equipped to apprehend these complex affairs without an adequate training.

He also stated the IVD is obliged to transmit the files of the most serious violations to the public ministry despite the fact that the specialized chambers would not meet all the requirements stipulated by the organic law of 2013. He thinks that this distrust towards the judicial power is visible even in the text of the law itself. Furthermore, he notices that there is a question to which the law does not respond; in fact, are the judges bound by the elements and proofs that IVD had gathered on the transmitted cases?

In this regard, Mr. Gharbi, President of the Network for Transitional Justice, stressed that the role of IVD is not judging the submitted cases. He describes IVD as an independent institution, non-implicated in the dispute settlement. Indeed, the Truth and Dignity Authority cannot “condemn” the individuals found guilty of serious violations; in this domain, its role is limited to receiving, sorting and transmitting the complaints to competent authorities. The implementation of the criminal responsibility of the people targeted by the complaints, transmitted by IVD, remains on the jurisdiction of specialized chambers. What may

eventually comfort the people targeted by these complaints is the fact that their cases will be dealt with by the judicial system, thus ensuring them a fair trial with all the accorded guarantees in terms of right of self-defense.

Yet, Mr. Gharbi is worried about the consequent delay taken by the ministry of Justice in setting up the specialized chambers. The reason invoked by the minister of Justice, Mr. Mohamed Ben Aissa, is the unavailability of a sufficient number of detachable magistrates. To overcome this situation, Mr. Gharbi suggests that we should think from now on about a global strategy of reform of the Tunisian Justice. Indeed, many problems raised during the period of democratic transition will involve the judicial power, such as the process of decentralization that will have as a consequence the reinforcement of administrative justice. According to Mr. Gharbi, there is a necessity of foreseeing from now the future of transitional justice by encouraging university curricula in relation with this issue, and also by conducting awareness campaigns in educational institutions.

As for the keynote of Mr. Hedi Chahem, lawyer at the court, it was centred on the principle of national reconciliation. He considers it as an essential step for the consolidation of the state of rights. This reconciliation is not synonymous of indulgence or impunity, but rather of accountability of persons who resorted to corruption for example. Those who are found guilty must incur appropriate penalties and fix all the harms caused to society. Furthermore, he insisted on the necessity of envisaging a legal frame for the protection of victims and eyewitnesses. Indeed, these ones can undergo a great deal of pressure to discourage them from delivering their testimonials.

On another note, Mr. Mustapha Baazaoui, member of the Truth and Dignity Authority IVD, one of the major problems is that the body of Tunisian laws does not envisage punishments for a number of violations in relation to the process of transitional justice or even ignores these types of crimes completely. Another legal gap concerns the right of defence for people against whom complaints are made. According to him the law doesn't say much about this issue, and then it will be up to the Truth and Dignity Authority to elaborate protocols to guarantee these rights.

Mr. Mustapha Baazaoui believes that Tunisia has made an essential step in its path of democratic transition by organizing three transparent elections resulting in a parliament and an elected President. Nevertheless, other challenges are awaiting Tunisia such as the construction of the state of rights, the reform of institutions, and beyond that, the urgent

mission of carrying through the process of transitional justice as per the timeframe set by the organic law of 2013. He regrets the fact that the government did not make of transitional justice its priority, keeping much occupied by the management of repeated institutional crises, which prevents from building the bases of a sustained democratic state. In this regard, he reminded the attendees that the Tunisian constitution clearly stipulates that “The government commits to applying the system of transitional justice in all its domains within the period set by law”.

He deplores that few efforts were undertaken to facilitate the work of the Truth and Dignity Authority either on the litigation front of transitional justice or on the hot issue of archives, a cornerstone for the reconstruction of national memory. As a matter of fact, without the archives, namely the registers of “public policies”, IVD cannot lead its mission in an appropriate way. At the end, Mr. Baazaoui affirmed that transitional justice constitutes a rampart against the violence of a post-revolution society. Indeed, it is a mode of pacific resolution of conflicts and injustices resulting from systematic violation of rights by the old regime.

During the discussions, Ghada Loutichi, expert from the Center of Maghreb Studies in Tunis (CEMAT) stressed the urgent necessity for the Truth and Dignity Authority to implement a communication strategy and an adequate pedagogy to sensitize the citizens about transitional justice. Without it, transitional justice will remain a peripheral issue and the objectives fixed by law won't be reached.

One of the attendees suggested that civil society must guide its advocacy efforts towards political parties and not only the Assembly of Representatives of People. He clarified that political strategies are elaborated within the parties before getting discussed later on at the parliament. Thus, action must be taken upstream to ensure the support of political parties for the process of transitional justice.

Another attendee revealed the disinterest of some international partners towards the issue of transitional justice, namely the European Union that, according to her, does not support the action of NGOs on the field.

Mrs. Baazaoui, on the other hand, praised the unwavering support of European State partners, particularly Germany and Belgium that act through the United Nations Development Program (UNDP), and also the technical assistance of numerous international NGOs such as

the International Center for Transitional Justice (ICTJ) that brought an essential contribution to the Truth and Dignity Authority.

The debate was concluded by a consensus on the necessity for the civil society to unite its efforts to support the Truth and Dignity Authority in achieving its mission and to collectively think about solutions to keep of the process of transitional justice alive despite the numerous challenges it faces during the fragile transition of Tunisia towards democracy.

c) Recap of roundtable n°3: Social and Solidary Economy: Challenges and Opportunities of Implementation



Since its establishment, JFRC strived to answer the current problems and events occurring on the national scene based on fact-based findings and research. Thus, its activities have been diverse to comprehend the most important issues of the post-revolution era, among which the issue of youth and employability.

Employment is considered of high importance and one of the priorities concerning youth. Thus, in the framework of the second day's activities of its annual conference on Friday, June 12th, 2015, JFRC organized a roundtable on "social and solidary economy: challenges and opportunities of implementation". This field has rapidly become at the centre of researcher's interest as it is presented by many experts as a viable solution to solve several problems such as unemployment of young graduates and other professionals.

The main objective of this discussion session is to define the concept of social and solidary economy and also to unveil its reality and the ways of its implementation in our country. This is to be achieved thanks to the input of experts and activists in the field by presenting their experiences and approaches and also by having the input of the government whose participation is essential for the understanding of the ministry's general orientation, vision and projects concerning social and solidary economy.

At the beginning, Mr. Mouadh Jmai, moderator of the session, introduced what social and solidary economy generally stands for; it is basically oriented towards social benefit through the solidarity of the workers and the consumers, empowerment of human resources and the principle of collective decision-making which has several benefits. He also argues that this economy acknowledges the efforts of the group through equal division of profits between workers of the same institution and considers group work one chief feature of social and solidary economy based on cooperation and collaboration.

Social and solidary economy also seeks to value men and environment. Indeed, one of its goals is to empower individuals and groups as well as consolidate solidarity and cooperation, support local development and achieve welfare and decent living for citizens. Indeed, there are several fields of action that the social and solidary economy can encompass as education, services, trading, industry, culture, etc.

In order to get more familiarized with this new socio-economic alternative, the Laboratory of Social and Solidarity Economy (Lab'ESS) contributed to the proceedings of the session with a presentation by Ms. Zeineb GHANNOUCHI who provided the attendees with a detailed presentation of Lab'ESS, its activities and projects.

Ms. Zeineb firstly pointed out that Lab'ESS is divided into two branches: BAC (Bureau for Associations Guidance) and the second is the social projects incubator (IMPACT). It focused especially on the role of the social projects incubator in supporting the professionalism of the Tunisian social institutions and raising the awareness of the civil society concerning the issues of social and solidary economy, namely by highlighting the various forms of support offered by the social projects incubator and the different services it delivers to the social entrepreneurs and how it follows them up in the different stages of their projects until successful completion.

It is important here to highlight the successful experiences as it encourages youth towards these new initiatives. Indeed, although the phenomenon of social and solidary economy is still new, we could already find some brilliant success stories such as the first generation of

social institutions that were established with the support of IMPACT such as the project of “Our car” and the project of “Envitou Stas” which is a new company acting in the field of waste collection and optimization of the screening process. Ms. Zeineb announced that the incubator started working on the second generation of the institutions to be supported and they are five: Polùpous, Dar El Aïn, Swanina, Greeny and Challenger.

After that, Ms. Lamia BEN AYED, a civic actor in the field of social and solidary economy, stressed the importance of engaging in a new type of economy that can alleviate poverty, the discrepancies between regions and the societal divisions that have deepened the sense of discrimination and exclusion among many individuals. She proposed the establishment of a state-of-the-art centre for social and economic digital data collection claiming that this is of a great importance to facilitate the access to information by all stakeholders which would make the process of defining common problems and priorities much easier. This will make planning more effective and efficient providing more relevant solutions to the reality challenges.

And we cannot really talk about social and solidary economy without considering the take of sociology on it. For this reason, M. Adel BELKAHLA, professor of sociology, presented two experiences in this field: the Scandinavian experience and the experience of Latin America so as to look for a local approach of the concept that goes well with the Tunisian socio-cultural specificities.

It seems that social and solidary economy presents the best alternative for the State because it reconciles employment and development which are the most important challenges of the current phase. In this framework, Ms. Anissa AYARI was present as a representative of the ministry of professional training and employment as is in charge of social and solidary economy file within it. She presented the view of the ministry and stressed the fact that social and solidary economy is still in the process of creation and has not been fully comprehended yet. She also mentioned that there were still some blurred concepts in this field.

Yet she mentioned some experiments the ministry intended to carry out in order to implement this new organizational model.

Ms. Anissa AYARI agreed that this kind of institutions targets youth and more specifically the young unemployed graduates. All the attendees argued that there are several problems

preventing from the implementation of this economic model such as the conceptual problem, and also the legal framework which remains one of the most serious obstacles.

Ms. Anissa also stressed the importance of creating synergies between all the stakeholders from the public sector, the private sector and the civil society in order to create the appropriate projects that would enable the rise of social and solidary economy in harmony with classical economy.

She also talked about the conference organized by the ministry in cooperation with the General Union of Tunisian Workers (UGTT) and The Tunisian Union of Industry, Trade and Craft (UTICA) with the support of the International Bureau of Employment about social and solidary economy. The aim from the event was the creation of a political will to improve and support this sector and the encouragement of all the actors to start work, consult and discuss about all the problems in relation with the sector so as to be able to set an action plan with the approval of all stakeholders.

At the end, Ms. Anissa AYARI expressed the determination of the ministry to improve this sector and that it is currently looking for the appropriate funds to launch a first generation of social and solidary projects considering this one of the biggest projects that the ministry currently works on.

In brief, social and solidary economy is considered as a very promising alternative to solve the two biggest problems Tunisia faces today which are unemployment and local development. However, despite all the hopes, there are several obstacles preventing its implementation. What is required today is going forward quickly towards creating the legal framework for organizing social and solidary economy as well as acting for the spread of its culture. Indeed, this is the role of Civil Society Organizations such as Jasmine Foundation in order to raise awareness of its importance and benefits and define the challenges and opportunities around its implementation.

d) Recap of the side event: Promoting Start-Ups to Foster Employment

On Friday, 12 June 2015, The Jasmine Foundation for Research and Communication (JFRC) organized a roundtable on the importance of promoting startups to foster employment, at Ramada Plaza Hotel, Gammarth, Tunis. Representatives from the government and the parliament, the private sector and the civil society were present and took part in the

discussions and proceedings of the event. Mr. Hatem Dammak, Project Coordinator at JF and moderator of the roundtable, started the session by pointing out the regulatory challenges that young entrepreneurs and innovative startups face sometimes and by highlighting the need to create more spaces for interaction between the private sector representatives and decision makers in parliament and government. Jasmine Foundation and other civil society actors can actually provide these spaces to build bridges between the various stakeholders in order to identify the barriers that entrepreneurs face and to enable advocacy to remove these barriers.

After that, the roundtable continued with keynote presentations from distinguished guests. To explore where Tunisia currently stands in terms of governmental support to young



entrepreneurs, **Mr. Faycel Zahar, Head of the Small Business Promotion Division at ANETI “National Agency of Employment and Independent Work” (Ministry of Employment)**, presented the various trainings and mechanisms offered at the ministry to help youngsters turn their ideas into viable businesses (pre-startup support)

and then sustain them (post-startup support). He explained for instance the approach they use for the CEFE training (Competency-based Economies through Formation of Enterprise) which is entirely based on matching the right person with the right business idea on a deeply personal level to ensure the success of the endeavor. He also mentioned the funding opportunities the ministry creates for the participants of such programs by exposing them to financing bodies and banks such as BTS and BFPME. But promoting entrepreneurship should start at an earlier age, noted Mr. Zahar, that’s why his division helps organize business plan competitions for students across the nation each year. Last but not least, he highlighted the importance of the role that CSOs (Civil Society Organizations) can play in fostering employment which is why his division forged many partnerships with various development associations to co-finance and organize employment-driven initiatives and programs.

As a matter fact, creating opportunities to aspiring entrepreneurs can't be the sole responsibility of the government. Big corporations with strong social responsibility inclination have a lot to offer, especially when partnering with civil society organizations.



Mr. Khaled Ben Younes, who has been Executive Director of Strategic Projects at Ooredoo, is currently the Director of IntilaQ, the biggest startups promotion initiative in Tunisia. IntilaQ is a joint venture between QFF (Qatar Friendship Fund), Microsoft and Ooredoo and it aims to help create local startups with regional and

international outreach. Mr. Khaled presented the rationale behind the initiative which is based on empowering youth who have bright ideas and promising innovative projects to get their startups up and running and become competitive on a global scale. The approach of IntilaQ is comprehensive, designed like a one-stop shop with the needs of the entrepreneur in mind: not only does he get access to high-quality training, but he also gets the opportunity to pitch his business in front of an investment committee that could grant him up to 250 thousand dinars in funding. IntilaQ also provides its beneficiaries with valuable networking opportunities both nationally and internationally. To find talented entrepreneurs and fresh promising ideas, IntilaQ has launched a unit called “Academic Center” which gets in touch with universities and research centers to spot students and researchers whose academic work can be developed into business endeavors, also known as Research-Based Spin-Offs (RBSO). Mr. Khaled gave the example of “Tech Accessibility”, a startup that aims to help deaf people in Tunisia through technology based on interactive communication, for example smartphones that can be operated by deaf people. Four researchers developed the concepts but had no business background. IntilaQ provided them with the support to bring their ideas to market. Overall, the incubator currently counts 28 startups, has trained 400 entrepreneurs in technical, managerial and soft skills, and has tested 30 research/academic projects to gauge their business readiness and viability.

And while all the technical and financial support is needed to help people start creating their own businesses, none of that could work if the person lacks the self-motivation and



determination to be a master of his destiny.

Ms. Madi Sharma, representative at the European Economic and Social Committee (EESC) and successful businesswoman, started her presentation by stating that Tunisian people are true inspiration to the rest of the world because they collectively realized their own power

and changed the system. Now, that needs to be replicated on an individual level, with every dreamer who thought his/her dream could never be a reality, with every aspiring entrepreneur who doubted his ability to create his startup, and with every civic actor who wanted to make a big change in his community but never had the courage to. Ms. Sharma said that 82% of people are doing jobs that they hate, which is quite sad. To be successful at what you do, you need to start doing what you love to do, no excuses. One should not be afraid of failure, because we all learn from our mistakes and we build our business acumen through a trial and error process. But more importantly, Madi thinks that the fear of success is what really inhibits us from chasing our wildest dreams: what if we make it and become hugely successful? Are we going to be able to cope with it? Are we ready to get out of our comfort zone and handle massive success? She went on to present practical guidance on how to fulfill your dream and launch your project (whatever that is) in an inspired and empowering way.

After that thought-provoking presentation, Ms. Madi took the opportunity to present some of the networking and funding opportunities for change-makers, such as the “SME Instrument by European Commission” that helps fund innovative projects and provide them with substantial technical and financial assistance, the “European Instrument for Democracy and Human Rights” destined to support civil society organizations (it has actually funded many Tunisian associations so far), and several other programmes for exchange of expertise. She is currently working on a web portal called “the entrepreneur envoy” that aims to be a global platform bringing entrepreneurs together. She also mentioned CoSEED, a business incubator in Macedonia that she helped create and she would love to see partnerships forged between Tunisian and Macedonian entrepreneurs.

Dr. Stefan Krauss, Directorate-General for External Policies of the Union, the European Parliament

Finally, Dr. Stefan Krauss, from the European Parliament (Directorate-General for External Policies of the Union) also mentioned other European funding opportunities for Tunisian organizations such as EED, European Endowment for Democracy.

After these rich presentations, the audience had the opportunity to interact with the keynote speakers in a very candid way to further explore the topic and learn more about the available networking and collaboration opportunities.

IV. Biographies of the Panelists of JFRC Annual Conference

Panelists

Biographies

Panel 1

Madi sharma



She is a successful entrepreneur and founder and director of Madi International Group that includes non-profit companies and NGOs. She is also a member of the European Economic and Social Committee (EESC) in Brussels. She is also an internationally recognized speaker, particularly on entrepreneurship issues, Corporate Social Responsibility (CSR), diversity and gender equality.

André ROUX



He graduated from the Institute of Political Studies of Aix-en-Provence (1973). He has been a professor of public law at the same institute since 1991. He is currently a professor at the institute Louis Favot of Aix-Marseille University. He specializes in constitutional law. His research interests include the litigations law, fundamental rights and local authorities. He taught constitutional law, comparative political institutions, etc. He is director of the French Review of Constitutional Law since 2005 and of the Collection of European comparative Public Law. He has also gathered significant expertise in public law from working with several French ministries and European institutions.

Jamel Eddine Gharbi



Jamel Eddine Gharbi was Minister of Regional Development and Planning to the Tunisian government. He is vice president of the University of Jandouba, where he teaches marketing. He is also head of the section of the strategic think tank for the development of the Northwest, in Jendouba.

Imed Hammami



He graduated from the National School of Engineers. He was a deputy at ANC, where he, among other things, chaired the committee of public, regional and local authorities. He is currently a deputy at ARP.

Panel 2

Wala Kasmi



Engineer in Computer Sciences, Wala is a young activist and conducts independent research on how to put new technologies at the service of young people and civil society. She is founder and president of the NGO “Youth Decides”, which works on Tunisian youth issues today. The action of the organization is based on the political, economic, social and cultural inclusion by mobilizing new technologies.

Amal Homrani

Deputy Mayor of the Municipality of Manzel Bourguiba and head of the participatory budget team there.

Ridha Louhe



Graduate of the National School of Finance, Mr. Ridha is Assistant to the President of the Provisional Management Committee at Oued Ellil municipality where he is also head of procurement. He is an expert and trainer in the field of municipal financial management. He is a member of the Regional Committee for Public Contracts for Regional Commissioner of Agriculture and Education and member at the University of Manouba. Mr. Ellouh was Financial and City Treasurer from 2002 to 2007.

Yosri Magdish



He is a public advisor and graduate in Management from the National School of Administration of Tunis and the National School of Administration in Paris. He was Head of the cooperation of interest between the municipalities within the Ministry of Interior where he was responsible for national programs. Currently, he is president of the section of training programs at the center of training and support to decentralization (CFAD) within the Ministry of Interior. He is also a certified trainer in the areas of local participatory governance and management and governance skills.

Panel 3

Anis Ben Smail



He graduated from ENA (specialty audit and control). He has been General Controller of Public Services within the presidency of the government and is a governmental expert in the fight against corruption. He more recently joined UNDP as anti-corruption expert.

Slim Besbes



Born on 7 May 1963 in Tunis, Mr. Slim Besbes is deputy at ARP representing the first district of Sfax. He is an economist, academic and politician. He was Acting Minister of Finance from July to December 2012.

- Bachelor degree in Social and Economic Administration from University Toulouse 1 Capitole (France) in June 1988;
- Master degree in public law from the same university in October 1989;
- Master degree in fiscal law from the same university in March 1990;
- Postgraduate diploma in Business Law from the same university in October 1990;
- PhD in public law, obtained from the Faculty of Law and Political Science in Tunis in September 2005;
- University lecturer in public law since June 2006.

Nejib Jridi



Projects Manager at Westminster Foundation for Democracy in Tunisia since 2011, Nejib has a MBA in Public Sector Administration from the University of Birmingham in the UK, and a bachelor degree from the National School of Administration (ENA) in Tunis. He also has a law degree from the Faculty of Legal, Political and Social Sciences of Tunis II. Previously, he was an auditor at the bureau of general control within the Prime Minister Office, where he worked from 2005 until 2011 and had the opportunity to audit a wide range of public sector organizations.

Ons Ben Abdlekrim



Graduate of Telecom Sud Paris (ex. Telecom INT), Ons worked as a consultant in an advisory in security and risk management in Paris. She was Project Manager at Al Bawsala and worked especially on the project “organization of debates between MPs (members of parliament) and citizens”. More recently, she has become the President of the Organization.

Donia Turki



She had her national diploma in architecture from the National School of Architecture and Urbanism in Sidi Bou Said. She was responsible for a project about inclusive education entitled “Improving Access to Primary Schools” through the coordination of local actors working for the emergence of inclusive practices at 9 pilot schools at the regions of Siliana, Bizerte and Douz.

She is currently Manager of the Project “Baladiti” within the Arab Governance Institute.

Panel 4

khalil Amiri



He is vice-president of the Arab Governance Institute. He is the dean of the *Mediterranean Institute of Technology*. He was an expert for UN agencies and the Tunisian Institute for Strategic Studies. He was senior adviser to the State Secretariat for Immigration and Tunisians Abroad.

Anis Ben Younes



Expert in charge of monitoring, evaluation and support to civil society at UNDP Tunisia.

He is co-founder of TEN (Tunisian Evaluation Network).

- Engineering degree, Rural Economics - Development and Agricultural Policy (1996 - 2001): ESAM.

ACTERRA

- MS, Agricultural Policy and Sustainable Development (2011 - 2012): AgroParisTech - Agro ParisTech.