

How to make Local Government in Tunisia more Accountable

Participatory Democracy and Open Governance in the new Tunisian Constitution

Intissar Kherigi, Jasmine Foundation

June 2016

Article 139: “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 programs and land management and monitoring of their implementation, in accordance with the law.”

Executive Summary

Decades of authoritarian rule in Tunisia have led to a crisis of accountability and a trust deficit between citizen and state. Corruption, inefficiency, poor public services, repression and a lack of responsiveness and transparency inspired calls for a new model of governance. Following the Revolution in 2011, a new constitution was introduced that ushers in a governance model “based on citizenship, the will of the people, and the supremacy of law,”¹ and on decentralization as a central pillar of democracy. An entire chapter of the constitution is dedicated to local authorities, which are required to operate according to the principles of “good governance”, “open governance” and “participation by citizens and civil society.”

These principles are a far cry from the status quo – lack of transparency and participation, a vast communication gap between local authorities and few mechanisms for holding local authorities accountable. A broader cultural change within political institutions is needed if decentralization is to succeed in making local authorities more transparent and inclusive and shifting their role from implementing the diktats of central government to responding to the needs of their local populations. Such change, however, requires real bottom-up pressure for reform. Broader citizen participation is key to creating the pressure needed for local authorities to change the way they work and improve their performance.

This paper identifies and recommends measures needed to ensure greater accountability and citizen participation at local level. Decision-makers at central, regional and local government levels, parliamentarians, international donors, and Tunisian civil society must all play a role to make this historic institutional shift successful and achieve the goals of decentralization - improved public services, more inclusive local development and more engaged local communities by enabling participation in local decision-making.

The paper is based on interviews with central government and municipality officials, academics, representatives of civil society and international organizations, as well as a roundtable at which initial findings were presented and discussed with stakeholders. It makes the following key recommendations:

- **Clarifying legal obligations of local authorities** - A new local authorities law is needed to set out the legal obligations on local authorities under Chapter 7 of the Constitution in more detail – this should include specific measures to implement open governance and citizen participation – for example, a duty to provide simplified information on services; a duty to respond to citizen grievances and requests for explanation of local authority decisions, policies or procedures within a certain period of time; the right to demand public hearings and consultations; and the right to submit public petitions;

¹ Article 2, Tunisian Constitution – available here: http://www.jasmine-foundation.org/doc/unofficial_english_translation_of_tunisian_constitution_final_ed.pdf

- **Providing clearer guidance to local authorities:** Central government should provide clear guidance to local authorities on their powers and obligations through publication of a local authorities code, which will clarify procedures for local authorities as well as give them suggestions for concrete mechanisms and tools to encourage citizen participation (for example, social audits, participatory budgeting);
- **Encourage open communication by local authorities** - The new local authorities law must include a focus on open communication between local authorities and local communities – including an obligation to strive to use the most appropriate communication methods to engage the public, including public meetings, publishing information, use of websites, and social media;
- **Strengthen political will for accountability** at local level through financial incentives and supervision: Central government must tie budget support to local authorities to evidence of changes in their institutional practices towards greater transparency and citizen participation;
- **Introduce oversight of local authorities:** The new local authorities law must introduce an oversight system to supervise the exercise by local authorities of their new powers and fulfilment of their obligations under the Constitution, including promoting participatory democracy and open governance – for example, through the development of local government transparency and citizen participation indexes;
- **Strengthen access to information:** Central government must reintroduce the draft law on access to information to parliament that it withdrew earlier this year and amend it to more narrowly define exceptions to the right of access, and introduce tougher sanctions for refusal to share information. The government should also issue clear guidelines to local authorities on their access to information obligations and provide training programs to local authorities' expertise and capacity in this area. The new Access to Information Commission proposed in the draft law should strongly focus on public awareness campaigns in its workplan, in order to develop the public's understanding of their access to information rights;
- **Build the capacities of local authorities:** Central government must significantly expand the range and number of training and capacity-building programs for local officials in preparation for decentralization, particularly on communication, participatory mechanisms and accountability, and strengthen the mandate and resources of the Centre de Formation et d'Appui à la Décentralisation (CFAD – Center for Training and Support for Decentralization) in this area;
- **Build the capacities of the public:** Central government, international agencies, donor countries and civil society must work to build the capacity of citizens and civil society to participate in local decision-making, through targeted trainings on mechanisms for participating in local decision-making and monitoring and evaluating local government, particularly in marginalized regions.

Introduction

Extreme centralization is a hallmark of the post-independence Tunisian state, which imposed tight control over regions and local communities under the framework of the need for a strong modern state. The 24 regional and 264 municipal authorities of the country served as the eyes and ears of central government and “operated as deconcentrated authorities representing the central state².”

The new Constitution, however, seeks to address this by extending new broad powers to local authorities. It grants municipal and regional authorities, chosen through free and fair election, their own legal personality and administrative and financial autonomy. Two elements differentiate the new system from Tunisia's current highly centralized model: the degree of autonomy granted to local authorities, and the emphasis on participatory democracy, open governance and downward accountability. The Constitution sets out a framework for local governments to become downwardly accountable to their local residents, not just upwardly accountable to central government, and to serve

² *Decentralization in the Arab World Must be Strengthened to Provide Better Services*, Mona Harb and Sami Atallah, Lebanese Centre for Policy Studies, April 2014.

the interests of their local residents by providing better services and involving them in decision-making³.

While decades of highly centralized rule left local authorities with few powers and resources, citizens were left with little experience in holding local government accountable and very low expectations regarding its performance and responsiveness to their needs. Article 139 of the Constitution seeks to put in place a new framework for relations between local governments and citizens. By introducing accountability and participation mechanisms, local authorities can begin to address the accountability gap and trust deficit that have ailed Tunisia for decades.

This paper provides an overview of existing oversight mechanisms for local authorities before examining the two sections of Article 139 on access to information and citizen participation, respectively. The paper will conclude with recommendations to stakeholders on ways forward to implement Article 139 and strengthen downward accountability at the local level. While the term “local authorities” is used in Article 139 to refer to public authorities at the regional, governorate and municipal levels, the paper largely focuses on municipalities as the level of government closest to the citizen and the most suitable for engaging local communities in decision-making.

Integral to the successful development of strong local government structures is the question of their autonomy from political control – whether by central government or political parties. Under the former regime, local government bodies were heavily dominated by the ruling party and closely controlled by central government. A new decentralized governance model will require putting in place effective mechanisms to guarantee local government’s independence. This does not in any way preclude the need for administrative supervision of local authorities – granting broad powers to local authorities without oversight would be a recipe for disaster, especially given the lack of experience of Tunisian local authorities of exercising significant powers. What will be critical in the next few years is to develop a system of administrative and judicial supervision to monitor the legality of local authorities’ actions while preserving their autonomy. This will require a dialogue between central and local authorities and the parliament to determine the mechanisms and modes of oversight. This issue, which is of a more regulatory nature, is beyond the scope of this paper.

1. SECTION ONE: Oversight Mechanisms at the Local Level

Tunisia is divided into 24 regions, each headed by a centrally appointed governor (*wali*). The governor is the representative of the Central Government at the regional level and is responsible for regional administration and supervision of the deconcentrated arms of various ministries when they are involved in implementing central government programs and projects at the local level. Tunisia also has 264 municipalities, each headed by a mayor who is elected from among municipal councilors for a period of five years.³ The mayor is responsible for planning, public security, traffic, and environmental management. The municipal council drafts the municipal investment plan, levies municipal taxes and

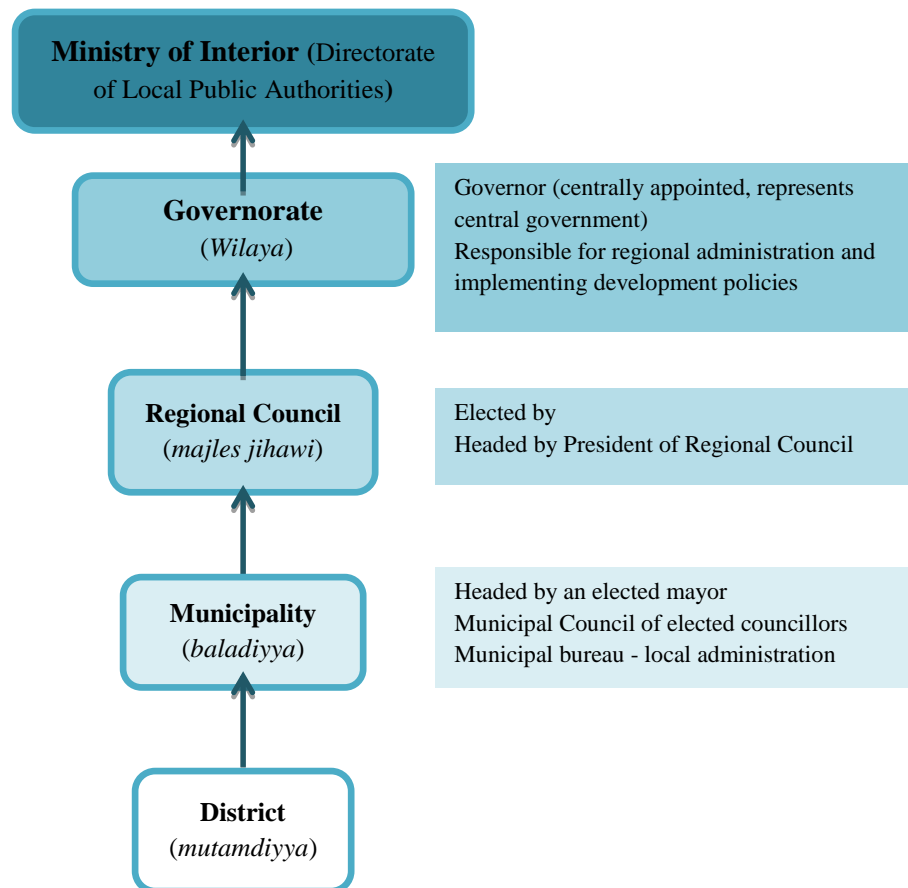
³ Decentralization is defined by the United Nations as “the restructuring or reorganization of authority so that there is a system of co-responsibility between institutions of governance at the central, regional and local levels... Decentralization could also be expected to contribute to key elements 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.” UNDP, Decentralized Governance Programme: Strengthening Capacity for People-Centered Development, Management Development and Governance Division, Bureau for Development Policy, September 1997, p. 4.

³ Before the revolution, local elections were tightly controlled to ensure monopolization by the ruling party. Following the revolution, the government replaced municipal councils with temporary appointed councils called “*Delegations Spéciales*” which contained a mixture of representatives of political parties, independents and civil society activists. New municipal councils are due to be established once municipal elections take place, planned for late 2016.

prepares and executes the municipal budget. The mayor is assisted by the municipal administration, headed by a Secretary General.

Municipalities are often overshadowed by central government and play a minor role in local development⁴. The Ministry of Interior is in charge of supervising local authorities, although this is likely to change soon, with the creation of a new Ministry for Local Authorities. The Center for Training and Support for Decentralization (CFAD), a government agency under the purview of the Ministry of Interior, provides training for local officials and guidance on local authority laws and regulations. Additionally, the Ministry of Economy and Finance (MoEF) contributes to the financial and budget supervision of municipalities.

The current regional system is based on deconcentration rather than decentralization – governorates act as the representatives of central government while municipalities are also under the close control of central government and account to it, and not to local communities. If the Constitution is to succeed in engineering a shift from deconcentration to decentralization, new mechanisms are needed to support a pivot in accountability from the central state to the citizen.



⁴ Local municipality spending totals only 4% of annual public spending. While the central government spends TND 2,000 per capita, municipalities only spend TND 75 per capita. *Program Appraisal Document on a Proposed Loan in the Amount of Euro 217 Million (US\$300 Million Equivalent) Report No. 88598-Tn*, World Bank, 2014.

2. SECTION TWO: NEW MECHANISMS FOR DOWNWARD ACCOUNTABILITY

The new Tunisian Constitution emphasizes local authorities' duty to involve and be accountable to citizens - 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 programs and land management **and monitoring of their implementation**, in accordance with the law." Thus, local authorities have an obligation to put in place new mechanisms to enable citizens and civil society to participate at the local level. Article 139 defines two elements needed for broader participation: mechanisms of participatory democracy and principles of open governance.

2.1 "The principles of Open Governance"

"Open governance" is a term with many connotations but can be broadly defined as "the **transparency** of government actions, the **accessibility** of government services and information and the **responsiveness** of government to new ideas, demands and needs".⁵ The first step towards participatory democracy is transparency - for citizens to have information on their municipality's workings, in order to know how, when and why to participate.

Transparency requires that the public be given access to information on the workings of state institutions. Following the Revolution, the government introduced Decrees 41 and 54 of 2011 giving the public access to administrative documents of public bodies. Local authorities, like other public bodies, are now required to provide information to citizens relating to their structure, important decisions that concern the public and all data relating to public finances.⁶

NGOs working in the field of access to information report that all municipalities are aware of information laws and that most are becoming more responsive to information requests.⁷ However, few analyses or statistics exist on the numbers of information requests and government responses. An analysis of existing studies by the National School of Administration suggests that "the access to information laws remain largely unimplemented" due to lack of awareness on the part of public officials, lack of financial resources, limited number of civil society organisations working in the area and lack of public awareness.⁸

Municipalities are still largely failing to share information without being prompted and still suffer from a major communication gap with citizens. A World Bank survey in 2014, for example, found that only 2% of citizens had received communication from their municipality in the previous year.⁹ Municipality websites provide little up-to-date information – municipalities complain that it is

⁵ *Open Government: beyond static measures, Involve for OECD*, accessed at <http://www.oecd.org/gov/46560184.pdf>

⁶ The decrees set out a long list of information to be published, including information on organization and policies, lists of staff and their functions, macro-economic indicators, public debt, public assets, medium-term expenditure, budgets, results of public tenders, and economic and social statistics.

⁷ Author's interviews with NGOs working in the field of access to information.

⁸ *Implementing the Right to Access to Information in Tunisia*, Prime Minister's Office, 15 January 2014 (accessed in Arabic), accessed at http://www.ena.nat.tn/fileadmin/user_upload/doc/Chaire_etudes/Acces_information_15012014.PDF.

⁹ *Fiduciary Systems Assessment Report*, Tunisia Urban Development And Local Governance Program, World Bank, 2014.

the Ministry of Interior that has control over their websites and that they have few means for communication with citizens. As a result, information is simply not accessible to the ordinary citizen.¹⁰

It should be noted that a new law on access to information was due to be adopted by the National Assembly in the coming months but was withdrawn by the government on 2 July following the terrorist attack in Sousse. The draft law proposed establishing an access to information commission and bringing in stricter measures including a 500 TND fine for officials violating the law (still low by international standards and unlikely to deter officials from improperly withholding information). The government has given no reasons for withdrawing the law and no indication of when it would be reintroduced to parliament. This raises serious concerns about commitment to open government and the weakening of rights and freedoms in the aftermath of each terrorist attack. If it fails to reintroduce the draft law, the Tunisian government risks sending the message that it sees national security and democratic norms of transparency and accountability as incompatible.

The draft law already contains a large carve-out for information whose publication would affect national security, which allows government significant room to accommodate security concerns while preserving the right to access to information. In fact, the broad and vaguely defined exceptions to the right to access information in the draft law has already been widely criticized by many civil society organisations. Some report that national security exceptions under the current access to information decrees have been widely used by local authorities as a basis for rejecting information requests. A narrower definition of the exceptions to access to information is needed to avoid emptying the right to access information of substance.

Many interviewees expressed concerns that access to information is inaccessible to the average Tunisian citizen and requires the efforts of professional civil society organizations with significant expertise. This highlights the need to strengthen access to information legislation with a campaign to raise awareness among the broader public of its importance and the procedures involved. The proposed Access to Information Commission under the new draft access to information law has the mandate to “spread a culture of access to information”. The Tunisian parliament, to which the Commission reports, must push for a public communications campaign to accompany the new law, through a programme of workshops in schools, community centers, youth clubs and NGOs, and simple tools such as a Citizens’ Guide to Access to Information that are physically disseminated as well as available online, to be provided by the new Commission.

The parliament is due to revise the entire legal framework on local authorities to bring it up to date with the Constitution. This provides an opportunity to strengthen the right to access to information at the local level and make it accessible to the wider public by introducing different mechanisms including the right for members of the public to demand that their local authorities hold public hearings and consultations, receive public petitions, and respond to citizen grievances or requests for explanations within a certain time period. This could strengthen transparency by empowering and engaging citizens through multiple mechanisms beyond information requests, and obliging local authorities to communicate and justify their decisions more openly.

Transparency depends to a great extent on the political will of decision-makers. Research interviews indicated that local authorities are more likely to respond positively to information requests where there is support by the governor, mayor or regional or municipal council. Local officials tend to be cautious about sharing information for fear of getting into trouble with decision-makers. Training must therefore focus on political office-holders to make them aware of their obligations and the importance of access to information. This is an area in which the Center for Training and Support for Decentralization (CFAD) could develop training programmes, in association with domestic and international experts.

¹⁰ Tunisia: Progress needed on access to information law, Article 19, 27 Mar 2014, accessed at <https://www.article19.org/resources.php/resource/37503/en/Tunisia:%20Progress%20needed%20on%20access%20to%20information%20law>

Government must also work to provide training and guidance to local authority staff who report that they often reject information requests due to uncertainty about the extent of their powers. Local authorities also need guidance on sharing information in cases where they are unsure of whether to share information, particularly in this early phase in which municipalities are still coming to grips with the legislation. This guidance could be provided by the new access to information commission, whose mandate could be expanded to include providing advice on individual information requests.

Practical obstacles also hinder access to information – most municipalities still store data in hard copy, making sharing information slower and more costly, as documents sometimes have to be copied and faxed from the governorate to the municipality, then from the municipality to the citizen. Digitizing information would enable much quicker, easier and cheaper procedures for sharing even large amounts of data. The “TunisieDigitale 2018” National Strategic Plan launched by the government in 2014 lists e-government as a strategic aim to be achieved by 2018. Nearly all political parties included e-government in their election manifestos in the 2014 parliamentary elections, which provides a rare point of consensus. While it requires significant resources and political will, digitizing the public sector would yield significant benefits through cost savings and generating much needed jobs in the IT sector for Tunisia’s unemployed skilled graduates.

In addition to training, a significant gap in the current framework is the lack of external monitoring mechanisms to ensure that local authorities are fulfilling their obligations to share information. It is hoped that the establishment of an independent public authority, the Access to Information Commission, under the new draft law will fill this gap. The commission’s mandate extends beyond examining appeals against public authorities to monitoring their compliance with their access to information obligations more generally.

Publicly naming those local authorities that are not in compliance with their obligations could be an effective means of forcing them to take a more proactive approach to publishing information. Naming and shaming local authorities and comparing their level of compliance is a method used by MarsadBaladia, a project by Al Bawsala NGO, which collects and publishes statistics on municipalities’ responses to information requests. Through publishing this information, Al Bawsala found that municipalities became concerned about their reputation and began to compete to improve their transparency rating.¹¹

Recommendations:

- The parliament should include access to information mechanisms within the new local authorities law including an obligation on local authorities to respond to citizen grievances or requests for explanation of decisions, policies or procedures within a certain time period, as well as the right to demand public hearings and consultations and submit public petitions;
- The central government should draft a local authorities code to provide guidance to local authorities on their powers and on procedures ;
- The central government and parliament should commit resources to e-government and to implementing the “TunisieDigitale 2018” National Strategic Plan to digitize public administration;
- The central government should resubmit the draft access to information law to parliament;
- The parliament should apply pressure on central government to resubmit the draft access to information law and should amend it to include harsher penalties for refusing to share information without adequate justification and narrower definitions of the exceptions to access to information and expand the mandate of the access to information commission to include providing advice to public institutions on individual information requests; the parliament should also push the new access to information commission to launch a public communication campaign to raise awareness of, and make access to information procedures more accessible to the public;

¹¹ See <http://baladia.marsad.tn/fr/classement/transparence>

- The central government should issue guidelines on the definition of national security and other exceptions to access to information, and provide clearer guidance to municipal staff on the their obligations and powers under access to information rules;
- International donors should support projects and campaigns to raise awareness among the public on the right to access information.

2.2. Mechanisms of Participatory Democracy

The Constitution emphasizes participatory democracy at local level and specifically “participation by citizens and civil society in the **preparation** of development programs and land management **and monitoring of their implementation.**” This section examines options for translating these constitutional principles into concrete mechanisms for citizen participation.

The current local authorities law provides mechanisms for municipalities to engage citizens, including the right to attend town hall and local municipal council meetings and even the establishment of municipal youth committees and children’s councils.¹² However, municipal officials and NGOs report that town hall meeting attendance is very poor and that local citizens, especially youth, are disinterested in, and disengaged from, local decision-making.¹³

According to stakeholders interviewed, this disengagement stems from four factors: a lack of political will, poor communication by municipalities, a lack of municipal capacity to engage citizens, and a lack of awareness among citizens.

2.2.1 Political will

Various initiatives for citizen participation have emerged at the local level in the last four years. Some municipalities have attempted to engage the public in planning local services through participatory budgeting and public hearings, illustrating how local communities are keen to participate in decision-making when given the opportunity. It also indicates that some municipalities are taking proactive steps to move towards inclusivity. Such initiatives, however, are still very sparse, taking place in only a few municipalities. Where they do happen, it is largely thanks to strong political will and access to resources and expertise. For example, the use of participatory budgeting in five municipalities in 2014 was the result of strong political will on the part of local officials, with the assistance of Tunisian NGOs.

¹² *Guide for Municipal Officials on Legislative and Regulatory Texts Relating to Municipal Work* (accessed in Arabic), CFAD, 2014.

¹³ Author’s interviews with municipal officials, 2015; roundtable on decentralization with the participation of key stakeholders, June 2015.

Menzel Bourguiba: an experiment in participatory budgeting

Over 2700 towns have adopted participatory budgeting around the world since its first usage in Porto Alegre, Brazil in 1989. In January 2014, Menzel Bourguiba municipality in Binzerte, together with three other municipalities (La Marsa, Tozeur and Gabes), became the first to do so in Tunisian history. The municipalities, in close cooperation with a Tunisian NGO L'Action Associative, dedicated a set amount of their 2015 municipal budgets to projects to be selected by citizens, who were given the choice to submit their own project ideas and vote on which should be implemented. Menzel Bourguiba dedicated 100,000 dinars of its 2015 budget, with the objective of including citizens in the decision-making process and developing cooperation between the municipality and its residents.

Between March and April 2014 over 1000 residents took part in 22 public meetings or “citizen forums” organized by the four municipalities. Each forum lasted one weekend, with residents proposing projects and voting on which to choose. 63 projects were selected in the first round, and 63 delegates chosen (20 women and 43 men, a third of them young people) to represent their municipalities in the next round. A follow-up delegates’ forum was organized in each municipality in May in which the elected delegates selected 29 priority projects in the 4 municipalities, with the technical assistance of municipal staff.

A number of innovative projects emerged: in Menzel Bourguiba, residents chose to place waste bins throughout all main roads in the municipality to solve the problem of littering (44,500 dinars); in Al Marsa, residents voted for lighting their local park using solar energy; in Tozeur, a project to construct roads in a desert area was chosen; in Gabes, residents voted to construct a park with green spaces and children’s play areas. The *Délégations Spéciales* in the four municipalities approved the 29 projects at a cost of 1,400,000 dinars.

Following the initiative’s success, the municipalities have decided to use it in the 2015 budget. Other municipalities have also joined the initiative, including Tunisia’s second largest city, Sfax.

While some municipalities are taking the initiative to introduce participatory mechanisms, policies are needed to broaden their use to all municipalities, to avoid a situation in which significant inequalities as the more proactive municipalities gain more expertise and funding for participatory projects while others lag behind. All municipalities must be encouraged to introduce participatory mechanisms by delivering special training modules for elected municipal officials and staff on the subject – what the Constitution says, what mechanisms are available, how to choose the most suitable methods for local residents and how to implement them. The Center for Training and Support for Decentralization (CFAD) has already gained some expertise in participatory mechanisms through its project on “Local Democracy and Citizen Participation in Municipal Work” with the support of the German Federal Enterprise for International Cooperation (GIZ), which develops a training module and manual for municipal officials.¹⁴ This project should be expanded to become a permanent module for all municipalities within CFAD’s training program to continue developing technical expertise at local level.

Municipalities can also be encouraged to adopt participatory mechanisms through financial incentives. The new program on decentralization launched by the Tunisian government with the support of the World Bank conditions a portion of municipal funding on the municipality meeting certain criteria, including citizen participation. To date, however, the program has yet to define what counts as “citizen participation” and how the government will measure whether municipalities are

¹⁴ See <http://www.co-mun.net/tunisie/cycles-de-formation>

really facilitating participation. It is critical to do this, in order to clarify to municipalities what kind of methods and levels of citizen participation they are expected to achieve and enable them to plan ahead.

In order to strengthen the introduction of participatory mechanisms across municipalities, an emphasis on participatory mechanisms should be included in the local authorities law and a separate local authorities code. The code should set out a non-exhaustive list of participatory mechanisms¹⁵ while the law would require local authorities to implement a minimum number of participatory exercises per year.

Parliament must give thought to how local authorities' compliance with their obligations to introduce participatory mechanisms will be monitored, and should include this in the local authorities law. An obligation on local authorities to submit an annual report on citizen participation to the Local Government Commission of the parliament, for example, would establish a regular mechanism for reviewing local authorities' measures in this area and provide an opportunity for regular dialogue with local authorities. Monitoring by civil society can also be valuable in this regard, through initiatives to monitor the extent of local municipalities' efforts to engage citizens. International donors should support such initiatives, such as the development of municipal citizen participation indexes in order to put pressure on municipalities to involve citizens and promote healthy competition across municipalities.¹⁶

Another way to monitor citizen participation and put pressure on local authorities to take steps to engage citizens is to do build mechanisms to monitor citizen participation into public programs. Local authorities would be required to integrate certain evaluation indicators of citizen participation into their programs – for example, number of people attending public meetings and participating in consultations, rate of participation of women, youth, persons with disabilities and rural populations, number of recommendations generated, number of visits to its website, number of likes on Facebook, etc. Local authorities could also be required to carry out public surveys (either in person or online) at regular intervals to measure citizens' levels of participation and attitudes. This information would be published on the local authorities' website and in communication with citizens, to promote transparency and to enable citizens to assess their own role and open further dialogue with authorities.

Another way is to conduct or commission evaluations of participatory initiatives at the local level. An example is the evaluation by the Seattle Planning Commission, which conducted an evaluation of citizen participation efforts to “identify basic characteristics of effective participation and to make recommendations to the City regarding future City support of citizen participation”.¹⁷ The Commission conducted the evaluation with the help of other government agencies and an external consultant. The Commission held a public forum to present the results and draft recommendations, which were then used to produce a report to the city council and mayor for action. Such evaluations can provide valuable information on citizens' perceptions of their role and of existing participatory mechanisms, and reveal what works and what can be improved. It can also reveal the benefits of citizen participation – an evaluation of South Korea's Youth Participation Organizations program, which engages young people in central and local policymaking through a national youth congress, found that the congress proposed a total of 357 policy projects to central government over nine years and 316 (88.5%) of the proposed projects were accepted.¹⁸ Such findings can motivate citizens to participate, when they see that their suggestions can make a difference.

¹⁵ For example, formal consultation processes, public meetings, participatory budgeting, etc.

¹⁶ For example, the OECD has developed an index on the openness and transparency of consultation processes in various countries, to measure how far institutions build in consultation into decision-making. See <http://www.oecdbetterlifeindex.org/topics/civic-engagement/>

¹⁷ Seattle Planning Commission 2000, quoted in *A Manager's Guide to Evaluating Citizen Participation*, Tina Nabatchi, Fostering Transparency and Democracy Series, IBM Center for the Business of Government, 2012.

¹⁸ See <http://www.oecdbetterlifeindex.org/topics/civic-engagement/>

A more bottom-up approach to monitoring citizen participation is through establishing municipal committees with a specific mandate to measure and promote citizen participation. **Participatory Monitoring and Evaluation Groups (PME Groups)** are bodies used in a number of countries to evaluate the process of local decision-making and measure inclusiveness and citizen participation. They use quantitative and qualitative indicators to evaluate whether local processes involve the public (including youth, women, and other marginalized groups), whether processes for participation actually satisfy the public's needs, whether there are obstacles to citizen participation such as lack of information, etc. It can also measure the impact of participation – whether the public's input affected outcomes such as budgetary choices. PME Groups can also work with municipal staff and the public to develop and implement participatory mechanisms, provide training to the public, and develop tools for measuring and reporting municipal information to the public.

PME Groups in Albania, for example, evaluated local development planning processes by working closely with other local committees to establish indicators and assess achievement of outcomes.¹⁹ The PME groups include both commune staff and community members, and report directly to the public on their evaluation of planning processes. The PME groups are composed of the chair of the municipal council, members of the municipal council, municipal staff, citizens and selected experts in the field to be invited on an as needed basis.

Recommendations:

- The Center for Training and Support for Decentralization (CFAD) should develop special training modules for municipal officials on participatory mechanisms including how to conduct local consultations and public meetings, how to establish grievance and complaints procedures for residents, how to establish feedback mechanisms, how to involve local residents in evaluating public services (e.g. through surveys, citizen panels, community score cards, etc.), how to involve residents in local planning, and how to involve citizens in budgetary planning including the use of tools such as participatory budgeting ;
- CFAD should work with local authorities to develop tools and systems for assessment of citizen participation at local level;
- The parliament must include obligations within the new local authorities law to ensure that local governments adopt participatory mechanisms and to require local authorities to report on citizen participation;
- Central government and parliament should establish a working group to develop an oversight system to monitor local authorities' implementation of their constitutional obligations, including to introduce mechanisms of participatory democracy, as well as providing guidance on participatory mechanisms in the local authorities code;
- Civil society organizations should work together to develop indicators to assess the performance of local authorities in the areas of open governance (transparency, accountability), citizen participation, and delivery of public programs and services, as set out in Article 139 of the Constitution;
- International donors should support civil society projects to monitor citizen participation at local level and develop a citizen participation index to assess mechanisms for citizen participation in different municipalities;
- International donors should support projects for training municipal officials on participatory mechanisms and tie financial support for decentralization to local authorities to the introduction of participatory mechanisms.

¹⁹ *Local Development Plan of Velipoje, The Albanian Development Fund, 2004*, accessed at <http://www.albaniandf.org/Resources/Publications/Other%20Publications/Local%20Development%20Plan%20of%20Velipoje.pdf>

2.2.2 Communication

Nearly all stakeholders interviewed highlighted poor communication between municipalities and citizens as a key concern and obstacle to citizen participation. As one international agency working closely with municipalities noted, “the revolution brought about a sudden change of culture - downward accountability suddenly became an issue for municipalities.” Municipalities are now confronted with new demands and challenges and are still struggling to find the right language and tools to communicate openly with local communities.

Many municipalities claim that they do not have the right resources or trained personnel to communicate properly with citizens and express a need for practical mechanisms to help facilitate communication with the public. The EspaceCitoyens initiative implemented by nine municipalities with the support of the German Federal Enterprise for International Cooperation (GIZ) is one example of how such mechanisms can be implemented. The project aims to increase municipalities’ responsiveness to citizens by providing clear, simplified information on local services. GIZ helps to train municipal staff on how to set up systems for managing citizen petitions and complaints, using computerized systems for logging and following up on these complaints, and physically reorganizing municipal offices for improved accessibility.²⁰ The project has received positive feedback from both citizens and municipalities and has made accessing and providing information easier and faster, with the potential to produce big cost savings for both the public sector and citizens.²¹

Municipalities also protest the fact that their websites are under the control of the Ministry of Interior and that they are unable to use them to communicate regularly and quickly with the public. Communications officers in municipality offices also express a need for more training on public communication methods. These grievances illustrate the critical need for communications training with a special focus on tools for communications and public relations officers. Municipal employees tasked with public communications must also be given sufficient resources to adequately perform their jobs, including funding and control over their communications platforms.

Recommendations:

- Parliament should mandate, by law, the introduction of “one-stop shops” or citizens’ spaces in all municipalities to provide simplified information on services and procedures. Municipalities should also make these services available online in areas where a large percentage of the population have internet access;
- Central government should expand communications training programs run by the Center for Training and Support for Decentralization (CFAD) for all municipal officials, with a special focus on communications officers;
- Central government should give local authorities full control over their websites, mandate the use of diverse, and strategic, communication platforms suited to the needs of the local population, and introduce the necessary administrative policy changes and frameworks to enable local authorities to make greater use of social media and other web technologies to engage the public. In the long term, this can lead to costs savings, as citizens turn to online sources of information rather than requiring guidance from public administrators on all administrative procedures.

²⁰ See <http://www.co-mun.net/tunisie/espaces-citoyen>

²¹ A similar system in Chile, titled ChileAtiende, is estimated to have delivered savings in infrastructure investments of USD 30 million. In addition, citizens saved an estimated USD 39 million from January 2012 to August 2013 due to the reduction in travel and other costs associated with accessing services – see <http://www.oecdbetterlifeindex.org/topics/civic-engagement/>.

2.2.3 Municipal and Citizen Capacity

Municipalities often complain that citizens do not participate, or that when they do it is frequently in a “hostile” or “disruptive” manner. On the other hand, citizens complain that municipalities lack transparency and make little effort to reach out to the public. What is clear is that a deep communication deficit exists. A culture of open communication must be built from the bottom-up by strengthening municipalities’ capacity to engage and communicate effectively with the public, and simultaneously building the capacity of citizens and civil society to participate in local decision-making.

While information and communication with the public is critical, it is not sufficient in itself to achieve greater citizen engagement, accountability, and real changes in public sector policies and performance. What is needed are “multipronged strategies that encourage enabling environments for collective action”.²² Communication is one part of a broader sustained process of engagement that builds trust and participation over time. A two-way communication process is needed in which citizens can monitor and give feedback on the performance of their local institutions, and in which local institutions have the will and capacity to respond to the views and needs of citizens.

Tunisian public authorities have begun to reach out to the public over the last four years through public meetings, consultations, “dialogues” and forums. However, a number of civil society representatives interviewed expressed concern that such meetings have little tangible impact and are merely a way of paying lip service to ‘participation’ without leading to any change. ‘Engaging’ citizens in this superficial manner may be worse than not engaging them at all – if citizens feel they are being engaged merely for the sake of engagement and without any tangible impact on decision-making this can lead them to become even more distrustful of public authorities.

Local authorities must be careful to structure participatory mechanisms in a way that provides concrete mechanisms for participation, sustained engagement and real possibilities for changes in the policies, conduct and performance of public institutions. They must give thought to how to develop innovative participatory mechanisms that can attract the interest and sustained engagement of citizens and civil society, particularly among youth who tend to be especially marginalized.²³ The experiences of other countries can provide useful models for new ways to achieve meaningful citizen engagement in Tunisia. The table below sets out a number of tools that public institutions and civil society organisations are increasingly turning to in order to achieve greater citizen engagement.

Table 1.1 Summary of participatory tools:

Government Function	Process	Participatory Tools
Policies and Plans	Participatory Policy Making and Planning	<ul style="list-style-type: none"> • Local issue forums • Deliberative polling • Consensus conferences • Public hearings • Citizens’ juries

²² *Trust, Voice, and Incentives : Learning from Local Success Stories in Service Delivery in the Middle East and North Africa*, Hana Brix, Ellen Lust, Michael Woolcock, World Bank Group, 2015, p. 13.

²³ See <http://www.co-mun.net/tunisie/promotion-des-jeunes>

Budgets and Expenditure	Budget-Related Social Accountability Work	<ul style="list-style-type: none"> • Participatory budget formulation • Alternative budgets • Independent budget analysis • Performance-based budgeting • Public education to improve budget literacy • Public expenditure tracking surveys • Social audits • Transparency portals (budget websites)
Delivery of Services and Goods	Monitoring and Evaluation of Public Services and Goods	<ul style="list-style-type: none"> • Public hearings • Citizens' report cards • Community score cards • Public opinion polls • Citizen's charters
Public Oversight	Social Accountability and Public Oversight	<ul style="list-style-type: none"> • CSO oversight committees • Local oversight committees • Ombudsman

These tools for engaging citizens in decision-making form part of the growing field of “social accountability”, which uses a range of methods to create sustained engagement between public institutions and citizens in order to increase participation, build trust and create relationships of accountability that lead to changes and improvements in public services and institutions. Social accountability tools seek to provide a process through which “it is ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability.”²⁴ Using these tools, citizens can become more directly involved in monitoring public services and projects, making decisions about the allocation of public resources, and monitoring public spending. These mechanisms can be initiated by the state, by citizens or jointly by both, but all tend to be bottom-up and driven by citizen demand.

Social accountability tools have particular potential in Tunisia, where local authorities have been distant from citizen for decades, contributing to a serious lack of communication and trust. This deficit is observable elsewhere in the Middle East and North Africa region where the absence of accountability mechanisms, transparency and citizen engagement, and poor public service delivery have combined to produce a cycle of poor performance, lack of trust and low citizen engagement, especially at the local level.²⁵ To overcome this cycle, long-term strategies are needed that engage communities, civil society organizations and local governments in a dialogue around a proactive agenda for improving the public sector and making it accountable to citizens.

²⁴ *Social Accountability: An Introduction to the Concept and Emerging Practice*. Malena, C; R. Forster & J. Singh. 2004. Washington DC: World Bank Social Development Papers: Participation and Civic Engagement No.76.

²⁵ A small minority of countries in the region have directly elected local governments. Local councils are generally given limited powers and budgets - with the exception of Egypt, Morocco and the West Bank and Gaza, local council budgets make up less than 5 percent of total public expenditure, as compared to the world average of 38 percent for federal systems and 22 percent for unitary systems. See *Trust, Voice, and Incentives : Learning from Local Success Stories in Service Delivery in the Middle East and North Africa*, Hana Brixi, Ellen Lust, Michael Woolcock, World Bank Group, 2015.

Social accountability tools can be particularly useful in helping local authorities better understand citizen priorities and identify gaps. They can also empower citizens to provide their views on the performance of public authorities directly and generate public pressure and support for reforms that can lead to real improvements. Experience of using these tools in other countries has shown that they can impact positively on the quality of services. Citizen report cards (CRCs)²⁶, for example, are linked to considerably improved public service delivery, reduced corruption and increases in public

Social Accountability Tools: Social Audits

Social audits have gained ground in many countries as a way to involve citizens in monitoring public sector projects and spending. A social audit is a monitoring process through which a social audit team (typically community volunteers) collects and analyzes project information in a participatory manner and presents it to the public at a public forum or hearing. A social audit may monitor a project, procurement process or public service. By monitoring all aspects of the project, including budget, accountability, public involvement, and project outputs and outcomes, it can contribute to providing information to the public, exacting accountability for public spending, and monitoring government performance in terms of project outcomes.

In India, social audit committees, made up of local individuals, closely monitor local decision-making and communicate findings on how public money is allocated and spent. In the Philippines, the Local Government Code establishes special bodies in which NGOs and community organizations have a seat on the committee that awards local public procurement contracts.

In Argentina, the municipality of Morón introduced two mechanisms to monitor awarding of contracts for waste collection services, which had been widely criticized for corruption. The city council held public meetings, attended by 500 people, to discuss the draft tender document with the bidders. They then worked to develop an “integrity pact”, which contained mutual obligations on the local government and the bidders regarding sanctions for bribery and public disclosure of the award decision. As a result of the hearing, the value of the contract for waste collection services was reduced from approximately \$45 million to \$32 million.

satisfaction.

Introducing social accountability mechanisms systematically across municipalities in Tunisia can help to address existing deficits in downward accountability mechanisms by engaging citizens at all stages of planning, monitoring and implementing local programs. One way to do this is to issue guidance to local authorities on how to integrate social accountability tools into local planning, budgeting and project implementation and monitoring processes.²⁷

Such guidance could be reinforced by training by the Center for Training and Support for Decentralization (CFAD) to build the capacity of local authorities to implement these tools. This would build on the work done by CFAD in its “Local Democracy and Citizen Participation in Municipal Work” project, which covered some of the tools outlined above. International donors can also provide support to local authorities by funding social accountability projects at local level and providing much needed technical expertise throughout the process.

The capacity of citizens and civil society to participate at local level must also be developed in order to enable them to be a full partner in local decision-making. Established civil society organisations

²⁶ A 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.).

²⁷ Several states in India, for example, mandate the use of social audits by law.

should work together with educational and training institutions, with the support of international agencies, to cultivate a more participatory culture and develop civic education programmes on local citizen participation. Particular focus must be given to marginalised regions lacking strong civil society organizations, in order to strengthen local civil society in preparation for decentralization. Civil society in Tunis and other more developed parts of the country must reach out to local civil society in marginalized regions to help build the latter's capacity to be real actors in the decentralization process through training and partnerships. International agencies should encourage such cooperation and sharing of expertise by strongly encouraging partnerships within the framework of their financial assistance to civil society. .

Recommendations:

- Central governments should issue guidelines to local authorities on how to integrate social accountability tools into local decision-making processes with special focus on marginalized groups (youth, women, rural populations, the poor);
- Central government should provide funding to CFAD to establish a programme for local authorities on how to use social accountability tools and participatory mechanisms to promote citizen engagement;
- International donors and multilateral agencies should encourage Tunisian civil society to develop training programs on citizen participation in local decision-making processes and to develop partnerships with civil society in marginalised regions;
- Donor agencies should establish funding programs for social accountability projects, encourage the formation of NGO networks to share expertise on using social accountability tools at local level, and facilitate the exchange of expertise between civil society in Tunisia and abroad to build the capacity of Tunisian NGOs;
- International NGOs should provide training to Tunisian civil society on using social accountability tools.

Conclusion

The Tunisian Constitution strives to break with the post-independence, highly centralized state by granting significant powers to local government. Few question the need to decentralize in Tunisia and to give greater powers to regional and municipal authorities that are closer to the citizen. The question is – who will ensure these powers are exercised properly, and how?

Article 139 of the Constitution sets out a response to this question, introducing a new vision of transparent and open local government based on open governance, citizen participation and monitoring of local government programs and plans. It is through local government being more transparent and citizens participating that more open, accountable and responsive governance can be realized.

This shift in accountability requires that local authorities stop looking upwards towards central government and start to be downwardly accountable to their local populations and responsive to their needs. This requires the creation of new relationships of communication and accountability between local government and citizens, including the introduction of new direct accountability mechanisms to promote a new culture of communication, participation and engagement needed for downward accountability. Building this culture will require time, as public authorities, citizens, civil society and other partners in the decentralization process experiment with different participation tools, to understand what works best for different communities, regions and contexts.

Any introduction of new measures requires building implementers' capacities – in this case, both local authorities and citizens. It is vital that the central government and parliament set clear policies, guidelines and capacity building measures on accountability and participation from the very outset of the decentralization process. By creating space for dialogue, identifying gaps, opportunities and common agendas for positive reform, and empowering citizens to make decisions on matters that will impact their lives, decentralization could help address the significant accountability gap that has

characterized Tunisian public institutions for decades and build trust between local authorities and communities, an essential basis for much-needed stability²⁸.

²⁸ *Trust, Voice, and Incentives : Learning from Local Success Stories in Service Delivery in the Middle East and North Africa*, Hana Bixi, Ellen Lust, Michael Woolcock, World Bank Group, 2015.