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**Tunisia**  
**Neighbourhood Co-operation Priorities 2012-2014**  
**Final implementation report**

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## INTRODUCTION

This report presents the progress made in implementing the “Neighbourhood Co-operation Priorities for Tunisia 2012-2014”. These priorities were identified in Council of Europe (CoE)’s fields of expertise in co-operation with the Tunisian authorities so as to support the process of democratic transition in Tunisia and help the country to take up challenges relating to human rights, the rule of law and democracy.

### Partnerships/funding

A very significant part of the co-operation priorities is implemented under the Programme “Strengthening democratic reform in the southern neighbourhood” (South Programme), entirely funded by the European Union (EU) and implemented by the CoE.<sup>1</sup>

Voluntary contributions have also made it possible for action in key areas. Norway has funded projects on combating violence against women and children, as well as several activities conducted by the Venice Commission to support democratic reforms, in particular the work on the Constitution. In addition, the launching of the School of Political Studies in Tunisia has the support of the EU and Norway, and a seminar on freedom of expression was funded by a voluntary contribution from Monaco and the *Organisation Internationale de la Francophonie*.

Some co-operation projects are still being implemented, including projects covering several countries in the region. The financial table enclosed in Appendix I presents the estimate of project cost by theme established in 2012 and an estimate of expenditure by theme until end of 2014. Detailed financial reports will be presented to donors in 2015, after finalizing project implementation, in accordance with the conditions agreed with donors.

### Follow-up to implementation

Steps forward in implementing the co-operation priorities have been regularly discussed between the CoE Secretariat and the Tunisian authorities. The operational presence of the CoE in Tunis, in place since July 2012,<sup>2</sup> has played a key role in the implementation of the co-operation priorities, by ensuring that projects are adapted to the real needs of the country and by keeping up regular dialogue with national and international interlocutors in Tunisia.

Follow-up to the implementation of co-operation with Tunisia is under the responsibility of the Committee of Ministers of the CoE and notably its Rapporteur Group on External Relations (GR-EXT).

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<sup>1</sup> Apart from co-operation with Tunisia and Morocco, the South Programme comprises regional interest projects in countries and territories covered by the EU’s European Neighbourhood Policy (ENP) (Algeria, Egypt, Israel, Jordan, Lebanon, Libya and the Palestinian National Authority).

<sup>2</sup> A memorandum of Understanding between the CoE and the Tunisian authorities was signed on 8 January 2013 and ratified by the National Constituent Assembly in July 2014.

The GR-EXT is informed by the Office of the Directorate General of Programmes on the progress of the programmes and projects, through a mid-term stocktaking report and a final implementation report. The interim report was submitted to the GR-EXT in July 2013<sup>3</sup>. This is the final implementation report.

A GR-EXT delegation visited Tunisia on 19-21 May 2014 and had the opportunity to discuss the progress of co-operation<sup>4</sup> with relevant stakeholders.

Both the identification of needs and the implementation of the actions have been conducted in close co-operation with the CoE's partners, primarily the EU, including its Delegation in Tunisia, and also other international organisations and bilateral donors.

The Steering Committee set up under the South Programme<sup>5</sup> has discussed and validated the progress made in various projects. Furthermore, an independent evaluation of the South Programme was carried out by IBF International Consulting at the request of the European Commission. The [evaluation report](#), published in April 2014, underlines in particular the value added and the relevance of the CoE's work in the Southern Mediterranean region, which is based on the real needs of partner countries and has quickly produced results and a practical impact in those countries.

## **Overall assessment**

Co-operation with Tunisian authorities has been characterised by dialogue and a positive relationship which made it possible, to go further than initially expected and to include in the course of the implementation of the co-operation programme, a new co-operation priority on combating trafficking in human beings. The National Constituent Assembly (NCA)'s ratification in July 2014 of the agreement establishing the CoE Office in Tunisia also reflects good co-operation between Tunisia and the CoE.

Very practical progress and success have been recorded over this period in various areas, in particular in terms of the work on drafting the new Constitution, the preparation of legislation, as well as the reform of justice and combating corruption. Tunisia's signature of two CoE legal instruments<sup>6</sup> and its interest in a number of other CoE conventions have demonstrated the country's willingness to enter into a common legal area with Europe. In most of the priority areas identified, emphasis was placed on raising the awareness and strengthening the capacities of the actors concerned, including those from civil society.

However, it has not been possible to implement some of the planned co-operation priorities because of political developments in Tunisia and, in particular, the fact that the work of the NCA took longer than initially envisaged. This has slowed down progress in certain CoE projects, as has the country's limited capacity to absorb some of the projects. Elections in Autumn 2014, the upcoming setting-up of the Assembly (Assemblée des Représentants du Peuple) and of a new

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<sup>3</sup> [ODGProg/Inf\(2013\)10E - Neighbourhood Co-operation Priorities - Interim implementation report.](#)

<sup>4</sup> GR-EXT(2014)8E - Report of the May 2014 GR-EXT delegation visit to Tunisia and Morocco.

<sup>5</sup> This committee comprises representatives of partners of the Programme, as well as the EU and the CoE.

<sup>6</sup> Convention on Mutual Administrative Assistance in Tax Matters (ETS No. 127) and its amending Protocol (CETS No. 208).

government make it possible to expect a new impetus for co-operation between the CoE and Tunisia , in particular in the fields relating to the drafting of legislation and accession to certain CoE conventions.

A “Neighbourhood Partnership with Tunisia” covering the period from 2015 to 2017 is currently being discussed with the Tunisian authorities. It will be based on enhanced political dialogue and will seek to consolidate the outcomes of the co-operation carried out since 2012, and also to initiate new areas of co-operation in line with national priorities.

## 1. HUMAN RIGHTS

### Protection and promotion of human rights

#### 1.1 Gender equality

**Overall objective: to consolidate and promote the rights of women and reduce inequalities.**

##### **Expected results:**

1. better harmonisation of national legislation and practice with international treaties and conventions already ratified;
2. strengthening of institutional capacities in this sphere through tangible actions to: (a) promote gender mainstreaming in national legislation and policies; (b) update/introduce new tools into the work of the Observatory on the Status of Women such as to improve methods of observing Tunisian society; (c) establish an institutional network (initially at national level, then Euro-Mediterranean as appropriate) to organise exchanges;
3. strengthening of the capacity of the various institutional players involved and of civil society through tangible actions aimed at: (a) giving independence to young female youth leaders by means of relevant training; (b) promoting women's participation in public life, especially politics and decision-making processes;
4. greater awareness in the field of women's rights and participation, in particular through seminars.

##### **Results achieved:**

In line with expected result 1, the dialogue between the Venice Commission and the NCA since 2012 regarding the preparation of the draft Constitution focused, *inter alia*, on the provisions relating to gender equality and helped ensure the adoption of a fundamental law comprising the necessary constitutional safeguards for ensuring gender equality.

As the constitutional assistance took longer than initially planned, strengthening of legislation and institutional capacities (expected result 2) is only just beginning. However, Tunisian authorities wish to rely on CoE's expertise in this field over the next years.

In the context of the launch of the National Action Plan for Gender Mainstreaming (PANIG) – which the CoE reviewed on the basis of its principles and standards – and in line with expected results 3 and 4, emphasis has been placed on exchanges of experience and information (participation of the State Secretariat in the CoE Gender Equality Commission) and raising the awareness and strengthening the capacities of the players concerned (focal points in some 10 ministerial directorates) regarding gender equality through training workshops on gender mainstreaming (November 2013, Hammamet). The activities of the European Centre for Global Interdependence and Solidarity (North-South Centre) regarding women participation also contributed to the achievement of expected result 4 in accordance with its mission.

Implementation of CoE activities in Tunisia was carried out with a particular focus on the gender equality aspect (gender mainstreaming).

**Funding:** voluntary contribution (Norway).

## 1.2 Preventing violence against women

**Overall objective: to combat violence against women and domestic violence.**

### **Expected results:**

1. better harmonisation of legislation with the CoE Convention on preventing and combating violence against women;
2. strengthening of institutional capacities through practical action aimed at: (a) drawing up an action plan in conjunction with various players (governments and civil society) in order to support the national strategy for prevention of violent behaviour within the family and society; (b) collection of relevant statistics by the Observatory on the Status of Women;
3. strengthening of the capacities of the professionals concerned through training programmes, including relevant CREDIF programmes (training of trainers);
4. greater awareness of violence against women through seminars for Tunisian officials and law enforcement personnel.

### **Results achieved:**

As combating violence against women was declared a priority by the State Secretariat for Women and Family Affairs, the CoE arranged a visit by experts (June 2013) to meet the authorities and international players, identify needs, co-ordinate activities and draw up a framework for action by the CoE in Tunisia.

In accordance with expected results 1 and 2, the CoE has been helping with the preparation of the draft comprehensive law on combating violence against women by taking part since 2013 in the steering committee set up to draft the law. In particular, it has helped to prepare various documents, including a strategy, terms of reference and a work plan, while seeking to ensure their harmonisation with the provisions of the CoE Convention on Preventing and Combating Violence against Women. Awareness of the convention among the Tunisian authorities has been promoted through various activities (December 2013, Tunis; Conference on the entry into force of the Istanbul Convention, Rome, September 2014).

In accordance with expected results 3 and 4, targeted awareness-raising and capacity-building activities have been held also involving local authorities and civil society (January 2014, El Kef; April 2014, Venice).

**Funding:** voluntary contribution (Norway).



### 1.3 Protecting children against violence

**Overall objective: to support preventive action to combat violence against children and strengthen the ability of professionals to identify children who are victims of abuse, violence and trafficking, and to protect and help them.**

**Expected results:**

1. better harmonisation of legislation and practice with the CoE Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse;
2. strengthening of institutional capacities through practical action designed to identify cases of violence against children and to intervene in a pluri-disciplinary manner;
3. strengthening of the capacities of professionals (inspectorates, educators, psychologists and social workers) in the field of violence against children and children's rights, including in identifying the victims of violence;
4. greater awareness-raising among children about sexual abuse and corporal punishment through child education programmes, especially for those in situations of vulnerability, production of educational materials and support to civil society initiatives.

**Results achieved:**

A fact-finding visit (June 2013) established links with the national authorities and international actors and began an assessment of the country's needs, while identifying areas for co-operation. The CoE provided the stakeholders with documents and materials (e.g. toolkit) developed by the CoE and translated into Arabic, as well as expertise on specific issues (child-friendly justice, corporal punishment) and its instruments and standards (Lanzarote Convention, Strasbourg, July 2013). A Tunisian delegation took part in the CoE conference "Growing with children's rights" (March 2014, Dubrovnik) on the implementation of the CoE Strategy for the Rights of the Child, which also helped raise awareness of international standards.

As the drafting of the Constitution continued to be the priority activity of the period, the Venice Commission's contribution was important in ensuring that account was taken of child protection in the Constitution (article 47).

Work in this area is set to increase in 2015 – which has been declared child protection year in Tunisia – and the Tunisian authorities have accordingly already taken part in the first meeting of the Committee of Experts on the CoE Strategy for the Rights of the Child (Strasbourg, 13-14 November 2014).

**Funding:** voluntary contribution (Norway), South Programme.

#### 1.4 Integration of people with disabilities

**Overall objective: to promote the rights of people with disabilities and improve their quality of life, in accordance with the United Nations Convention on the Rights of Persons with Disabilities and taking into consideration the CoE Action Plan for people with disabilities 2006-2015.**

**Expected results:**

1. assessment of Tunisia's legislation, policies and practice in order to identify any shortcomings and areas where improvement is needed;
2. preparation of a national strategy and a national action plan;
3. strengthening of the capacities of national key players, particularly through training.

**Results achieved:**

Due to a lack of funding, work in this area has not been initiated.

#### Guaranteeing social rights and promoting health

#### 1.5 Drug abuse and illicit trafficking (Pompidou Group)

**Overall objective: to improve the public health sector in Tunisia by stepping up the fight against drug abuse and trafficking by implementing measures to reduce both supply and demand.**

**Expected results:**

1. assessment of drugs legislation in relation to drug users' needs for treatment;
2. establishment of a framework for the introduction of a national data collection system on drug supply and demand, which will help in the setting up of a national drugs and drug addiction observatory;
3. strengthening of professional skills by supporting the creation of a master's degree in addictology at the Tunis Faculty of Medicine;
4. improvement of the drug addiction prevention strategy based on the MedSPAD survey.

**Results achieved:**

Tunisia has taken part for several years in the Pompidou Group's Mediterranean network (MedNET), which it joined in 2009. The CoE co-operates with Tunisia in stepping up the fight against drug abuse and trafficking through measures to reduce both supply and demand, in particular prevention and treatment measures, drawing on the findings of research and the knowledge of professionals on the ground so as to support the development of a public drugs policy in Tunisia.

In line with expected result 2, the CoE supported the setting up of a national drugs and drug addiction observatory and contributed, through the MedNET network, to the conduct of a survey (MedSPAD) on the use of alcohol, tobacco and other drugs in Tunisian schools.

In line with expected result 3, the Pompidou Group has helped train the medical staff involved in treating drug users since 2012 through support for addictology courses at Tunis Faculty of Medicine.

In line with expected result 4, the CoE has continued its assistance to Tunisia with a view to establishing a national drugs prevention strategy through round tables (May 2012, June 2014, Tunis) and study visits (October 2012, Lisbon), which gave the relevant players an insight into European standards as well as good practice covering examples from the Mediterranean region.

**Funding:** South Programme, voluntary contributions (France, Italy).

## 1.6 Combating the counterfeiting of medical products

**Overall objective: to prepare for Tunisia's accession to the CoE Convention on the counterfeiting of medical products and similar crimes involving threats to public health.**

**Expected result:**

1. consolidation of the system for registering medicines and quality control of imported medicines through substantial support for the National Medicines Control Laboratory (LNCM), the Pharmacy and Medicines Directorate (DPM) and the Pharmaceutical Inspectorate (DIP), which form the backbone of the national medicines control system.

**Result achieved:**

Tunisia has observer status with the European Directorate for the Quality of Medicines and Healthcare (Pharmacopoeia) since 1997. The Tunisian authorities' awareness of the MEDICRIME Convention was raised as part of the activity to promote CoE conventions (July 2013, Strasbourg).

**Funding:** South Programme.

## 1.7 Promotion of public health

**Overall objective: to strengthen the public health services for the inhabitants of the most disadvantaged regions.**

**Expected result:**

1. establishment of financial co-operation to assist with the refurbishment and equipping of a public hospital in a disadvantaged region in the country.

**Results achieved:**

Due to a lack of funding work in this area has not been initiated.

**2. RULE OF LAW**

## Justice

**2.1 Independence and efficiency of the justice system**

**Overall objective: to enhance the independence and efficiency of the judiciary by improving court performance, facilitating judicial reform and improving the legislation relating to the judicial system.**

**Expected results:**

1. enhancement of the efficiency and quality of the judicial system;
2. reform of the judiciary facilitated by (1) dissemination of the relevant international standards applicable; (2) preparation and submission to the Tunisian authorities of a needs assessment of the judicial sector, including recommendations aimed at improving the independence, professionalism, accessibility and transparency of the judicial system;
3. strengthening of the capacities of legal authorities and professionals to implement the new legislation and sectoral policies;
4. provision of technical assistance in the field of transitional justice according to needs and in the shortest possible time.

**Result achieved:**

In line with expected result 1, the European Commission for the Efficiency of Justice (CEPEJ) has been working actively since 2012 to improve the operation of courts, with a view to making the justice system more efficient and more accessible to citizens, in co-operation with the following pilot courts: Court of Cassation, Tunis Court of First Instance, Zaghuan Court of First Instance and Zaghuan District Court.

In accordance with expected result 2.1, the CEPEJ and the Consultative Council of European Prosecutors (CCEP) contributed to the dissemination of international standards including on judicial independence, magistrates Code of Ethics and magistrates assessment during workshops and thematic seminars organised in Tunis in March 2012, March 2013, April 2014 and October 2014 as part of the reform process and the drafting of the Constitution and legislation in judicial matters.

In line with expected result 2.2, an evaluation report on the operation of the justice system in Tunisia prepared by the CEPEJ experts sets out a number of recommendations for improving judicial performance and the quality of justice. On this basis, the pilot courts have developed an internal statistical tool (-tableau de bord) to improve work and file management. Tunis and Zaghouran Courts of First Instance have also introduced a case management procedure for civil affairs.

In line with expected result 3, although the new legislation is still being elaborated, the CEPEJ carried out various initiatives in order to strengthen the capacities of legal authorities and professionals. In this context, representatives of the Ministry of Justice and the pilot courts have attended CEPEJ meetings on a regular basis, which allowed them to become familiar with methods and instruments of the CEPEJ, as well as with good practices of CoE member states in order to improve the efficiency and the quality of justice.

Moreover, the CEPEJ has also organised trainings (in co-operation with the Tunisian High Magistrate Institute) and study visits (in Belgium, France, and Switzerland) for the pilot courts, which represented a chance for fruitful exchanges with experts and legal professionals (including lawyers) in the field of the efficient management of jurisdictions and procedures.

Regarding expected result 4, no request has been sent by the Tunisian authorities to the CEPEJ.

**Funding:** South Programme.

## 2.2 Prisons and police

**Overall objective: to improve the legislative and institutional framework and human resources of police and prison services based on the relevant European and international standards and on CoE expertise.**

### **Expected results:**

1. assessments of the legislative framework in this area, and recommendations on how it can be better harmonised with CoE and other international standards;
2. assessment of the institutional framework, and recommendations for better harmonisation of national prison and law enforcement policies and strategies with CoE and other international standards;
3. framing of a comprehensive national strategy on development of the prison system and law enforcement agencies and presentation of the strategy to the national authorities with a view to its adoption and implementation;
4. improvement of the capacities of the police, prison service and other agencies dealing with law enforcement in guaranteeing full observance of fundamental rights;
5. strengthening of the capacities of the police to intervene in cases of public demonstrations (riot control) and public manifestations (crowd management) without giving rise to human rights violations.

### **Results achieved:**

The relevant Tunisian players' awareness of European standards for the prevention of torture has been increased. Experts from Tunisia have had the opportunity to familiarise themselves with the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in the course of activities during which the relevant CoE standards were presented in detail and the assistance which the CoE could provide from 2015 was discussed with the Tunisian authorities (September 2014, Tunis).

**Funding:** South Programme.

<b>Common standards and policies</b>
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### 2.3 European Commission for Democracy through Law (Venice Commission)

**Overall objective: to further develop democracy and the rule of law in Tunisia by establishing a stable and democratic legal framework and practices, on the basis of European and international standards.**

<p><b>Expected results</b></p> <ol style="list-style-type: none"> <li>1. contribution to thematic discussions, in the context of the reform process and the drafting of the Constitution and other major laws;</li> <li>2. strengthening the influence of the Constitutional Court (if set up under the new Constitution) relative to other state authorities, in particular by establishing dialogue with the Venice Commission and other courts in the region.</li> </ol>
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**Results achieved:**

In line with expected result 1, the Venice Commission assisted Tunisia with the preparation of the draft Constitution. A substantial number of the recommendations included in the Venice Commission's opinion<sup>7</sup> on the draft Constitution adopted in October 2013 at the request of the Speaker of the NCA have been included in the Tunisian Constitution. Moreover, various activities arranged for constitutional drafters provided opportunities for experts from countries in the region to exchange experiences on drafting constitutions, which was of benefit to the constitutional drafters in Tunisia (March 2012 and May 2013, Marrakesh).

The Venice Commission also provided Tunisia with expertise on the draft law on freedom of assembly (exchange of views with the Tunisian authorities in co-operation with the OSCE/ODIHR); the constitutional guarantees of the independence of justice (in co-operation with the Trade Union of Tunisian Judges and the Union of Administrative Judges) and the draft electoral law, in the context of broader co-operation with the new Independent High Authority for Elections (ISIE) (see point 3.3).

In line with expected result 2, the Venice Commission has assisted the Tunisian authorities in the area of constitutional justice (study visit by members of the NCA to the CoE and the German Supreme Court and Constitutional Court, 2012).

**Funding:** voluntary contribution (Norway), South Programme.

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<sup>7</sup> [Opinion 733/2013](#) - Venice Commission's observations on the final draft Constitution of the Republic of Tunisia

## **2.4 The information society and Internet governance; freedom of expression; independence of the media**

**Overall objective: to promote freedom of expression and independence of the media based on the relevant CoE standards and expertise.**

### **Expected results:**

1. development of a legal and social environment more conducive to the work of journalists and the media, which provides broader safeguards for freedom of expression, independence of the media and public access to information;
2. strengthening of the capacities of the judicial and law enforcement authorities, as well as government officials, with regard to freedom of expression and media standards in a democratic society;
3. strengthening of the capacities of journalists and senior editors/editorial boards of broadcasting print and online media to engage in responsible journalism, including fair and balanced coverage of elections;
4. review of the public service media and, if necessary, re-definition of their remit as required in a democratic society and review of their governance arrangements with a view to ensuring independence, transparency, accountability and responsiveness to their various stakeholders;
5. raising of public awareness of freedom of expression and the media standards required for people's effective democratic participation and for political, social, and economic accountability.

### **Results achieved:**

In line with the expected results, in particular expected result 1, activities aimed at developing a legal and social environment more conducive to the work of journalists and the media, which provides broader safeguards for freedom of expression, independence of the media and public access to information, have been carried out by the CoE in Tunisia from various angles: through the exchanges between the NCA and the Venice Commission on the draft Constitution, through the participation of CoE and Tunisian experts in events for exchanging experiences and strengthening capacities (Conference on Internet Governance, Graz, March 2014), through the work in the field of data protection and, lastly, through the holding of a conference on the constitutional and normative guarantees of freedom of expression and the challenges posed by the establishment of the new regulator (April 2013, Tunis).

This event attended by high-level figures (for instance, the Speaker of the Tunisian NCA) and most international partners involved in this area was a success, and resulted in recommendations on the work to be possibly carried out by the CoE in this area.

Moreover, in line with expected result 2, the head of the Audiovisual Communication Regulatory Authority (*Haute Autorité Indépendante de la Communication Audiovisuelle - HAICA*) sought the CoE's assistance with consolidating the authority and preparing the instance's legislative framework provided for in Article 127 of the Constitution. He took part in a visit to Strasbourg, during which he found out more about the European Audiovisual Observatory and the CoE conventions relating to the audiovisual sector.

Major issues such as restrictions to freedom of expression during elections and limitations on the condoning of terrorism, political violence and hate speech in the media were discussed, which is useful to the HAICA in its role as audiovisual communication regulator.

**Funding:** voluntary contributions (Monaco, *Organisation Internationale de la Francophonie*), South Programme.

## Threats to the rule of law

### 2.5 Preventing and combating corruption and money laundering

**Overall objective: To promote good governance and the prevention of corruption and money-laundering on the basis of the relevant CoE standards, mechanisms and instruments by strengthening the policy framework and operational capacities.**

#### **Expected results<sup>8</sup>:**

1. assessment of the legal and institutional framework on basis of the GRECO methodology is initiated and aimed at providing recommendations and policy direction in the area good governance and fight against corruption;
2. increased capacities on legislative reforms through legal advice and legal drafting concerning administration institutions through knowledge sharing of good practices and co-operation with civil society;
3. available policy advice and sector risk analysis to relevant institutions concerning good governance and corruption prevention tools / methodologies; and
4. provision of training, modules and awareness-raising for those relevant institutions and civil society groups in the area of good governance and fight against corruption and economic crime.

#### **Results achieved:**

The CoE anti-corruption programme in Tunisia has resulted in the strengthening of the existing institutional anti-corruption framework and significantly enhanced the capacities of government authorities in the area of anti-corruption and good governance.

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<sup>8</sup> Revised in coordination with the Tunisian authorities.



The main focus of the programme has been the building of capacities for the Tunisian anti-corruption agency – the Instance Nationale de Lutte Contre la Corruption (INLUCC). This has resulted in the preparation and adoption of internal procedures, staffing structure and profiles, and code of ethics for the staff of INLUCC. With the assistance of the CoE, significant progress has also been made in the preparation of the law set to reform the anti-corruption agency function as required by the new Tunisian Constitution.

The programme has also made significant steps in setting up a risk-based anti-corruption framework in Tunisia through the promotion of CoE methodologies on the assessment of corruption risk. This included the building of capacities of Tunisian authorities through a tailored seminars followed by a full-scale pilot risk assessment carried out by the CoE in the sector of public properties. Similar risk-assessment practices have been introduced at the level of legislative drafting (so-called corruption proofing of legislation).

The CoE also delivered a programme of training and capacity building in a number of key areas, including general awareness-raising on basic anti-corruption concepts, as well as targeted seminars on criminal law investigations, political party financing and the financing of non-profit organisations. The Project also enhanced the capacities of lawyers and chartered accountants in implementing anti-corruption measures through application of deontology practices, as well as standards on the liability of legal persons and professional anti-money laundering obligations. The capacities of law enforcement authorities were also enhanced through a tailored training on financial investigations.

The deliverables achieved by the programme in the anti-corruption sector in Tunisia have significant sustainability potential for the institutions overall. At the same time it is essential that co-operation in this framework continue in order to build on the outcomes that have been achieved so far in order to ensure efficient implementation and follow-up.

**Funding:** South Programme.

## **2.6 Action for the restitution of unlawfully acquired assets and property**

**Overall objective: on the basis of a formal request from the Tunisian authorities to this effect, the CoE could carry out an advice and support mission to Tunisia in order to decide what approaches might be adopted with regard to the restitution of assets and property held abroad by the former President and members of his entourage.**

### **Expected result:**

1. drafting of an assessment report on the restitution of unlawfully acquired assets and property held abroad. This needs assessment report will summarise the legal and procedural framework of the CoE's member states which is of relevance to the Tunisian authorities, and examine the Tunisian legal framework with particular reference to rules of evidence, the status of confiscation orders and other technical aspects which may be of paramount importance to the confidence of the Tunisian authorities' partners.

**Result achieved:**

Following contacts between the CoE and the EU, which is already involved in this area, and in the light of work carried out by international donors in this area, it was decided not to begin a new activity.

**2.7 Fighting cybercrime**

**Overall objective: to help Tunisia implement international standards on cybercrime.**

**Expected results:**

1. assessments of the legal framework in order to bring Tunisian legislation more in line with the standards of the Convention on cybercrime;
2. strengthening of the capacities of the judicial and law enforcement services in the field of cybercrime and electronic evidence;
3. strengthening of the capacities of the Tunisian authorities to co-operate at international level in the field of cybercrime;
4. establishment of an information and prevention platform on cybercrime;
5. assessment of the effectiveness of data protection rules in Tunisia, including recommendations for its reinforcement.

**Results achieved:**

The CoE Convention on Cybercrime (Budapest Convention) has been presented to the Tunisian authorities on the occasion of the seminar on CoE conventions and procedures of accession, organised by the CoE (July 2013, Strasbourg).

Tunisia has also indicated its willingness to become involved in fighting cybercrime, by giving consideration to reviewing its legal framework on the basis of European and international standards and also by setting up or strengthening specialised bodies in this area.

**Funding:** South Programme.

**2.8 Preventing and combating trafficking in human beings**

**Overall objective: to strengthen national capacities to combat trafficking in human beings in accordance with European and international standards in this field.**

**Expected results:**

1. support the implementation of the framework for the fight against trafficking in human beings (legislation, National Commission for the Fight against Trafficking ...);
2. general and thematic presentation of CoE standards and the CoE Convention on action against trafficking in human beings as well as relevant best practices;
3. awareness and capacity building of stakeholders involved in the fight against human trafficking at central and regional levels.

**Results achieved:**

Following contacts with the Tunisian authorities, the CoE began working on this issue in 2013, even though it had not been identified in 2012 as one of the priorities for co-operation with the country.

Urgent needs and a number of challenges to be dealt with as a matter of priority were then identified in the course of various visits and exchanges. The CoE's work on this issue has been carried out in close collaboration with all the relevant partners at national level and with the international organisations involved in this area, in particular with the International Organisation for Migration (IOM), as part of the SHARE project.<sup>9</sup>

To enable experiences and good practices to be exchanged, the Tunisian authorities have been invited to take part in the relevant activities organised by the CoE (Strasbourg, July 2013, Vienna, February 2014). Awareness-raising and capacity-building activities have also taken place (Regional Conference on the Fight against Trafficking in Human Beings: Diverse Responses to a Multifaceted Phenomenon (Tunis, April 2014)).

The work programme to step up co-operation in this area from 2015 has been agreed jointly with the Tunisian authorities. It will focus, in particular, on the law on combating trafficking in human beings currently being prepared.

**Funding:** South Programme.

**2.9 Creation of a common legal space**

**General objective: To promote the accession of Tunisia to CoE conventions open to non-member States and provide support for their effective implementation.**

**Expected results:**

1. the seminar provides the opportunity to address in greater depth issues relating to the implications inherent in acceding to certain key CoE conventions.
2. Tunisia officially requests to be invited to accede to certain conventions.

**Results achieved:**

A seminar was held to present the accession procedures to conventions and partial agreements and certain conventions in detail (Strasbourg, July 2013).

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<sup>9</sup> Project funded by the United States and run by the IOM. A working group comprising experts from various ministries, agencies, international organisations and civil society assessed the situation and prepared a draft law to combat trafficking in human beings. It continued its work after the end of the SHARE project in 2013.

Consequently, the Tunisian authorities have stated an interest in several CoE conventions<sup>10</sup> and Tunisia has acceded to the Convention on Mutual Administrative Assistance in Tax Matters and its Protocol and has expressed interest in other conventions, such as the Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the Convention on Action against Trafficking in Human Beings, the Convention on Preventing and Combating Violence against Women, the Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health, the Conventions on Corruption and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

**Funding:** South Programme.

### 3. DEMOCRACY

<b>Democratic governance</b>
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#### 3.1 Co-operation with the Parliamentary Assembly of the CoE (PACE)

**Overall objective: to familiarise the Tunisian authorities with parliamentary and political practices in Europe, and contribute to strengthening democratic processes.**

<p><b>Expected results:</b></p> <ol style="list-style-type: none"> <li>1. contribution to the proper functioning of the parliament via its Rules of Procedure and the role and responsibilities of the opposition;</li> <li>2. sharing best practices in constitutional reform, in co-operation with the Venice Commission;</li> <li>3. strengthening of the technical and administrative capacities of the secretariats by providing members of parliaments and parliamentary staff with wide exposure to the CoE standards in its core areas of work (human rights, including social rights, democratic standards, rule of law), including with a view to a possible future request by the Tunisian parliament for Partnership for Democracy status with the PACE;</li> <li>4. strengthening contacts of the PACE and its committees with civil society organisations.</li> </ol>
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**Results achieved:**

The objective of familiarising the Tunisian authorities with parliamentary and political practices in Europe has been achieved through the participation of delegations from the Tunisian NCA in the PACE sessions in 2012, 2013 and 2014. Some members of the NCA have also taken part in meetings of certain PACE committees.

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<sup>10</sup> A seminar will be organised before the end of 2014 in order to present these conventions to the relevant Tunisian authorities.

Several inter-parliamentary conferences held by the PACE and attended by Tunisian parliamentarians provided opportunities to exchange views and consolidate the inter-parliamentary relations between the PACE and the Assemblies of the countries of the Mediterranean and also between the countries of the Mediterranean themselves (Lisbon November 2013; Athens, May 2014). These activities familiarised parliamentarians from the region with major issues in the current constitutional context and with a view to the adoption of future legislation in the relevant areas.

**Funding:** PACE budget, South Programme.

### **3.2 Democratic governance at local and regional level**

**Overall objective: to contribute to the establishment of the institutional framework for local democracy in Tunisia.**

#### **Expected results:**

1. ensuring that the on-going reflexion about territorial organisation in Tunisia focuses on international standards, as reflected in the relevant CoE's legal instruments, and in particular the European Charter of Local Self-Government;
2. strengthening the institutional capacities of local authorities;
3. contributing to sensitive aspects of the pre-electoral and post-electoral process, in addition to elections observation;
4. ensuring the necessary conditions for the creation of an association of local authorities;
5. raising awareness among governmental partners of the principles of local self-government as set out in the European Charter of Local Self-Government and of fostering dialogue between the government and locally elected representatives;
6. increasing co-operation with the Congress, particularly through the association of local authorities and the participation of locally elected Tunisian representatives in the activities implemented with the Assembly of European Regions (AER), the Standing Committee for the Euro-Mediterranean partnership of local and regional authorities (COPPEM), and the Council of European Municipalities and Regions (CEMR).

#### **Results achieved:**

In the context of a visit by the Congress of Local and Regional Authorities of the CoE and the Centre of Expertise for Local Government Reform in 2012, an initial assessment of local democracy in Tunisia was carried out and contacts were established with the main Tunisian stakeholders.

As part of its co-operation with the Venice Commission, the Congress contributed to the exchanges with the NCA and the choices it made during the preparation of the draft Constitution regarding questions relating to the election of representatives at municipal and governorate level, supervision of the acts of local authorities and compliance with the principle of the independence of these authorities.

Chapter VII of the Constitution adopted in January 2014 deals with local government, and Article 131 provides that "local government shall be based on decentralisation". local and regional authorities will have councils which will henceforth be elected by universal suffrage. Many of the constitutional provisions in this chapter will have to be set out in detail in

institutional

acts.

The status of partner for local democracy for countries in the CoE's Southern and Eastern neighbourhood was adopted by the Congress at its 27th session on 16 October 2014.

**Funding:** Congress budget, ordinary budget.

### 3.3 Elections

**Overall objective: to improve the functioning of democratic processes and institutions, including those relating to political parties.**

**Expected results:**

1. review of electoral legislation and practice with regard to international standards;
2. provision of capacity-building support to the electoral management bodies;
3. provision of technical assistance to the bodies in charge of electoral disputes.

**Results achieved:**

In line with expected result 1, the Venice Commission has co-operated with the members of the NCA in drawing up the draft electoral law and, in general, has provided the Tunisian authorities, and in particular the Independent High Authority for Elections (ISIE), with support in preparation for the elections on issues such as the choice of the electoral system, the organisation of electoral management and electoral lists. More particularly, the Venice Commission has established good relations with the ISIE and supported the participation of its president in several international events, including the Helsinki Conference on the Misuse of Administrative Resources during Electoral Processes and the 2014 Lisbon Forum, with a view to building capacities and fostering contacts with similar institutions in Europe.

In line with expected result 2, capacity building for electoral management bodies has been provided at international seminars and events on relevant issues in which their members participated (March 2012, Tunisia; June 2012, Tallinn). The issues addressed included improving the functioning of election management and the use of new technologies to make elections more transparent and to facilitate voters' access to information, as well as the Code of Good Practice in Electoral Matters. In addition, the 2014 Lisbon Forum, which focused on electoral processes, offered an opportunity to Tunisian participants to discuss on issues such as the equal participation of all citizens in electoral processes, the financing of election campaigns and the observation of elections in preparation for key forthcoming elections of Autumn 2014.

Lastly, the PACE sent teams to Tunisia to observe the parliamentary and presidential elections in autumn 2014. Venice Commission experts assisted the Parliamentary Assembly delegations during the election observation exercises.

**Funding:** voluntary contribution (Norway), South Programme.

### 3.4 Training in democratic standards of good governance

**Overall objective: to contribute to human rights, the rule of law and democratic citizenship in Tunisia. To motivate future political leaders and young managers who will in turn encourage reform and promote human rights. To build the foundations for good governance within institutions and Tunisian society through a range of CoE tools available. This activity would have a regional dimension aimed at promoting co-operation between neighbouring countries.**

- **Training of future leaders in democratic standards of good governance: School of Political Studies**

**Expected result:**

1. launch of the School of Political Studies and training of 40 participants per year among the new generation of public leaders. Negotiations on the establishment of the school are well advanced and the school should be launched in the next few months.

- **Participation in training of future managers in public administrations, and of parliamentary and diplomatic staff, on human rights and democratic standards of good governance**

**Expected results:**

1. inclusion of specific modules in existing training programmes;
2. strengthening capacities through training, and training of trainers, in these fields;
3. organisation of practical courses and study visits, in particular for diplomatic students.

- **Training of civil society leaders**

**Expected result:**

1. to train civil society leaders in a code of good practice in order to participate in decision-making processes within civil society.

**Results achieved:**

In 2012, the CoE supported the launch of the Tunisian School of Political Studies and the establishment of a joint class of political leaders and representatives of civil society comprising around 40 young leaders from political parties, associations, government and local and regional authorities who were selected following a call for candidatures issued at national and regional level for individuals wishing to receive thematic training (human rights, citizenship, participatory democracy, gender equality and local development) so as to enhance their role as agents for democratic change.

The Tunisian participants' capacities have since been further strengthened through their involvement in various international seminars and events on issues such as the role of young people in democratic transition, the role of public opinion in the political process, women's participation in institutions, the relationship between new information technologies and democracy, and electoral processes, etc. (annual study session of the Strasbourg International Institute of Human Rights (IIDH) in July 2013, Lisbon Forum in 2012, 2013 and 2014, World Forum for Democracy in 2013 and 2014, and training courses in Sofia and Strasbourg, June



2014).

The Tunisian and Moroccan Schools of Political Studies also join forces on the occasion of regional gatherings with representatives of civil society of other Southern Mediterranean countries taking place every year alternately in Tunisia and Morocco (“Understanding the Arab Spring and its impact” (Tunis, November 2013) and “Post-Arab Spring Dynamics of Diversity” (Marrakech, November 2014)).

With regard to the training of public administration managers, the CoE joined up with the European Inter-University Centre for Human Rights and Democratisation and Venice International University in April 2014 to hold the first training academy on democratic governance for young professionals from the Southern Mediterranean. With this pilot project, around 30 young professionals from Tunisia, Morocco and Algeria employed by organisations covered by European projects were able to build their capacity in the areas of human rights, democracy and the rule of law.

**Funding:** South Programme, voluntary contribution (Norway).

### **3.5. Democratic governance through education**

**Overall objective: to strengthen democratic culture through the development of education policies and practices.**

#### **Expected results:**

1. involvement of Tunisian experts and teacher trainers in the activities of the European Centre for Modern Languages (ECML). Tunisia’s participation in the Centre’s work could lead to the country’s accession to this partial agreement;
2. provision of advice on educational policy reform in Tunisia, in both secondary and higher education, and on democratic governance in education;
3. improvement of educational policies and teaching practice relating to education for democratic citizenship and human rights and to history teaching, through the adoption of an appropriate strategy in primary and secondary education, advice on the design of teaching materials and assisting Tunisian teachers and lawyers with establishing a charter for education in democratic citizenship and human rights;
4. strengthening the capacities of professionals and educators in the fields of human rights and democracy. Creation of a Southern Mediterranean network of youth trainers.

This activity would comprise a regional dimension aimed at promoting co-operation between the countries of the region.

#### **Results achieved:**

In 2013, the Tunisian authorities expressed the wish to benefit from CoE expertise in the area of education in human rights and democratic citizenship. A number of young Tunisians have received training in these areas (cf. 3.4 and 3.7).

**Funding:** South Programme, voluntary contribution (Norway).

### 3.6. Democratic governance through culture

**Overall objective: to contribute to efficient, transparent governance in the cultural field, drawing on CoE conventions, especially the European Cultural Convention.**

**Expected results:**

1. assessment of cultural policy;
2. contribution to the definition and implementation of an integrated approach by the national authorities to the rehabilitation of historic centres and territorial development;
3. greater awareness, particularly of culture and tourism, and preparation for possible accession to the Enlarged Partial Agreement on Cultural Routes;
4. participation of a pilot town in Tunisia in the international network of Intercultural Cities

**Results achieved:**

Due to non- demand of the Tunisian authorities and a lack of funding, work has not been initiated in this area.

**Sustainable democratic societies**

### 3.7. Investing in young people

**Overall objective: to support the government in its youth policy-making through the evaluation and design of youth policies and strategies, promoting youth-led organisations, promoting European democratic values amongst young people, and developing networks of youth initiatives.**

**Expected results:**

1. institution-building in the field of youth policy, in particular through advice to the authorities in charge of youth and training of public administrators;
2. support provided to the youth-led civil society organisations;
3. creation of a youth-research network.

This activity would comprise a regional dimension aimed at promoting co-operation between the countries of the region, for example the creation of a south Mediterranean network of youth trainers in the field of education in human rights and democratic citizenship, and the organisation of a high-level regional youth policy conference.

**Results achieved:**

Inter-regional seminars for researchers in the youth field and training courses for multipliers and trainers for the democratic participation of young people were held in 2013 and 2014, with the participation of representatives from Tunisia, Morocco, Algeria and Member States of the CoE. Through these activities, knowledge and experience of young people and their role in societies in transition were shared and the participants' capacities were strengthened in line with the relevant expected results.

In addition, young Tunisians were invited to take part in the 2014 World Forum for Democracy, which focused on the role of young people in democracy.

**Funding:** South Programme.

### **3.8. Co-operation with the North-South Centre**

**Overall objective: to offer a platform of structured co-operation at governmental, parliamentary, local and regional authorities and civil society levels between the CoE and Tunisia.**

**Expected results:**

1. full integration of governmental, parliamentary, local, regional and civil society representatives in Tunisia into the North-South Centre's (NSC) permanent processes;
2. reinforcement of planned activities to promote the participation of women in political and public life, youth co-operation and strengthening civil society.

**Results achieved:**

In line with the expected results, the NSC co-operates with Tunisia in the implementation of programmes relating to the rights of women, youth policies and intercultural dialogue. On 8 October 2014, the Committee of Ministers invited Tunisia to accede to the North-South Centre.

Tunisian representatives have taken part in the Lisbon Forum every year since 2012. At the forums, the Tunisian participants hold the possibility to exchange experiences with representatives from the Southern Mediterranean region and beyond on democratic consolidation processes (2012), the role of civil society (2013) and electoral processes in the countries of the Mediterranean (2014). The last edition of the Lisbon Forum was particularly useful for Tunisian participants in the light of forthcoming major elections in autumn 2014. The event was co-chaired by the Tunisian Secretary of State of Foreign Affairs, and it was characterised by the presence of Tunisian personalities involved in the electoral field, and notably the President of the Independent High Authority for Elections (ISIE).

**Funding:** NSC budget, South Programme (Lisbon Forum).

### 3.9. Sport and ethics

**Overall objective: to contribute to enhance public order by strengthening the policy framework and operational capacities in the field of spectators' safety and security at sports events and football matches in particular, based on European standards and good practices in the field of sports policies and the sports community.**

**Expected results:**

1. assessment of sports policies and the law applicable to safety and security as well as of their capacity to secure public order at sport events;
2. assessment of the various systems of crowd safety management, involving stadium operators, and the dynamic risk relative to the safe capacity of a venue;
3. creation of a National Football Information Point, integrated into the pan-European network of NFIPs with a view to further development in other countries in the region.

**Results achieved:**

Due to non-demand of the Tunisian authorities, work has not been initiated in this area.

**Appendix I – Financial table - Estimation until the end of 2014**

	Total estimated cost	Estimate of expenditure	
		EU	Voluntary contributions
<b>HUMAN RIGHTS</b>			
<b>Protection and promotion of human rights</b>			
- Gender equality			220 000
- Preventing violence against women	275 000		Norway ***
- Protecting children against violence			
- Integration of disabled persons	150 000		
<b>Social rights/ health</b>			
- Pempidou Group	380 000	70 000 ***	50 000 Italy 70 000 France ***
- Refurbishment and equipping of a public hospital			
<b>Subtotal - human rights</b>	<b>805 000</b>	<b>70 000</b>	<b>340 000</b>
<b>RULE OF LAW</b>			
<b>Justice</b>			
- Justice reform	500 000	500 000	
- Prisons and police		*	
<b>Common standards and policies</b>			
- Venice Commission	300 000	100 000	96 000 Norway ***
- The information society and Internet governance; freedom of expression; independence of the media	833 000		20 000 Monaco 13 500 OIF
<b>Threats to the rule of law</b>			
- Preventing and combating corruption and money laundering	500 000	500 000	
- Action to restitute unlawfully acquired assets and property			
- Combating cybercrime	300 000	*	
<b>New priorities</b>			
- Preventing and combating trafficking in human beings	500 000	30 000	
- Creation of a common legal area	40 000	60 000 ***	
<b>Subtotal- rule of law</b>	<b>2 973 000</b>	<b>1 190 000</b>	<b>129 500</b>
<b>DEMOCRACY</b>			
<b>Democratic governance</b>			
- Co-operation with the Parliamentary Assembly of the Council of Europe	250 000		
- Democratic governance at local and regional level			
- School of Political Studies	175 000	100 000**	95 000 Norway
- Training of future managers on democratic governance	100 000	25 000	15 000 Norway***
- Training of civil society leaders	90 000		
- Democratic governance through education	150 000		
- Democratic governance through culture	300 000		
<b>Sustainable democratic societies</b>			
- Youth	400 000	70 000	
- Co-operation with the North-South Centre	150 000	120 000 ***	
- Sport and ethics	50 000		
<b>Subtotal- democracy</b>	<b>1 665 000</b>	<b>315 000</b>	<b>110 000</b>
<b>TOTAL</b>	<b>5 443 000</b>	<b>1 575 000</b>	<b>579 500</b>
<b>TOTAL FUNDED</b>			<b>2 154 500</b>

**Notes**

\* Through seminars on key CoE conventions

\*\* Including regional activities

\*\*\* Estimated budget for Tunisia- regional programme