Introduction

The OECD project to support the establishment of an integrity framework in Tunisia was launched immediately after the Revolution in order to assist efforts to develop a permanent anti-corruption mechanism in Tunisia. This support took several different forms, including:

- a series of field missions for the purpose of making an initial assessment of the existing legal and institutional framework for the prevention of public sector corruption;
- an intensive dialogue on public policies, both in the immediate aftermath of the Revolution as well as after the establishment of the government in December of 2011, with the goal of creating a national consensus on reform choices;
- the sharing of international best practices and lessons drawn from the experiences of other countries with such matters, notably through this report.

The various steps of this project, which is inscribed within an evolving political context, are presented in this introduction.

The fight against corruption: an immediate priority in the aftermath of the Revolution

Responding to the demand of Tunisian citizens, the interim government has made the fight against corruption one of its top priorities. A National Commission for Investigating Cases of Corruption and Embezzlement (CNICM) was set up in February 2011 to investigate the abuses of the Ben Ali era and submit proposals for action to the government in order to enhance the struggle against and the prevention of corruption. Thanks to financial assistance from the Arab Partnership Program Fund of the United Kingdom Foreign Office, the OECD has launched a program to assist Tunisia in establishing a national integrity framework based on international best practices. A first conference was organized jointly with the CNICM on September 22-24, 2011 in Hammamet, Tunisia, in order to build a national consensus on the key measures to adopt in the fight against corruption.

A longstanding collaboration with the OECD in an area of critical importance for the new government

The government formed in December of 2011 and headed by Hamadi Jebali has renewed its commitment to preventing corruption, an objective revealed, most notably, by its appointment of a Minister of Governance and the Fight against Corruption and by its move to bolster its collaboration with the OECD in this area. Thus, a conference entitled "Strengthening the Integrity Framework and Preventing Corruption" was organized jointly with the new government and the CNICM. While based on the conclusions of the Hammamet conference and the final report of the National Commission for Investigating Cases of Corruption and Embezzlement, this conference provided an opportunity to:

- discuss the process to enhance the national anti-corruption framework, using peer dialogue, international best practices, and the integrity framework developed by the OECD;
- involve all concerned stakeholders, including civil society and the private sector, in the development of this framework;
- identify priority reforms, including the formulation of specific policies to prevent corruption in risk areas such as public procurement.

The conference participants, who came from all reaches of government, as well as from the private sector and civil society, arrived at the following recommendations:

- develop an integrity and anti-corruption framework based on an assessment of the existing legal and institutional anti-corruption frameworks;
- immediately establish a permanent body specialising in the fight against corruption to implement the integrity and anti-corruption framework;
- establish specific anti-corruption policies intended to demonstrate to citizens the progress being made. These policies include creating a transparent system of asset declarations for the members of the new Cabinet, defining standards of conduct for civil servants, as well as enhancing transparency and integrity in public procurement.
- involve all the key concerned stakeholders, including civil society and the private sector, in the development and implementation of policies geared towards the prevention of corruption.

A first assessment of the gaps in the legal and institutional framework for preventing corruption:

This report examines the legal and institutional anti-corruption framework to provide an initial assessment of the measures that need to be developed by the government. In addition, it presents the best practices from OECD and MENA countries in the implementation of anti-corruption policies.

The objective of this report is two-fold. It seeks, on the one hand, to provide an overall assessment of the current state of corruption prevention in post-revolutionary Tunisia, in the first trimester of 2012. It aims, on the other, at directing the attention of the Tunisian authorities towards the experiences, lessons, best practices, and most relevant resources related to the key issues they must face.

This report is based on interviews with representatives from Tunisian public institutions, civil society and the private sector that were conducted during two field missions from December 12-17, 2011 and from February 15-17, 2012, as well on the conclusions of the international conference on "Strengthening the Integrity Framework and Preventing Corruption," which took place in Tunis on February 13-14, 2012. Analyses and additional data were also provided by Neila Chaabane from the National Commission for Investigating Cases of Corruption and Embezzlement, and by Hadj Aissa, Professor at the National School of Administration of Tunisia.

This study constitutes an introduction to the key issues related to corruption and the fight against corruption in Tunisia in 2012. It provides an overview of the primary questions that need to be addressed. More comprehensive assessments will of course need to be made on each of the specific areas (or sub-areas) mentioned in this report. This report should thus be considered as a first step, rather than as a definitive study of the subject.

This report mostly focuses on the framework for preventing corruption, even if it will also deal briefly with matters related to repression and law enforcement, which, because of their capacity to guarantee there is no longer impunity even for top government officials, are vital to the establishment of an integrity framework. As public procurement constitutes one of the areas most vulnerable to corruption, the second part of this report will examine measures to be adopted to improve transparency and integrity in the Tunisian public procurement system.

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