

Executive Summary

An opportunity to implement open government practices at the local level

Tunisia has been undergoing a period of transition and evolution of its political system since 2011, leading to reforms of its legal and policy frameworks. These reforms promote open government practices through increased transparency, participation and accountability. Tunisia's membership in the Open Government Partnership is proof of this commitment. The 2014 Constitution, which enshrines the principles of a democratic, republican and participatory regime, as well as the principles of self-government (*libre administration*), participatory democracy and open governance for local authorities, offers an opportunity to implement open government practices at the local level. The ongoing decentralisation process is seen as going hand-in-hand with more open, participatory and accountable governance. Local authorities are therefore called upon to play a stronger role in local development by bringing public policies closer to citizens. This presents a challenge at a moment of transition and uncertainty in terms of legal and institutional frameworks and available resources. Yet, the role and legitimacy of local authorities have already increased since the local elections of 6 May 2018.

Local open government practices in the context of national efforts

Since 2011, the transition government has been engaged in creating the necessary conditions for a profound cultural shift in the governance system, the role of the state and citizens' rights. The objective is a system that is more transparent, more open and more participatory. These reforms at national level, such as adoption of the Constitution and of a law on access to information, membership in the Open Government Partnership (OGP) and the Urban Development and Local Government Programme (PDUGL) have a significant impact on open government reforms at local level. The second OGP action plan highlights the importance of open government at the local level, while the PDUGL calls for a participatory approach to prepare Annual Investment Plans. There is thus a need for greater co-ordination between initiatives at central and local levels in order to promote the adoption of open government practices by local authorities while providing them with the means to implement these policies and align them with their own initiatives.

Open government in the context of an on-going decentralisation process

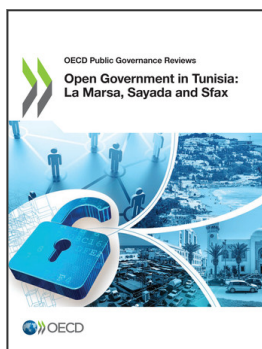
The decentralisation provided for in Chapter 7 of the 2014 Constitution is a response to the lack of local democracy and the limited capacity of municipalities to develop their territories. It enshrines concepts such as local government, decentralisation and self-government. While the principles of decentralisation were recently defined by the adoption, on 26 April 2018, of the Code for Local Authorities, municipalities are still governed by older laws, and were managed until the recent local elections of May 2018 by appointed special delegations. Confronted with citizens' expectations, municipalities are now being called upon to introduce innovative approaches to designing public policies. In

collaboration with citizens and civil society, and inspired by the practices of some Tunisian municipalities, local governments should identify open government practices to implement while preparing for the adoption of the principles outlined in the new Code for Local Authorities.

Open government in La Marsa, Sayada and Sfax

While awaiting local elections and the implementation of the decentralisation reform, several municipalities, including La Marsa, Sayada and Sfax, took the initiative to create a more open and citizen-centred local administration. La Marsa and Sfax are among the few municipalities that adopted participatory budgeting. As for Sayada, the municipality is engaged in a partnership with civil society to make the municipality more transparent. These initiatives have helped to build a climate of trust between the municipalities, their citizens and the civil society organisations involved in the process. These municipalities are therefore to be congratulated for the manner in which they have introduced open government practices.

Nevertheless, challenges remain for implementing the principles of open government at the local level. The institutional, human and financial frameworks will need long-term adjustment in order to respond to the new demands of the legal framework and of citizens for local development. Implementing the law on access to information requires a focus on training. In addition, participatory initiatives could be extended to large-scale municipal projects, such as urban development plans. The Code for Local Authorities, which sets out a great many mechanisms for transparency, participation and accountability and recognises the importance of citizens, civil society and the media to municipal affairs could serve to create an open government vision and strategy for municipalities. Harnessing this would further consolidate the efforts of municipalities, together with those of civil society, to break with the culture of a closed administration and establish new mechanisms for interaction.



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