



THE CHALLENGE OF THE TUNISIA'S DOD IN TERMS OF TRANSPARENCY AND THE FIGHT AGAINST CORRUPTION

BILEL Naoufel

Ministry of Defence, Tunisia

Abstract:

Recent theoretical developments and case studies suggest a close relationship between the management model of the army and other institutions in one country.

This study contributes to this literature by analyzing theoretically and practically the role that the Tunisia's DOD should play in the fight against corruption. Drawing on a cross-sectional and panel dataset covering challenges faced by the DOD, substantial empirical support is found for a positive relationship between the military and anti-corruption. This relationship is found to be robust to a variety of specification changes, different econometric techniques, different sample sizes, and alternative corruption indices.

This study suggests that the way the military institution is managed is as important as the conventionally accepted causes of corruption. It also provides recommendations aimed at more transparency in the management of the Tunisian armed forces.

Key words: management, transparency, military, environment, Tunisia

1. Introduction

The Tunisian anti-corruption view has developed significantly since the revolution of 2011. Tunisia has created anti-corruption institutions, issued stronger legislation on public access to information and protection of informers, and proposed legislation on declaring assets and probing illicit enrichment. This marks positive progress that should be both applauded and capitalized upon. Through this, fighting corruption has nonetheless remained a public priority and the government's efforts – and shortcomings – in this are a significant area of public debate. There remain widespread concerns about the course reform efforts are taking.

Yet the defense sector – which generally enjoys strong public trust – has not received the same scrutiny. Based on national security, it is often exempted from significant reform. Tunisian defense spending has been rising, with an increase in expenditure of almost 70% from 2011 to 2021. But transparency and integrity structures have not kept pace. This presents an urgent challenge.

Secrecy and weak oversight are the breeding ground of corruption. And corruption undermines defense institutions, reducing their capability to respond to threats, and leads to wasteful spending. With a national emergency declared and rising defense spending, strengthening defense integrity and tackling weaknesses leading to corruption should be a priority for the Tunisian government. These included increasing transparency in defense budgeting and procurement, and recruitment and promotion in the military.





Maintaining national security is one of Tunisia's most pressing priorities, and the country has been in a state of emergency since November 2015. The defense and security sector faces multiple challenges, including a threat from extremist group attacks, and smuggling – including of arms – from neighboring Libya and Algeria.

This document takes a look at the state of the defense sector's efforts to build transparency and fight corruption, and suggests some recommended priority areas for reform.

2. Defense and security a national priority

National security is a priority for Tunisia's government. Defense and security forces are facing multiple challenges, primarily related to domestic extremist insurgency, the overspill of threats from conflict in neighboring Libya, and the thousands of Tunisians who have left the country to fight alongside Islamic State in Syria and Iraq – more than from any other country [1]. The National Security Committee adopted an official national strategy for fighting extremism and terrorism in November 2016, signed by the President of the Republic [2].

2.1. Terrorism

The country has been in a state of emergency since November 2015, following three major terror attacks that year killing more than 72 people altogether: 22 at the national Bardo Museum in Tunis, 38 during an attack on a beach resort near Sousse, and 22 in an attack on a bus carrying presidential guards in Tunis. There are particular security concerns around the border regions, where Tunisia is impacted by insecurity in Algeria and Libya [3]. Jabal Al Chaambi, the highest mountain in Tunisia, situated just 80 kilometers from the border with Algeria, has seen multiple attacks by extremist groups targeting military and security units over recent years, most notably in July 2014, when 15 Tunisian soldiers were killed and 20 injured and recently in Fabruary 2021, four Tunisian soldiers killed [4] after a landmine explosion in Jebel Mugheela in Kasserine Governorate.

Al-Qaeda in the Islamic Maghreb (AQIM)-affiliated Okba Ibn Nafaa Brigade and the Islamic State (IS)-affiliated Jund Al-kilapha are both active in the mountainous regions of Kasserine Governorate. Since 2014, a swath of the mountainous region near the Algeria-Tunisia border has been designated a closed military zone [5], as security forces pursue militants that have become entrenched in the area. The focus of security operations has been the Jebel Chaambi, Sammama, Salloum, and Mugheela areas.

Spillover from the Libyan conflict has impacted the country. The Tunisian town of Ben Guerdane, close to the border with Libya, has become the focus of several recent attacks by Tunisian activists trained in Libya. On March 7, 2016, a group of at least 50 jihadists attacked the town, targeting an army barracks and the homes of military officers. Thirty-six militants were killed in the battle that followed, along with seven civilians and 12 members of the security forces. The operation's aim had been to create a "Daesh (IS group) emirate" in Ben Guerdane, but the quick response of soldiers and security forces on the ground and the refusal of the city's residents to cooperate with the attackers, acted in successfully stopping the operation.



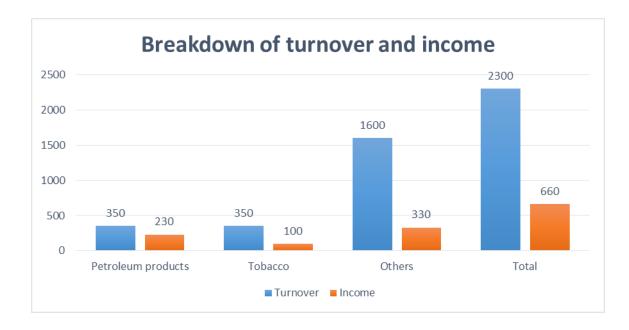


2.2. Smuggling and illicit trading

As well as the militant threat, the border regions with Algeria and Libya also present a serious challenge for counter-smuggling efforts. Illicit trading across the borders, of items including cigarettes, cannabis, alcohol and petrol, is estimated to lose Tunisia about 2 billion dollars per year, but is also a significant security concern as the same organized networks and routes also facilitate the movement of arms and terrorists into the country [6].

Tunisia's economy suffers greatly from illicit Financial Flows. One study by the Global Financial Integrity shows that Tunisia incurs a loss of over USD 1.2 billion a year due to IFFs and reached a peak of USD two billion in 2013, about USD 181 per capita. Another study recently found that the estimates of informal trade between Tunisia and its neighbors, Libya and Algeria, is between USD 1.8 and 2.4 billion. With a reported GDP of USD 38.79 billion and USD 11.900 GDP per capita, these losses greatly impact Tunisia's economy and the day- to-day life of average Tunisians [7].

This diagram shows the magnitude of informal cross-border trade in breakdown of turnover and income (USD billion), that represents a shortfall of the order of USD 500 million in terms of VAT per year [8]:



These challenges have led to the increased militarization of border areas, particularly along the southern border with Libya, where a buffer zone is maintained by the army, with entry to the area subject to official authorization [9]. In these military zones, local police and customs officers are now subject to military command [10].

2.3 Maintaining order and protecting state institutions

The 2011 revolution threw the Tunisian armed forces into an unfamiliar role. After the fall of Ben Ali's regime, the police went into hiding. So the army took it upon itself to provide security, and it became responsible for the protection of people, institutions, and





property until Tunisia had a newly elected assembly and a new government. It did not interfere in the process of political reform, and then it continued its role in defending the country in the fight against terrorism under the civilian command of the Ministry of Defense.

The army suddenly found itself preserving basic stability, and it has had to take on new tasks for which its previous orientation, training, equipment, and budget are inadequate. As it seeks to respond to these challenges, the military is moving into areas hitherto reserved for the civilian security organs, which is a new and significant development in Tunisian politics. This has included law-enforcement-oriented work like protecting public buildings.

The Tunisian people are proud of their apolitical military and its sacrifices, and they owe the armed forces a great debt of gratitude. The military has earned this respect precisely because it has defended the country and refused to take sides in political disputes or take part in economic risks.

3. The defense sector and corruption

Corruption is widely acknowledged to be a significant challenge facing Tunisia, posing significant threats to its democratic transition. TI's Global Corruption Barometer for MENA in 2016 found that almost two-thirds (64%) of Tunisians felt that corruption had increased over the last year. Over 9000 cases of alleged corruption were referred to Tunisia's national anti-corruption agency (l'Instance Nationale de Lutte Contre la Corruption, INLUCC) in 2016; of these, 21% of complaints were against ministries and 25 % of cases were related to institutional corruption [11].

The current state of play

The military enjoys a relatively high level of respect and trust from the Tunisian population [12]. The military's relatively benign role through years before revolution compared to other security forces which were used as instruments of state control is a key factor, as is the army's perceived role in protecting civilians during the 2011 revolution when other elements of the security apparatus were cracking down. The Tunisian armed forces are also considered to have reacted positively to the post-revolution pro-reform movement, which has also strengthened their legitimacy. One area that needs carefull consideration is the issue of achieving a balance between cost reductions, demanded by the budgetary limitations and the risk of having negative effects on the productivity of the workforce, on their motivation and desire to fight corruption.[13]

These is highly positive platform from which to build on. But can also lead to complacency, especially when budgets are soaring. We noted that public fears related to violent extremism and terrorist attacks have increased the tendency of the population to be 'defensive' of their defense sector and their military. The government has also acknowledged the importance of civil society in tackling corruption.

An interesting development in the post-revolution period has been the bridge built between military establishment and civil society by retired military officers taking an active role in Tunisia's active civil society, in particular by expanding public knowledge about military affairs, for example through think tanks such as the Tunisian Centre for Global Security Studies.

Whilst the Ministry of Defense itself has worked recently with international and local organizations to address opening the ministry up to increased public engagement, though, it





seems that there is still some way to go before this becomes part of the ministry's way of working.

Alongside developments in the anti-corruption landscape, there are also some encouraging indications that the security and defense sectors are starting to become a focus of institutional reform efforts.

Although the defense sector has not so far been a specific center of focus for anticorruption efforts, it is implicated in the wider government anti-corruption program, and involvement in initiatives such as NATO's Building Integrity program are indicators that this agenda is on the radar of the Ministry of Defense. Another encouraging sign is the development of the Ministry's relationship with the former Parliamentary Defense and Security Committee. This Committee described having focused on establishing a positive culture of oversight, giving recommendations and guidance to contribute to the development of policies and the execution of plans and programs in the domain of security and defense" [14]. They also described holding regular 'listening' sessions with defense and security officials, where they asked questions around military strategy and policy; periodic field visits; partnerships with international organizations; and benefiting from security and defense knowledge of senior retired officials. These are all positive signs of good practice.

Secrecy and limited transparency

Lack of transparency was one of the major weaknesses identified in Tunisia's DOD. In particular limited transparency in budgeting, expenditure, procurement and the process and content of audits. For example, while Tunisia publishes a defense budget, the level of detail is still low and only general information provided, with the tendency toward the overclassification of information on security grounds.

Of course, there will be instances where national security considerations genuinely prevent open and transparency communication with oversight institutions. But international best practice suggests that such instances are likely to be extremely limited, and where they do exist it is perfectly possible to ensure alternative confidential oversight mechanisms. This, however, is a conclusion which is not yet widely accepted in Tunisia.

The risk, is that this defense exceptionalism which is explicitly acknowledged in new anti-corruption legislation may end up creating a 'red line' for oversight of defense, with even non-confidential information kept confidential on the pretext of security. This is a common problem in many countries and can create significant problems for the defense sector. Big budgets, opacity, and complex procurement make the defense sector a magnet for those intent on exploiting the public purse for corrupt ends. The result may be a defense that is exempt from accountability that does not enjoy public trust, and may have neither the personnel nor equipment it needs in a crisis.

Borders and illegal trade

Smuggling across Tunisia's borders with Libya and Algeria is not a new phenomenon, and has long been a significant source of income for local communities. However, with security concerns in recent years, porous borders are creating new security challenges. And although the government is committed to tackling illicit trade as a priority, the heavily security-oriented approach to the border area comes at the cost of increased corruption, as the increases in border controls and move towards the militarization of border areas has not being accompanied with measures promoting the regional development and the reform of both internal security and criminal justice sectors [15]. A World Bank report warned that





tighter controls without any concrete measures to address these issues would risk increasing corruption among state agents and, over time, undermine government control [16].

These corruption risks undermine the aim of addressing the security threats of illicit trade, and ultimately open the country up to increased security risks. Likewise it may tainting the image of one of the few state institutions that still enjoys credibility and popular acceptance.

Following the March 2016 attack in Ben Guerdane, Tunisia's defense strategy against current and future threats from Libya has been largely reactive and geared toward containment. To prevent the free flow of vehicles smuggling contraband The government has built 125- mile "anti-terror barrier" along the border with Libya, including sand banks and water-filled trenches with sophisticated electronic systems, including motion detectors, cameras, ground surveillance radars, and tethered balloons (aerostats) equipped with optical and infrared sensors. The project has been accomplished through funding, donations, and training by the United States Defense Threat Reduction Agency and the German Bundeswehr (armed forces).

The communication challenges therefore are exponentially tied with the complexity of operation. We cannot have commanders or leaders as experts in all domains, but they must exercise their trust in subordinates and in their advice. In the past few years, there has been a rapid proliferation of tools and resources for conducting operations at joint level. While there's no question these tools have helped us to bring our communications approach to a whole new level of sophistication – from gathering and sharing meaningful data and metrics, to engaging our audiences in new and exciting ways – they've also created quite a lot of clutter. The focus at individual level should be, however, not on More tools and instruments, but on Better. This is because we had more tactical activity, more pushing out content on more channels; ever more new technologies and collaboration platforms.

And all those tools and systems, which are feeding the military decision elements, are delivering a huge volume of data which, in a lack of proper procedures and experience, can be easily disregarded or uncorrelated. As example, a battle rhythm at a corps-level headquarters is extended throughout a period of four days, while at joint headquarters level the battle rhythm is extended throughout seven days period.

The commanders communicate via VTC or by phone on a daily matter and the D&G are issued accordingly. But if a working group or a board is planned in a different day, then the information flow might be already broken. For this reason, teams responsible for managing the flow of information and experience between departments are decreasingly centralized departments of specialized skills, and increasingly mission-based teams of experts.

The NATO HQs however have a designated information manager (IM) planner post, who, together with the information and knowledge management office, establish the procedures, the information flow, and contribute to the development of HQ's battle rhythm. Information management is an emerging field responsible with the infrastructure to collect, manage, preserve, store and deliver information. The IM planner provides IM planning and delivery support for a nominated NATO headquarter as part of a Project Team. The IM Planner also supports the analysis of future capabilities to support the communication flow into the HQ and Electronic Working Practices (training the functional area systems, specific systems).

The information and knowledge management office is responsible within the HQ with the creation, sharing, using and managing the knowledge and information of the





designated HQ. It refers to a multidisciplinary approach to achieve HQ main goals by making the best use of his knowledge. The main characteristics are:

- Focus on improved performance, competitive advantage, innovation
- Sharing of lessons identified/learned
- Integration
- Continuous improvement of the organisation.

All those characteristics are overlapping with organisational learning and might be distinguished as a strategic asset encouraging the sharing of knowledge.

4. Recommendations

Corruption is a prominent issue in Tunisia, and there has been considerable progress in recent years in terms of strengthening legislation and structures for anti-corruption. The defense sector, however, has not received sufficient attention. Given the national security challenges Tunisia faces, including terrorism and cross-border smuggling, and rising defense spending in the country, defense governance and anti-corruption should be much higher on the agenda.

Reducing defense exceptionalism in legislation

Legislation should be reviewed on freedom of information and the protection of whistleblowers, to ensure that any exceptions on the grounds of national security are genuinely justified. The new parliament should work with defense and security institutions to define the appropriate levels of classification for national security- related information, and the process to ensure oversight of that information. Genuine security concerns around the release of sensitive information has led to a trend to over-classify, meaning that there is little transparency around budgets and processes within the Ministry of Defense.

In particular, there is an important distinction between transparency in the context of inter-state relations, referring to the voluntary revelation of information (especially relating to defense and security), which may be part of confidence-building measures, and transparency as an aspect of internal governance, referring to the ability of citizens to access relevant information on the activities of government.

There needs to be more clarity around which information needs to be classified and confidential, and which does not, to ensure that oversight functions are able to play their role effectively and to ensure public accountability around spending.

Promoting good governance

In this case, The Tunisia's DOD has taken big steps to ensure good governance in all its activities and, in particular, in the management of allocated budgetary resources, in order to preserve and protect its personnel from corruption.

In this context, the DOD has taken the following measures [17]:

- Creation of a central governance unit;
- Participation in the e-administration program;
- Creation of an access to information unit;

• Assumption of a partnership agreement with the Tunisia's national anti-corruption agency (l'Instance Nationale de Lutte Contre la Corruption, INLUCC) in 2016;

• Conclusion of a partnership agreement with the High Administrative and Financial Control Committee (HCCAF).





Within its national and international environment, the MOD has reinforced the principles of good governance and the development of individual integrity among its staff, using the Following means:

• Revision of the military general status and the specific staff status;

• Development of a code of conduct and ethics for military and civilian;

• Declaration of the resources and acquisitions of the personnel concerned;

- Programming of training and awareness sessions on ethics, good governance and integrity;
 - Elaboration of a good practice guide on the resource's management;
 - Creation of a joint work team with INLUCC;
 - Creation of a joint working team with the HCCAF;

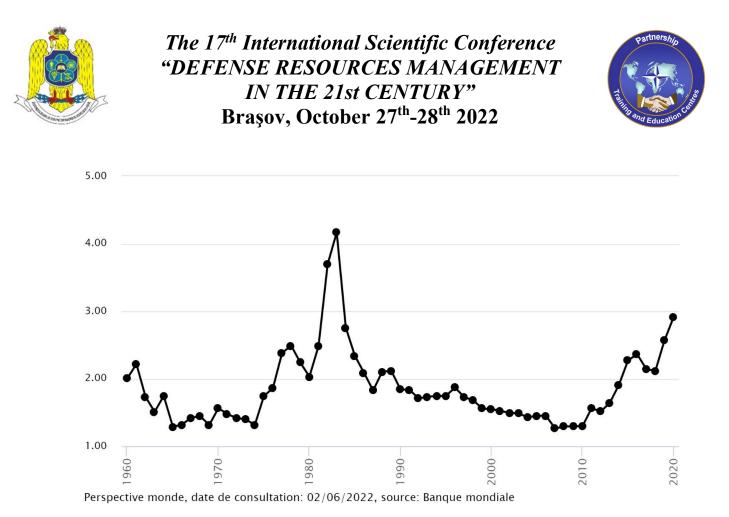
• Animation of seminars on ethics, good governance and integrity in partnership with national organizations and international programs for senior officials and Academies and Schools military;

• Integration of good governance (integrity, accountability, transparency and the fight against corruption) in the study programs of military academies and schools, with focus on delegating responsibility and authority to subordinates and empowering junior officers to make decisions and exercise critical thinking. In this sense, "delegation of authority and responsibility can be highly beneficial for the effectiveness of the organization, as leaders are made (identified, educated, trained and exposed to learning situations). At the same time, delegation of authority is beneficial for development of the personnel, as it exposes them to the challenges of leadership gradually, in a controlled environment, allowing them to gain crucial experience and confidence about their abilities, while at the same time relieving the leader of some of the less essential tasks" [18]. The MOD should take advantage of these procedures by highlighting and realizing and creating other new procedures that push towards the good governance of this institution.

Reforming defense procurement

Corruption in procurement can have serious consequences, both strategically and in terms of wasted resources. Procurement reforms should be introduced to ensure that there is a transparent procurement process with stronger controls in place, and that these are implemented. To reduce the risk of corruption in procurement, all tenders need to be clearly linked to demonstrated need as set out in the national defense strategy and acquisition plan, suppliers should be selected through competitive processes by independent tender boards, and there should be provision for oversight by external bodies.

Tunisian defense spending has been rising (as it is shown in the graph below), it represents 3% of the GDP [19]. With increases in defense spending and a growing profile of military contracts accompanying the government's anti- terrorism strategy, ensuring that procurement is conducted and overseen with integrity is of increasing importance in Tunisia's defense sector.



Measures have been already taken to ensure transparency during the development and execution of public contracts carried out by the DOD, such as:

- Adoption of a budget management approach by objectives;
- Attachment to Tunisia's online public procurement system "TUNEPS";
- Control of the DOD resources management by all the structures responsible for monitoring the public funds management, including the Auditors' Court.

Accountability in defense resource management must include accountability of the budget decision process, to parliament and to citizens; the implementation of expenditure, namely if spending -and especially procurement- are controlled by rigorous procedures and subject to civilian control; and auditing and parliamentary scrutiny of military spending, with improper practices investigated and prosecuted.

Strengthening cooperation with NATO

Tunisia has been actively engaged within the framework of the NATO Science for Peace and Security (SPS) Program since 2001 [20]. The NATO SPS Program enables close collaboration on issues of common interest to enhance the security of NATO and Partner nations by facilitating international efforts to meet emerging security challenges, supporting NATO-led operations and missions, and advancing early warning and forecasting for the prevention of disasters and crises.

Relations between NATO and Tunisia seemed solid and have improved considerably in recent years. In 2014, 20 years after joining the Mediterranean Dialogue program, Tunisia went into a NATO individual partnership and cooperation program focused on priority areas including counter-terrorism and border security, two core concerns of the Tunisian authorities.

On May 21, 2015 US designated Tunisia as a Major Non-NATO Ally, making Tunisia the 16th Major Non-NATO Ally of the United States [21]. This status comes with tangible





privileges including eligibility for training, loans of equipment for cooperative research and development, and Foreign Military Financing for commercial leasing of certain defense articles.

The areas of cooperation with NATO are currently the following:

• Establishing an action plan to support the proper execution within the framework of the NATO Building integrity program,

• Promoting a dynamic of change in the fight against corruption,

• Human resources management, considering the specificity of the defense sector,

• Implementing risk management processes caused by management errors,

• Extending the culture of good governance (transparency, integrity, ethics and accountability);

• Developing training programs in the academies and military schools and organization of targeted seminars.

The Tunisian MOD must further strengthen its cooperation with NATO in order to focus on several priority areas leading to the improvement of transparency and good governance.

6. Conclusion

Going forward, the goal of the Department of National Defense is to apply the abovementioned recommendations, which will promote a keen perception of a new modern setting. Thus, monitoring, verification and evaluation mechanisms and procedures have been put in place and are being refined according to an evolving vision that considers multiple challenges.

This vision is inspired by the major initiatives undertaken by the highest level of command within of the Tunisia's DOD. Core Values that our republican armed forces defend are discipline, respect for the law and neutrality. These achievements are conducive to the establishment of a healthy and creative environment, consistent to the mandatory principles of good governance and corruption fight throughout all of these lines of work.

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