

كسر القوالب Breaking the mold

#Breaking_The_Mold

Civil Society Actors Influence Policy-Making in the Arab World

Country: **Tunisia**

Tunisia Case Studies

First: Economic and Social Rights: Public Services and Social Protection

| Mohammed Sahbi Al-Khalfawi & Nissaf Brahmi |

BACKGROUND OF THE CASE

Public lands are the lands of which their property was returned to the Tunisian state after independence, and before that, they were the property of the French colonialist. Among today's problems is that individuals owned many of these lands before they were seized during the colonialization, which turned them into a dispute between the state and those who claim their ownership. Hence, in this context, falls the conflict between the state and the people of the Jemna region.

Jemna is a small village in the town of Kebili in southern Tunisia, and its name indicates the palm oasis in the village. The roots of the experience of "Jemna Oasis" go back to January 12, 2011, when amid popular movements against the regime of the former President, Zine El Abidine Ben Ali, the village's residents took control of the oasis, thus putting an end to the state's exploitation of their land that was dispossessed of them by colonialization and restored by the Tunisian state, to lease it later in exchange for a cheap allowance for people close to the regime. The previous regime granted the right to benefit from the village's lands illegally to some powerful local people, the majority of whom are friends or relatives of the President and his family, in exchange for fees that do not exceed a quarter dollar for each palm tree. In contrast, one palm tree's return is an average of one hundred dollars (Ayman Zamali, on an argument about Jemna Oasis).

CHRONOLOGY

Jemna's people restored the land during the protest movements in Tunisia in 2011, and as a result, the "The Association for the Protection of Jemna's Oasis" was established in 2012; therefore, it became the official representative of the people, and it organizes work in the oasis through their consultations. Association's president, Al-Taher Tahri, says that "After the collective restoration process, two ideas were proposed: the first one aims at dividing the land among the citizens who took parts of it, but the second aims at preserving the unity of the land and collectively owning it for all the people of the region. And after a long debate, the majority adopted the second idea. Hence, the Committee for the Protection of Jemna's Oasis was established, an extension of the Committee for the Protection of the Revolution that was automatically established during the revolutionary movement. Furthermore, during a popular meeting, six members were chosen for the steering committee, and this association was registered according to the Official Gazette on March 20, 2012" (Interview with the president of the Association for the Protection of Jemna's Oasis, Taher Al-Taheri).

The government's legal crisis erupted after the presidential and legislative elections in 2014, as the Ministry of State Properties and Real Estate Affairs considered that the association was proceeding independently of state-owned property and that all its actions are null.

From September to October 2016, the Ministry of State Properties and Real Estate Affairs decided to confiscate the annual crop and prevent the public sale of the date crop, which is known as “the public tender”, according to a ruling issued by the Summary Court, which the association addressed by postponing the sale date till after a large popular meeting that brought together the village’s residents and the association’s supporters.

A national campaign was launched to support the association, accompanied by protests in the capital outside the headquarters of the Ministry of State Properties and Real Estate Affairs, and a “public tender” was conducted, in October and November 2016, with the support of jurists and politicians. As a result, the ministry demanded to return the profits and froze the bank account of the association that protested with the village’s people again the decision of freezing.

In late 2016, the file was withdrawn from the manager’s duties of the public lands, Mabrouk Korchid. It was transferred to the Minister of Agriculture, as Korchid was no longer acceptable as a negotiator due to his intense rhetoric and obstinacy. This step lessened the tension, especially that the Minister of Agriculture was affiliated with the left-wing, and negotiations between the ministry and the association continued for months. On July 13, 2017, the Court of Appeal vacated the decision to freeze the account. In 2018 in which the crop’s sale occurred on September 23, many merchants and residents of the region attended the “tender”, and its revenues reached almost one million 700 thousand dinars.

SUPPORTING AND OPPOSING ARGUMENTS

The government opposed this experiment aggressively and sought to abolish it. As a result of this behavior, it shed light on it and turned it into a public opinion issue, given that it was discussed in the Parliament. Many Members of Parliament, especially those belonging to the left-wing parties, defended the experience and even attended the auction of selling dates production for 2016, which was an event that occupied people and officials. On the other hand, the Ministry of State Properties considered, in a statement, that “the sale of dates production in the oases of Jemna in southern Tunisia violates the law,” and threatened “to take measures that are authorized by the law to prosecute those who acted unlawfully in the public domain, whether by selling or buying (Tunisian Jemna’s oasis’s crisis, the state versus society, Al Jazeera Center for Studies)

In addition, the General Director of the International Agricultural Land Restructuring Office, Mr. Ali Al-Adouni, considered that “the two agricultural estates, known as Henshir al-Muammar and Al-Salihiya, are owned by the Tunisian state, and particularly to the state’s private property, according to the state’s records. Since the state sought legal and judicial measures to repel illegal behaviors, this act comes within the framework of the government’s keenness to fulfill its duty to defend national property and the rights of the national community” (Interview with the president of the Association for the Protection of Jemna’s Oasis, Taher Al-Taheri).

As for the president of the Association for the Protection of Jemna’s Oasis, it is not the state’s property but rather of the residents who are its original owners. In his statement, he said, “in 2004, we obtained an adjudication that stipulated the refusal to renew and register a part of the land belonging to the oasis in the interest of the state. Also, Chapter 28 of the 1964 Law on Socialist Lands (with joint ownership or communal lands) stipulates that no land, designated as public, can be owned or ratified for the state’s benefit. Therefore, we do not consider the Jemna Oasis as the state’s property, but the French colonialists dispossessed it from its original owners. In 1964, we paid 40,000 dinars to return the



oasis to its owners. However, the state took the money from us and then transferred the oasis for Steel Company in 1974 by leasing a hectare with only one Tunisian dinar. In 2002, when the Steel Company declared bankruptcy, we were surprised once again by leasing it to two investors from the private sector; the first one exploited 11 hectares for 9 thousand dinars per year, and the second one exploited 74 hectares for 9 thousand dinars per year, which means that the state allowed the exploitation of one palm tree for only 800 millimes. Therefore, we considered this deal to be corrupt”. (Interview with Ali Al-Adouni, General Director of the International Agricultural Land Restructuring Office).

DEFINING MOMENT

The period between October and November witnessed a defining moment in the course of the conflict waged by the citizens of Jemna, as the date crop was sold under people’s protection and in the presence of a delegation of jurists, politicians, Members of Parliament, artists and activists, which provoked the government, especially after it issued a decision obliging the association to cancel the sale.

Coinciding with the beginning of the date harvest season, the crisis reached its full extent after the state intervened to prevent the oasis crop sale. Jemna’s residents defied the decision and sold the crop to a merchant from the region. The state responded then by freezing the bank balances of both the Association for the Protection of Jemna’s Oasis and the buyer. The government did not rely on its direct war but rather resorted to other methods, such as “demonizing campaigns launched by media outlets close to the ruling coalition, and the judicial movement against the association and its president, Taher Al-Taheri, who is considered the most prominent figure in the experience of Jemna Oasis, and who is a unionist and former high school teacher, and threatening to resort to violence to implement the decisions of the minister and the judiciary. The authority also adopted a smart tactic to isolate the experience of the oasis of Jemna by reaching solutions with other small oases in the region that would follow the same path (Karem Yahya, Jemna, a mutual experience at the crossroads, the civilized dialogue).

THE ROLE OF CIVIL SOCIETY ACTORS AND COPING STRATEGIES

The Association for the Protection of Jemna's Oasis was supported and embraced by the people. It played the main role in this unique experience, as the authority to exploit agricultural land was transferred from the private capital to the association. The latter was able to change the way profits are disposed of radically. In the past, incomes used to target the beneficiaries and their personal interests without the village having the benefits of its land. While this association served the public interest and contributed to the construction of Jemna, that, like other dozens of cities and villages, the development's plans of successive governments remained ignored.

The experience at its beginning witnessed some hard challenges, especially that the Association for the Protection of Jemna's Oasis did not have the financial resources to finance production. Hence, according to Al-Taheri, they resorted to borrowing from water associations and date merchants "amounts that reached almost 142 thousand dinars. Jemna's residents also organized a campaign donation that collected almost 34 thousand dinars, all of which aimed at reforming the land, rehabilitating irrigation canals and purchasing the necessary equipment and supplies". (Nouredine Alaoui, Jemna, an experience in the participatory social economy from Tunisia, Al-Rai Newspaper).

One of the most crucial strengths of the association is the participatory characteristic in making important decisions, according to Al-Taheri, as he says: "We hold public meetings with residents and consult them on our projects, but sometimes we accomplish what we consider important without taking them into consideration, for building a hall in a school or a date market, fixing a road or building an active stadium that benefits everyone". (An interview with Taher Al-Taheri, president of the Association for the Protection of Jemna's Oasis). While he points out that the most prominent weaknesses of the experience lie in the lack of participation of women who were absent from public meetings in which decisions are made regarding the oasis and its revenues, and their shy presence was limited at times of selling the crop.

In addition, the strategies for coping with the government are represented in the mass and media mobilization, and prominent and supportive political figures were standing before resorting in a second phase to negotiations with government representatives to find a solution to the issue.

The village's residents achieved victory in terms of their rights and provided protection and support for the association that expresses them, which was a decisive factor in the experiment's success. According to Al-Tahiri, "the residents are adhering to the village more than ever because they know its beneficial return for them. There is no room for an investor to return to it. Almost 120 families depend on it to live, and they say that it cannot be abandoned. The absolute majority is satisfied with the committee's work, and they consider the village to be the property of their ancestors, who they took it back. It is public property" (interview with Taher Al-Taheri, president of the Association for the Protection of Jemna's Oasis).

CAMPAIGN'S SUCCESS

After the restoration of the land, the Civil Society for the Association for the Protection of Jemna's Oasis was established in 2012 to manage these lands; it organized working groups in the oasis. The results were impressive indeed. With the stabilization of the situation, incomes became distributed among the wages of workers, whose "numbers increased from 40 workers in 2011 to 133 permanent workers and 134 casual workers in 2016" (Muhammad Samih Baji, the experience of the Association for the Protection of Jemna's Oasis in numbers, Nawat Newspaper).

One of the association's priorities was to develop the village and provide a minimum level of services. The real start was in the third year of the experiment, with more palm trees being planted in the oasis and caring for the land. Attention was then directed to developing the village and filling the lacks in all economic, cultural, social, health, and even sports fields.

The association also looked after the education. The amounts allocated to improve educational facilities, such as the secondary institute, the primary school, the Regional Administration for Education, the Agricultural Training Center, and the Center for Mentally Minors, exceeded almost 524 thousand dinars. While the total amounts directed to support the health sector were nearly 109 thousand dinars and were spent on improving the clinic and acquiring an ambulance and a machine to detect breast cancer". (Muhammad Samih Baji, the experience of the Association for the Protection of Jemna's Oasis in numbers, Nawat Newspaper).

In the cultural field, aid was distributed to various associations and festivals active in this field to intensify and support cultural activities, with a total value of almost 43 thousand dinars.

The covered municipal market is considered the most important project established by the Protection of Jemna's Oasis. It should also be noted that public meetings were held to propose projects and vote on them with the villagers' participation.

These accomplishments in themselves are necessary because they reflect the direction the crop proceeds of the dates' oasis for the public interest and meet citizens' needs. The most important victory is related to the state's position regarding this solidarity economic model and its recognition.

Furthermore, the experience is still alive, and negotiations are ongoing. Simultaneously, Jemna's residents are attached to the experience to protect it and are not ready to misuse their land that they have retrieved after a long time.

Some considered that we are facing the first experience of "popular nationalization" in Tunisia, "in which the power to exploit agricultural land was transferred from the private capital to the society, that is, people who are the actual owners of the land, thanks to which the income from profits were transferred to a few wealthy people and turned into projects to improve the common people's life". (Muhammad Rami Abd al-Mawla, after the Jemna Oasis experience in Tunisia, Al-Safir Al-Arabi Newspaper).

CIVIL SOCIETY'S INFLUENCE ON THE RELEVANT POLICY

The mechanism adopted by the Association for the Protection of Jemna's Oasis proved in number the extent of the real benefit of the earth's resources. It revealed the extent of corruption in the Ministry of State Properties that is exploited by a minority that shares power and wealth and manages the country's wealth and capabilities according to laws formulated to serve this minority and its interests without any consideration for the residents of these marginalized lands. Its uniqueness is also represented in the daily management method dominated by volunteerism and in directing the returns to beneficial public issues for the village.

Despite the success of the experiment, the government is still insisting on retrieving the lands, and this is what Ali Al-Adouni stated, pointing out that "returning the public property to the state's authority does not mean misappropriating it, but rather re-employing it for the good of the public interest and within a participatory approach with farmers within a national vision's framework aimed at preserving and valuing the public domain, and we affirm that past experiences are not an argument for the future". (Interview with Ali Al-Adouni)

The infection of the unique experience in Jemna spread to several villages in northern Tunisia. Still, the state acted decisively and retrieved the lands, which may cause other conflicts that the state faces with the people of the agricultural lands it owns.

There is no doubt that the experience of the Jemna Oasis is unprecedented in Tunisia, and became close to the concept of solidarity and participatory economy, in which the village's residents exploited lands on which they live and which the state claims to own, shared its profits and distributed them in development projects in their village. They achieved development in the region that the state had not been able to accomplish for decades.

CONCLUSION

The experiment's success, its uniqueness, and the citizens' benefit from their land's resources mean its spread. The possibility of being harmonized with the rest of the public lands that are estimated at almost a million hectares is still neglected or granted to private investors who have turned most of them into neglected grasslands. Simultaneously, the people next to them feel sorrow for the wasted public money they do not have access to.



Tunisia Case Studies

The Role of the Tunisian General Labor Union in Calling for a Wage Increase in 2018

| Mohammed Sahbi Al-Khalfawi |

Since it was established in 1946, the Tunisian General Labor Union has played a fundamental role in the various phases that the country has witnessed and has contributed to build the newly independent state since 1956, and along with the Constitutional Party, it has represented the two most important pillars on which the state was founded. The union entered into multiple confrontations with the various Tunisian governments, most of which ended with arrests and trials for union leadership and the confronting governments' fall. This event played a centralized role in the popular uprising that ended up with the fall of Zine El Abidine Ben Ali's regime in January 2011. The union also contributed to various political processes that followed this event. The union centralization reached its peak when it led¹, along with three other organizations, to overcome an acute and dangerous political crisis in 2013, according to which these organizations won the Nobel Peace Prize in 2015.

A BACKGROUND ON THE UNION'S ROLE IN THE WAGE INCREASE NEGOTIATIONS

Since the mid-1970s, the government of the former Prime Minister, Hédi Nour, has established tripartite social negotiations with the Tunisian General Labor Union, which are held periodically every year or two. The first negotiations bring together the Labor Union with the Tunisian Union of Industry and Trade (the employers' union) under the government's supervision and decide wage increases for the private sector. However, the second negotiations, or what is known as public sector negotiations, decide increases allocated to those affiliated with the industrial and commercial governmental institutions, as the third negotiations work on wage increases for state employees, and they are known as the public function negotiations. The second and third negotiations bring together the government and the Labor Union. It is usually concluded in the minutes of an agreement signed by the Prime Minister (the head of government since 2012) with the Labor Union Secretary-General.

In September 2018, the Labor Union and the Customary Union concluded an agreement that granted private-sector workers a 6.5% wage increase, as the same year witnessed a disruption of social negotiations related to the public sector and the public function. Despite all the agreements that Youssef Chahed's government concluded with the Labor Union, and that stipulates the launch of a new round of social negotiations, they were not implemented for two reasons: the government's refusal to hold a negotiating meeting or the failure of the round of negotiations due to the parties' rejection of the other's conditions.

On the other hand, on May 13, 2016, the Tunisian government signed a conditional financial support program with the International Monetary Fund, for \$ 2.8 billion to be spent over 4 years. And one of its terms is implementing a new development program, fighting the informal economy, which is estimated at almost 52% of the internal market (Adnan Karima, Tunisia and the risks of the parallel economy), and public expenditures rationalization by exerting pressure on the wage mass and the state's withdrawal from competitive sectors.

SOME FIGURES

The Tunisian state's budget in 2019 is estimated at 40 billion dinars (13.5 billion dollars), including 16 billion dinars to pay wages (Tunisian Ministry of Finance). The Tunisian government estimates the budget deficit at almost 4.9% of the GDP, which amounts to 5.2 billion dinars. The number of civil servants in Tunisia is nearly 800,000, including 650,000 people in the public function, compared to almost 11.5 million Tunisians. It is noteworthy that the successive governments have not provided an official figure for the number of people affiliated with the public function; therefore, all the submitted figures are based on economists or former ministers' estimates. In addition, the inflation rate in December 2011 was almost 7.5%. The unemployment rate was 15%, according to the National Institute of Statistics, as the Consumer Defense Organization estimates that the Tunisian purchasing power declined by almost 40% over the past five years.

SUPPORTED ARGUMENTS

The Tunisian General Labor Union considers that its insistence on the wage increase stems from the deterioration of the Tunisian purchasing power in general and those seeking it in particular. It also calls for an increase equal to the rate of inflation, i.e., 7.5%. In response to its critics who state that the Labor Union does not understand the "dangerous" situation in which the public finances are facing, its spokesmen refer to:

- Reducing the budget deficit is not supposed to be at the expense of the wages of public functionaries, but rather with the government's involvement in combating smuggling and ensuring the tax collection, especially in light of the high rate of tax evasion and the enjoyment of liberal professions (lawyers, doctors and engineers particularly) with privileges that the Union considers unjustified.
- The difficulty of the general economic situation in Tunisia is partly due to the loss of the Tunisian dinar a third of its value during 2018, as a result of a government decision to reduce the injection of foreign currencies into the financial market to preserve the foreign currency reserves at the Central Bank and allocate it to export subsidy. The union considers this decision to be in vain for the Tunisian exports have not improved; rather, this decision had a disastrous impact on the trade deficit that reached at the end of the fourth quarter of 2018 almost 16 billion dinars.
- The Labor Union criticizes the government for its reluctance to combat the trade deficit, calling on it to impose taxes on imports other than basic goods considered luxury products. On the other hand, the government continued to provide tax concession to owners of auto import establishments, large commercial spaces and franchisees' owners. Facing these decisions, the union considers that its intransigence in defending the wage increase is a natural reaction to the facilities enjoyed by capitals' owners.

In conclusion, the Labor Union believes that the Tunisian government's decision to exert pressure on the wage bloc is external due to the International Monetary Fund's demands. The matter developed. The official spokesperson of the union, Sami Al-Taheri, accused the government of "treason" seeking the approval of the "global imperialist" forces to facilitate their participation in the presidential and legislative elections in 2019.

¹ Tunisian Union of Industry, Trade and Handicrafts, Tunisian Order of Lawyers and Tunisian Human Rights League



In contrast to the Tunisian General Labor Union's position, the government presents an alternative view of the economic and social situation and states that:

- The wage increase will not improve the Tunisian purchasing power facing the difficulties that the Tunisian economy is going through and mainly is represented in the disruption of the production process. The wage increase that is not based on an increase in production will also increase the inflation rate.
- The government justifies the various measures it has adopted in favor of capital with the need to stimulate investment to combat the high unemployment rate, especially that the state is unable to play the role of employer for the unemployed; hence, the only possible option is encouraging investors to create new job opportunities.
- The decline in the Tunisian dinar's value was inevitable and imposed by the decrease in foreign currency reserves that is only enough for 71 days of import, which is a level that Tunisia has not reached since the dangerous crisis in the mid 1980-s.
- The government's commitment to implementing the agreement's terms with the International Monetary Fund enables it to borrow at low-interest rates. In the opposite case, it will be forced to resort to the financial markets and borrow at interest rates not less than 7 and %8.
- In terms of borrowing, its main reason is the budget deficit. Still, the Tunisian state may find itself unable to secure its obligations towards creditors or pay employees' salaries.
- The Tunisian government considers that it faces the unavoidability of saving the public finances from deterioration and avoiding the Greek example that may ultimately lead the country to adopt economic measures that threaten social peace.

COPING STRATEGIES

The threat of a general strike in the country is considered the most crucial negotiating weapon of the Tunisian General Labor Union. The union carried out the first general strike in Tunisia on January 26, 1976, later known as Black Thursday, as it led to the killing and arrest of many trade unionists and the Hédi Nour's fall government. The union called for a second general strike on January 14, 2011, which ended with the former President, Zine El Abidine Ben Ali, leaving the country. As for the third general

strike, it was on February 8, 2013, on the occasion of the funeral of Chokri Belaïd, and ended with the resignation of the government of Hamadi Jebali.

Hence, the Labor Union's threat to carry out a general strike has great symbolism and is considered the essential negotiating weapon that trade unionists possess.

The Union gradually used this paper and announced two separate strikes in the public sector and public function on October 24 and November 22, 2018. As a result, the two parties agreed on October 22, 2018, which stipulated the programming of additional wage increase and the government's commitment not to neglect public sector institutions and its pledge to maintain its financial contributions to them without any decrease; accordingly, the first strike was canceled. As for the public function, the government did not submit any proposal, which led the union to organize a strike, which 90% of the public functionaries committed to, but the government refused to change its position on raising wages. As a result, the union announced a general strike in the public sector and public functions on January 17, 2019. The President of the Republic, Caid Essebsi, then quickly held a meeting and invited the leaders of the parliamentary parties supporting the government, the Secretary-General of the Tunisian General Labor Union, the President of the Tunisian Union for Industry and Commerce, the Prime Minister and the Speaker of the Parliament. He also delivered a speech in which he warned all attendees of the general strike risks; hence, the Labor Union and the government returned to the negotiations. During the first week of 2019, they announced significant progress in the negotiations before being suspended by the union on January 8th.

The Union has adopted two basic mechanisms in the various phases of negotiations with the government, namely: Maintaining a high degree of readiness at the level of its central, regional and sectoral leaderships, in anticipation of any popular movement decided by its leadership, by holding huge regular workers' gatherings in various regions of the country, and relying on the group of economic, social and legal experts that includes the union's studies and documentation center.

On the other hand, it does not seem that the government shed light on the importance to influence public opinion, except for the intervention of some ministers in the media to talk about the understanding of the government and its prime minister regarding the complex social situation and the legitimacy of the demands of the union while renewing the call for dialogue.

CONCLUSION

The Tunisian General Labor Union carried out a general strike in the public function and the public sector on January 17, 2019, and threatened another two-day strike a month later. Concerning the negotiations, the prime minister, Youssef Chahed, and the Secretary-General of the Labor Union, Nouredine Al-Taboubi, managed to sign the minutes of an agreement to increase the wages of public functionaries against the union abandoning its demand to apply the increase retroactively, including the year 2018 (the minutes of the agreement, Shams FM Radio website).

Second: Environmental Rights

The Case of Shale Gas Extraction in Tunisia

| Nissaf Brahmi |

BACKGROUND OF THE CASE

The schist gas exploration in Tunisia, also known as shale gas, actually began in 2008, and the upstream industry was started in early 2010 by the Canadian company, Perenco. It is noteworthy that Canada is considered one of the countries instead of exploring this type of gas on its soil. Still, its company was the first to be granted a license to explore schist gas in Tunisia before the Ministry of Industry decided in 2012 to grant a license to Shell in the state of Kairouan in the country's west-center.

Wherefore, the issue of shale gas extraction did not emerge as a post-revolution result. Still, the occurring change lies in the seriousness of discussing the risks of these extractive activities regarding the environment, the underground wealth, water resources and agricultural lands in the targeted areas and their vicinity.

The issue of the schist gas and petroleum extraction has led to a great controversy among many of the various civil society's components in Tunisia, especially in light of the frequent information and affirmations about the attribution of exploration licenses to the foreign companies that have been prevented from exploring in their countries due to the laws based on experts' warnings of environmental and natural damage resulting from the extraction of schist.

CHRONOLOGY

In 2012, the Ministry of Industry decided to grant a license to the French Shell company to explore schist gas in Kairouan, which was accompanied by the beginning of the civil society's movement in protest and rejection of the decision to extract shale gas. (Muhammad Samih al-Baji, schist gas in Tunisia - has Mahdi Jumaa exceeded his competencies, Nawaat website).

At the time, the Ennahda government revoked this decision, or rather disregarded it temporarily, until political disputes and governance issues in the next phase were resolved. That period was marked by the frequent terrorist acts and the coalition of all civil and political forces opposing the ruling Islamic Renaissance Movement and accusing it of being involved in these acts, which led the government to disregard the issue of shale gas extraction at the time, especially after many civil society's movements in the capital, Tunis, and in many other areas, such as the movement of the residents of the "Awlad Naseer" area in the governorate of Kairouan.

In September and October 2014, the Prime Minister of the Interim Government announced that his government was proceeding with the extraction and exploration of schist gas and that he had given the green light to fulfill the necessary studies about the possibility of exploiting this underground wealth despite the protests and campaigns led by local associations, especially in Kairouan governorate, as well as warnings of energy experts regarding the risks arising from the extraction process.

At the end of 2014, elections and then terrorist incidents took over the scene, which led to a decline in public and media interest in extracting schist gas in Tunisia. However, the economic crisis that was worsening day by day prompted successive governments to re-raise this issue, "when shale gas turned into a golden egg that will save the country from its deteriorating economic situation, according to what the official authorities are promoting." (Muhammad Samih al-Baji, shale gas in the Maghreb between the insistence of governments and the rejection of civil society, Nawaat website).

Moreover, the Ministry of Industry announced later that experts from Tunisia and Canada had been assigned to conduct a study on the feasibility of exploiting schist gas in the country, provided that its results would be published in 2019, and that it would include adequate answers and data on aspects related to gas extraction and exploitation and the implications of extracting it on the economic and environmental level.

SUPPORTING AND OPPOSING ARGUMENTS

According to the indications provided by the Tunisian Ministry of Energy and a report issued by the African Development Bank, a significant stockpile of schist gas and oil exist in Tunisia; opinions regarding this issue were divided between those who encourage its exploitation to ensure the incomes that the country needs in light of its economic crisis to achieve self-sufficiency in energy resources, and those who warned against granting exploration licenses to foreign companies and the start of gas extraction due to the natural and environmental risks that may affect the country, as well as the legitimacy of similar decisions taken by a caretaker government.

Foremost, the environmental hazards resulting from the extraction of schist gas focus on the following:

- Pressure on the primarily limited water resources: quantities ranging from 4 to 28 thousand cubic meters are used during the fracking, which exceeds what was used in similar processes in traditional fields due to the multiple cracks to extract shale oil.
- Water resources pollution: Toxic chemicals used in fracking waters leaked into the water resources and contaminated them.
- Pollution of the surface with reject and produced water and chemicals: part of the pumped water returns to the surface after the fracturing. The wells then produce a high-salinity water with the gas that carries the materials that had mixed with fracturing water and are contaminated with hydrocarbons.
- Air Pollution: Gas is produced from wells and treated in facilities on the field. It is separated from water, condensates and liquefied petroleum gases and transported in tubes or trucks. These processes and fracking water pumping machines that run on fuels emit toxic gases.
- Increased seismicity due to re-pumping of production water: Some researchers are suspicious that the increase of small earthquakes recorded in some areas results from fracking or injecting the produced water into the ground for disposal similar to traditional fields. (Ammar Al-Jallasi, the shale gas case, Nawaat website).

Moreover, Khouloud Tlili, the president of the Alternative Network of Tunisia Youth Association that focuses on the environment, considered that “the utmost major risks that await Tunisia in the future in the event of the implementation of the project for extracting the schist, and the environmental disasters it may cause, are water pollution and water scarce, whereas the country becomes threatened by thirst and land the agricultural lands that are not suitable for agriculture”, asserting that “these projects were banned in European countries, and that both France and Canada withdrew the relevant licenses related to the protection of their citizens’ health and conservation of the aquifer against depletion and contamination with toxic chemicals”. (An interview with Khouloud Tlili, president of the Alternative Network for Tunis Youth Association).

Secondly, the opponents of the exploration and extraction of the schist gas considered that a similar decision and assuming the responsibility of this dangerousness “requires a minimum level of legitimacy represented by an elected government emanating from a popular choice, as well as the importance of launching a real and serious national dialogue that includes all the relevant parties, including political parties, experts and civil society’s associations, for this project is considered a strategic step related to the next generations’ future, and it is invalid for any party or individual to control the responsibility of making a unilateral decision in it exclusively. (Muhammad Samih al-Baji, the schist gas in Tunisia - Has Mahdi Jumaa exceeded his competencies, Nawaat website).

On the other hand, the supporters of the decision to extract the schist gas believe that through these new projects, Tunisia is counting on the deficiency payment in the fuel balance due to the decline in domestic production of oil and gas, and the impact of this shortfall on the trade balance, thus the collapsing Tunisian economy.

In addition, some asserted that “there is no real alternative to schist gas, and that what is said about its environmental risks is exaggerated, as well as the fact that the traditional gas extraction industry covers the same risks, and its presence in higher degrees in other industries such as phosphates, diatomite and cement, through reducing risks by subjecting the drilling, fracturing and production activity to regulatory laws, scientific standards and monitoring of the National Agency for Environmental Protection. There is no doubt that civil society and environmental conservation associations have a role in this issue, but by presenting proposals, ideas and practical alternatives, and not by the desperate rejection of the development programs that we are in dire need of”. (Qais Al-Arqoubi, Schist gas and petroleum in Tunisia, New Media website).

Supporters of the campaign also defended their position on the necessity of establishing energy efficiency programs aiming at diversifying energy sources through greater exploitation of renewable energies, particularly solar and wind energy, and rationalizing energy consumption.

During a discussion with the Director of Projects at the Tunisian National Oil Company, Yassin Mestiri, he affirmed that “among the available alternatives to the depletion of oil and gas in Tunisia, schist gas and petroleum come to light, and their presence is limited to what is known as the source rock, and its extraction requires the use of water, sand, chemicals or non-hazardous salts for rock fragmentation, the extraction and the exploitation of the compressed material. The specialized authorities are working on conducting a study enabling the control of all environmental and geological safety standards for the extraction of gas and oil for schist, especially since our country is working today on advanced and developed legislation to protect the environment and natural resources, particularly water, he asserted (Interview with Mr. Yassin Mestiri, Director of Projects at Tunisian National Oil Company).

CAMPAIGN'S DEFINING MOMENT

In 2014, the election and later the terrorist incidents dominated the scene, particularly after the Bardo Museum was raided. Many foreign tourists were shot in March 2015, which led to a decline in the public and media interest in extracting the schist gas and the calls of civil societies and organizations interested in this issue diminished.

THE ROLE OF CIVIL SOCIETY AND COPING STRATEGIES

The decision to allow foreign companies to explore and extract schist gas in Tunisia came into conflict with strong opposition from several human rights and social organizations. More than 10 associations signed a memorandum calling on the government to assume its responsibilities in preserving environmental safety and not being drifted by the international institutions that aim to exploit Tunisian stocks of the schist gas.

Civil society did not stand idly against the government’s decision, as civil society passed the phase of directing criticism and went to the streets to engage in direct confrontations and stop the decision to start exploration operations with foreign petroleum companies, most notably Shell International.

In this context, environmental activists launched a campaign in 2012 against the extraction of schist gas from Tunisia, in which they warned of the environmental and health risks of extracting it and justified their position stating that this issue would lead to the depletion and contamination of groundwater, and would cause cancer (A dialogue with the General Director of Energy Ministry on the Tunisian Patriot on legislative frameworks for the exploitation of shale gas in Tunisia).

These associations organized protests in front of the Ministry of Industry to express their rejection of this decision. The movements were intense and included the areas concerned with exploring, i.e., Kairouan and Tataouine, and the capital, Tunis. It was covered by the media that allowed for it some sections within the dialogue programs to explain the widely circulated topic without its features being clear to the general public.

This contributed to spread awareness among people about the risks of extracting this type of gas on the environment and the land. On the other hand, the government has mobilized pro-government media channels to emphasize the economic benefits of extracting the schist and solve the energy shortage.

In addition, these associations were supported by some Members of Parliament, and a member of the Energy Committee in Parliament, Ziyad Al-Akhdar, stated that the exploitation of the schist gas or not requires a national dialogue with the parliament’s approval, which gives it the power to monitor the exploitation of natural resources. He also stressed that Parliament would not allow any energy projects that do not preserve future generations’ right to a healthy environment (Farah Selim, Tunisia is waiting for the exploitation of shale gas, the new Arab).

For their part, several associations from southern Tunisia issued a statement in 2017, calling on the Tunisian government to “assume its full responsibility in the event of granting licenses to foreign companies to explore for shale gas without taking into account the environmental and health risks, especially after Tunisia received requests from foreign companies, most notably, the American company “Anadarko”, to search for shale gas in the south of the country.

CAMPAIGN SUCCESS

Some factors contributed to the campaign's fading, most notably the terrorist acts that Tunisia witnessed between 2014 and 2015. Tunisia today is awaiting the results of the first government study on the feasibility of exploration and extraction of schist and the injection of investments in the sector; thus it leads to the national debate on the exploitation of two fields in the southeast of the country in Ghadames in the governorate of Tataouine in the southwest and the province of Kairouan in the center-west. Hence, the civil society campaign is considered an interim success, but its impact today is fading on officials' decisions in the Ministry of Energy.

In this context, Khouloud Al-Talili considers that the campaign has succeeded in imposing the postponement of schist gas extraction until after the issuance of the study conducted by the Ministry of Energy, which will address the environmental risks of extracting this type of energy. She stressed the need for "the investing company to provide adequate guarantees that no risks exist on the environment and agriculture." And she pointed out that "the General Petrochemical Federation is not against the extraction of this type of gas due to the positive effects it will lead to revive the national economy" (Interview with Khouloud Al-Talili, President of the Association Alternative Network for Tunisia Youth). According to the General Director of Strategies and Vigilance at the Ministry of Energy, Mines and Renewable Energies, Muhammad Ali Khalil, the ministry has not yet included the use or extraction of shale gas in its 2030 energy strategy, as the finalization of this issue depends on the results of the government study that will be revealed next year (Interview with Khouloud Al-Talili).

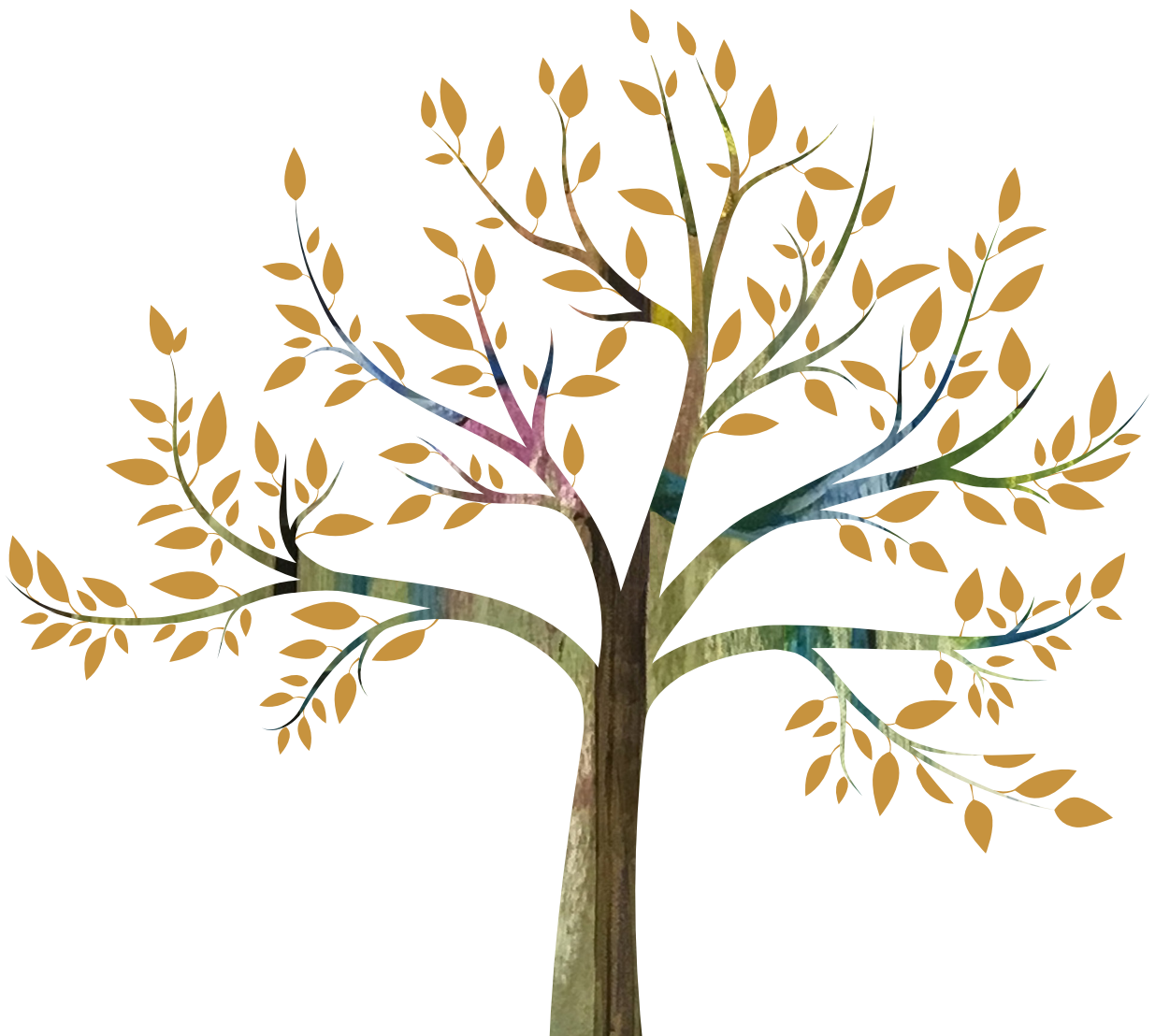
CIVIL SOCIETY'S INFLUENCE ON THE RELEVANT POLICY

After the Prime Minister decided to allow, foreign companies to explore and extract schist gas, civil society associations and environmental activists organized a demonstration on October 9, 2012, in front of the Parliament to express their opposition to any project in this field. They also relied on the new Constitution that explicitly stipulated future generations' rights to natural wealth and a healthy environment (Chapters 13 and 129).

The impact of civil society was limited to the Tunisian government's decision to extract schist gas, to encourage public opinion to discuss the issue, which helped in understanding its risks to the environment, land and underground wealth, and allowed experts in the field of energy to intervene and clarify the matter. However, the role of environmental associations opposing the decision retreated after the voices of those interested in the issue faded, and the government's decision to conduct a study determining the volume of unconventional fuels throughout Tunisia (gas and shale oil), and knowing the potential effects of its extraction on the environment and the ocean.

CONCLUSION

In terms of the decision related to the issue of schist gas, it is necessary to study the various aspects of the project and the available alternatives. It would be feasible if the refusers presented a set of scientific reasons and environmental risks that may arise from the extraction of this gas, as well as the energy officials presenting production forecasts, the extraction cost and Tunisia's share of the revenues, in addition to the economists presenting a precise evaluation of its effects on the economy and employment, and the experts identifying health, safety and environmental risks resulting from it.



Third: Women's Rights

Equal inheritance in Tunisia

| Nissaf Brahmi |

BACKGROUND ON THE CASE

The endorsement of equal inheritance in Tunisia in 2018 was not a goal itself, but rather a chapter of a long path in achieving the gender equality stipulated in the Constitution of 2014. This endorsement came 62 years after the enactment of the Personal Status Code that granted the Tunisian women a range of rights and freedoms, as in 1956, Tunisian law prohibited polygamy and granted women the right to divorce their husbands, choose their spouse, grant citizenship to their children, and equality in work and political life.

In fact, the new constitution granted women full equality with men. It allowed feminist organizations and female and male activists to implement this constitutional principle in reality through laws and implementing texts. However, equal inheritance remained an undisclosed issue, despite the revolutionary reforms that Tunisia enacted in favor of women, the last of which was allowing them to marry non-Muslims.

After the fall of the Zine El Abidine Ben Ali regime in 2011, Tunisian women fought for more freedoms, and civil society associations filed a lawsuit to annul Article 73 that prohibits Muslim women from marrying non-Muslims, which was achieved in August 2017. In fact, The Personal Status Code did not stipulate that the marriage of a Tunisian Muslim woman to a non-Muslim is invalid. Rather, there is a ministerial circular issued in 1973 directed at controlling civil status and refraining from certification prevents them from concluding marriage contracts for Tunisian Muslim women from non-Muslims if the non-Muslim foreign husband does not present a certificate proving his conversion to Islam, certified by the Grand Mufti of Tunisia. According to the rule of the hierarchy of legislation, the law is considered the highest degree of publications that are not regarded as legislative texts as they are issued by ministers to regulate a matter and are not subject to Parliament approval. This was built upon to annul the 1973 publication.

During the celebration of National Women's Day in Tunisia in August 2017, President Beji Caïd Essebsi proposed the realization of equal inheritance, and a committee was established to study the issue with several issues related to individual rights. Some considered that Essebsi's call came in activation of his previous electoral promises to promote women's rights and status and that the call for equal inheritance was "a basic need to guarantee women's rights and protect their earnings." (Khamis bin Braik, what are the motives for Essebsi's call for an equal inheritance, Al Jazeera Center for Studies). Others considered; however, the whole issue to be a political matter aiming to embarrass the Ennahda movement internationally, especially since it "tried in recent years to present a new image of its ideology and political line to remove the veil of political Islam and approach the civil discourse based on the citizenship state that guarantees freedoms and rights and perpetuates the acceptance of equality through international treaties". (Reasons for Essebsi accepting equal inheritance and rejecting gay rights, <https://bit.ly/2WlfgwO>).

CHRONOLOGY

As he proposed, President Essebsi is the initiator on Women's Day in 2017, the achievement of equal inheritance. As a result, the Committee on Individual Freedoms and Equality was established. Its mission focused on inventorying individual freedoms and equality laws that contradict the 2014 Constitution and Tunisia's human rights obligations and submitted proposals to achieve equality.

The presidential committee submitted its report to President Essebsi in early June 2018 to be transmitted to the Parliament. The report proposes the promulgation of a draft law that stipulates "equal inheritance between men and women who are related by first degree, which means brothers and sisters, sons and daughters, father, mother and husband", especially since the current Tunisian legislation is consistent with what is stated in the Quran that women have half the share of their male brothers. (Report of the Committee on Individual Freedoms and Equality, <https://colibe.org/%D8%A7%D9%84%D8%AA%D9%82%D8%B1%D9%8A%D8%B1/?Lang=en>).

The report presented proposals in two parts; The first part is related to individual rights and freedoms, most notably the abolition of the death penalty and the strengthening of sexual freedoms. As for the second part, it focused on the issue of gender equality, particularly the inheritance, which focused on it for political purposes and to gain part of the Tunisian public opinion opposing the Islamic Ennahda movement, especially those who support progressive forces in confronting opponents of the principle of equality, especially the Islamist-oriented Ennahda movement, that, although it has never declared that it is against equal inheritance.

Moreover, President Essebsi ignored all the points mentioned in the report and only focused on equality in inheritance, perhaps because of the sharp disagreements in the other points, especially concerning sexual freedom and the non-criminalization of homosexuality. It had more support for the Islamic Ennahda movement before the 2019 elections.

The initiative for equal inheritance aims to implicate the Ennahda movement, especially as its acceptance may lose part of its base, supporters, and electoral constituencies from the Islamists and sympathizers with them. They may cause a rift within it, which is evident in its leaders' contradictory statements.

Finally, on November 28, 2018, the Presidency of the Republic referred the bill to the Parliament for consideration, a week after a ministerial council headed by Essebsi ratified it.

SUPPORTING AND OPPOSING ARGUMENTS

The issue of equal inheritance caused great controversy in the country between supporters and opponents. At the same time, some considered it an important step to eliminate all forms of discrimination against women, thus activating the Tunisian Constitution's principles. Still, others considered it a "substitution for the words of God, an assault on Sharia and an isolation of Tunisia from its Arab and Islamic surroundings". (Anwar Al-Jamawi, Equal inheritance and this division, the New Arab).

Civil society is also divided between supporters and opponents. Many Tunisian organizations have declared their rejection of all proposals prepared by the Committee on Individual Rights and Freedoms, describing them as dangerous and anti-Islam. The National Coordination for Defense of the Quran, the Constitution and Just Development, which includes associations concerned with religious affairs, confirmed its rejection related to report of the "Committee for Individual Freedoms and Equality" of the proposals that are hostile to Islam and its constants and contradict the provisions of the Quran and its peremptory texts". (Tunisian associations reject proposals for an equal inheritance, Al-Jazeera). These associations considered the proposals to amend the inheritance contrary to the Constitution that affirms that the state religion is Islam. It also described them as dangerous to the family's stability and cohesion and the integrity of social relations and urged the head of state to withdraw it. (Tunisian associations reject proposals for an equal inheritance, Al-Jazeera). Likewise, these associations considered that the proposals did not stem from the will of Tunisians but rather expressed the president's submission to blackmail practiced by the European Parliament, which constitutes a violation of national sovereignty.

In a statement that followed a press conference entitled "The Report of the Committee on Individual Freedoms and Equality: Sedition and a Strike of the Tunisian People's Reference and Sanctities," one of the imams said that "the report of the Freedoms Committee was not based on broad consultation nor coordination with scientific institutions such as the Zaytuna Foundation or state institutions such as Dar Al Ifta ". He added that "what was mentioned in the report is hostile to Islam and contradicts the Quran, revokes man's guardianship and permits homosexuality, calling on Mufti Othman Battikh to respond, and warning of the seriousness of the report and its repercussions on the unity of the state and the harmony of society."

Furthermore, the Assembly of the Representatives of the People began discussing the draft law, and all parties expressed their adoption and support for the proposal. However, the Ennahda Movement did not express to the Islamic party its final position. The Deputy Chairman of the Ennahda Movement, Ali Al-Areed, considered that "the movement does not refuse the legislative initiative for an equal inheritance, but the approach and the timing of its presentation". He indicated that Ennahda does not want Tunisians to feel a religious attack and does not want to grant the terrorists an opportunity to find a popular incubator and consider Tunisia apostate, as he said. (Ennahda does not reject equal inheritance, Tunisie Numérique).

On the other hand, advocates of equal inheritance considered that this issue is, in fact, a practical dimension that would reduce women's poverty, particularly in rural areas, where some women are forced to give up their share by social customs and norms, and anyone trying to change the prevailing custom is rejected.

In practice, women's inheritance allows them to improve their income and land ownership, which is a social and religious added value. It is not a constitutional or legal luxury as some claim. In addition, the discrimination that makes men guardians of women has been overtaken by events in Tunisia today, so that both women and men are equally responsible for all family expenses. Indeed, many jurists point out that "women bear the moral and financial burden of the family, while discrimination against them increases, which starts in the family and accumulates to become societal discrimination. It is time to break with it". (Wijdan Bouaballah, the luck of the two females was done by Tunisia, Raseef22)

Moreover, a member of the governing body of the Tunisian Association of Democratic Women and a member of the Alliance for Equal Inheritance, Hala Bensalem, considered that "there is a religious dimension in the issue of equal inheritance, but on the other hand there are a set of other arguments, the most important of which is the Tunisian reality, where women contribute with 50% of family expenses and 45% of the GDP, which requires equal inheritance. (An interview with Hala Bin Salem, member of the National Alliance for Equal Inheritance).

Likewise, equal inheritance is considered a constitutional principle that guarantees both human and women's rights, especially in the face of the development of Tunisian society and women's entry into the arena of life in all its patterns.

CAMPAIGN'S DEFINING MOMENT

After the report of the Committee on Individual Rights and Freedoms was issued and submitted to the President of the Republic, the latter called on August 13, 2018, for the Parliament to convert equal inheritance between men and women into law, provided that it includes a clause guaranteeing the freedom of those who want to preserve the implementation of the Sharia. Accordingly, a national coalition was established for an equal inheritance, which included many human rights associations and organizations defending women's issues, among them the Democratic Women Organizations that is one of the oldest civil associations working in this field, calling for the formation of the coalition and being in charged with coordination with the rest the associations.

THE ROLE OF CIVIL SOCIETY ACTORS AND COPING STRATEGIES

Since the establishment of the National Alliance for Equal Inheritance, which includes almost 80 associations and organizations, all actions related to the issue have been framed and organized. The movements included demonstrations, seminars and marches, and a huge national march was organized on March 10, 2018, to celebrate International Women's Day that roamed the country's streets leading to the Parliament.

The coalition also formed a committee that includes national figures, artists, dramatists, and media professionals to carry out a support campaign for the draft bill of equal inheritance. The campaign actually began on national public and private television and radio stations.

Recently, the National Alliance for Equal Inheritance issued a publication entitled "20 Proofs for Equal Inheritance", which was distributed during a coalition seminar.

Cultural activities were also organized, including a theatrical performance entitled "Inheritance" that discusses the issue of equal inheritance. It was performed in several colleges and cultural channels in the presence of members of the National Alliance for Equality. It comes within the framework of awareness campaigns. The coalition also conducted a moot court on March 8, 2019, for women victims of exclusion and discrimination in inheritance.

CAMPAIGN SUCCESS

The campaign calling for equal inheritance had a great resonance beyond the Tunisian borders and was met with great success. On November 23, 2018, the Tunisian Council of Ministers approved the draft bill, which led to the revision of the provisions in force and established equal inheritance between men and women.

In addition, the legislator pointed out that the rules of inheritance are “positional and civil in nature, subject to development, similar to the rest of the positional rules that belong to the internal legislative system” (the proposed draft bill on equal inheritance). That what made it crucial as it details the arguments and proofs as an attempt to convince the society that what is thought to be sacred (equal inheritance) is not the case and, therefore, can be reviewed and changed.

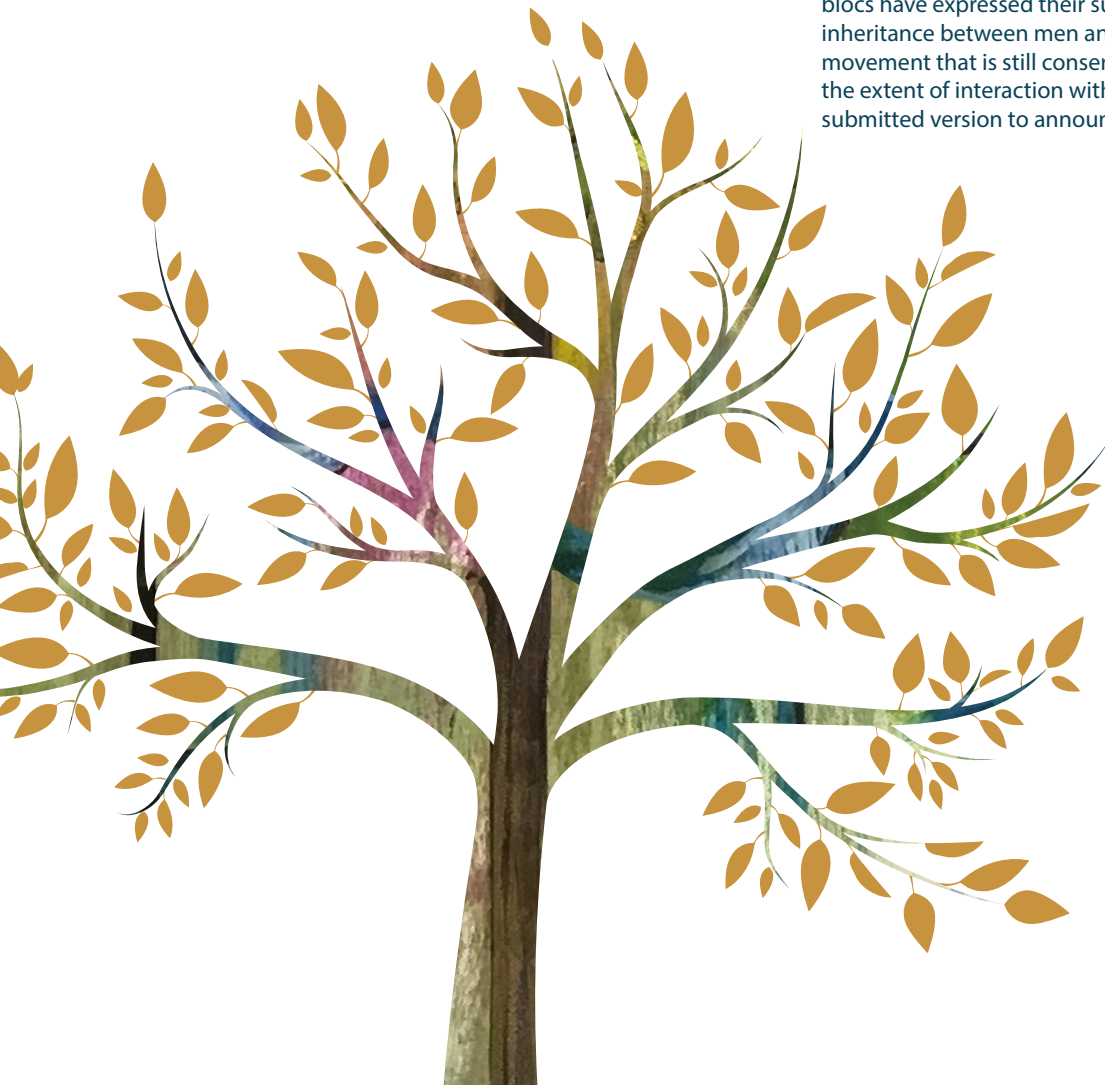
The activist, Hala Bin Salem, considered that the essential thing hindering the campaign is the society's patriarchal mentality, economic interests and Islamic law, for the Arab man does not accept woman's equality with him in matters related to property; therefore, his proposed response reflects violent reactions, as it is related to economic interests more than it is contrary to the Islamic law, and particularly to the Quran”. (Interview with Hala Bin Salem, the representative of the National Alliance for Equality).

CIVIL SOCIETY'S INFLUENCE ON THE RELEVANT POLICY

The Tunisian Constitution stipulates equality in Articles 21 and 46, which affirm the creation of mechanisms to eliminate all forms of discrimination. Hence, the issue of inheritance must receive great attention from human rights associations working in the field of women's rights. The alliance included a large number of organizations, and in turn, it constituted a starting point for several movements that sought to achieve full equal inheritance and to transform it into a general principle in the laws and legislations in force. And it was greatly supported by intellectuals, artists and dramatists present in the various activities, events and seminars organized by the coalition. It is noteworthy that the coalition includes the Organization of Democratic Women, the Organization of Tunisian Women for Research on Development, the League of Tunisian Women Voters, the Bayti Association, the Destourna Network, the Tunisian League for the Defense of Human Rights, the Forum for Economic and Social Rights, the Amnesty International Tunis Branch, the unification organization and other associations and human rights organizations that believe in gender equality. Among the most important achievements of the National Alliance is organizing workshops to educate women from various social circles about the need to defend their right to equal inheritance. In fact, it can be said that merely breaking the barrier and considering equality an unholy issue that can be discussed, and perhaps changed, is an important achievement in itself.

CONCLUSION

On February 28, 2019, the Social Affairs Committee began discussing the draft bill on equal inheritance between women and men, which allowed to a societal debate and formed the beginning of its deliberation in the presence of representatives of the Presidency of the Republic led by the Minister, Director of the Presidential Court, Salma al-Lumi, and a team of senior presidential advisors in legal and political affairs. The majority of parliamentary blocs have expressed their support for the idea of equal inheritance between men and women, except for the Ennahda movement that is still conservative about the bill and is waiting for the extent of interaction with the necessary amendments for the submitted version to announce its final position.



Fourth: Youth Participation, Political Rights and Freedoms

Access to Information Law

| Muhammad Al-Sahbi Al-Khalfawi|

In the context of the Tunisian state reviewing its laws following the requirements of changing the political reality following the 2011 revolution, it adopted in its agenda a new law that guarantees the right of all citizens to access information. In the first transitional period extending from January to December 2011, that adopted the legislation according to decrees issued by the interim President of the Republic, the first text regulating this right was issued in May 2011, which is Decree No. 41 related to access to administrative documents for public institutions (text of the decree, <https://urlz.fr/9ikW>).

The right to access information was established through the National Constituent Assembly's actions, which ended with the inclusion of an article in the first paragraph of Article 32 of the new Constitution, stipulating that "the state guarantees the right to information and the right to access information."

STAGES OF ISSUING THE RIGHT TO INFORMATION LAW

The rights update process witnessed the approval of Basic Law No. 22 of 2016 relating to the right to access information (text of the law, <https://urlz.fr/9il1>). The process of adopting this law witnessed several difficulties and great controversy, especially concerning Article 24 that includes exceptions to this right.

The Tunisian government presented the draft bill on August 15, 2014, to the National Constituent Assembly at the Committee on Rights, Freedoms and Foreign Relations. The Assembly of the Representatives of the People began its discussion on March 4, 2015, and the Parliamentary Committee managed to reformulate Chapter 24 on exceptions conforming to the requirements of Chapters 32 and 49 of the Constitution². Facing this amendment, and before its presentation to the plenary session, the government requested the bill's withdrawal in June before returning it to the Parliament in September without any significant change of its content. Despite the opposition of Members of the Parliament from various blocs, the bill was presented during the plenary session of the Assembly of the Representatives of the People on March 8, 2016.

During the opening of the plenary session, Minister of Governance and Anti-Corruption, Kamal Al-Ayadi, considered that "the draft bill devotes fair and transparent administration and its exceptions to protect the economic interests of public structures". Despite this position, the contents of Article 24 met with widespread opposition from various parliamentary blocs. It stipulates that "the relevant structure may refuse a request to access information that could result in harm in the following areas: 1- national security and defense, 2- international relations, 3- the state's economic interests, 4- the confidential information provided that the provisions of this law are incompatible with the provisions of this law, 5-the conduct of the procedures before the courts and the investigation and prevention of crimes, 6-the tasks related to the exercise of supervision and control in accordance with international professional standards adopted in the field, 7-protection of private life, 8-the legitimate commercial interests of the structures subject to the provisions of this law, including the intellectual and industrial property rights, 9 - deliberations, exchange of opinions, views and consultations, 10 - examinations, experiments and

studies carried out for the benefit of the structures subject to the provisions of this law, provided that the damage is assessed when submitting the application for access and includes immediate or consequential damage³.

The opposition's position was supported by the civil society's associations, including the National Syndicate of Tunisian Journalists, the Bousla Organization⁴, the Euro-Mediterranean Human Rights Network, and the Tunisian Forum Economic and Social Rights, and the World Organization Against Torture. It issued a joint statement in which it considered that this bill "contained a chapter with overbroad exceptions that are violating the Constitution", noting that "the approval of the draft bill in its current form by the plenary session without reviewing the chapter on exceptions will undermine the right to access information in Article 32 of the Constitution and the law emptied its content". (The text of the statement: <http://www.albawsala.com/ar/pub/56dd70ac12bdaa76d7820944>). All parties criticized the overbroad terms of Chapter 24 that stipulate that the relevant structure can refuse to access information in several areas. (Hinda Al-Shenawi, a draft bill on access to information: Does the Assembly of People's Representatives approve the blocking of information?, Nawaat website).

The plenary session did not reach the approval of Chapter 24 in its original formulation, so it was referred to the Consensus Committee that was finally able to reformulate the chapter in its final form, which was approved by the Members of Parliament and the government before adopting the whole law on March 24th.

Chapter 24 of its amended content stipulates the following: "The relevant structure cannot refuse a request for access to information unless it leads to harm public security, national defense, international relations or the rights of others to protect their private life, personal data and intellectual property. These fields are considered absolute exceptions to the right to access information. The damage caused by it is often assessed, whether immediate or subsequent. The public interest in providing the information or not concerning each request is assessed concerning the proportionality between the interests to be protected and the access request's purpose. If rejected, the applicant for enforcement shall be informed of this by a reasoned answer, and the rejection will end with the cessation of its reasons outlined in answer to the enforcement request.

² This chapter focuses on defining the requirements for legislative intervention to frame the rights and freedoms stipulated in the constitution

³ To read the full text of the bill: <https://urlz.fr/9QYg>

⁴ The competent authority in monitoring the work of the elected councils.

ADOPTED ARGUMENTS

The civil society's associations that participated in the various stages of drafting the law deliberately defended the following:

- The need for state administrations and structures to rely on the proactive dissemination of information reduces the scope for exercising the right of access.
- The necessity of training the agents who are in charge of ensuring the exercise of this right and resisting the bureaucracy and authoritarian tendencies that turn the administration's work into a black box.
- The keenness of senior management personnel to evaluate the extent of their employees' response to the demands of access to information.
- The necessity to respect the deadlines stipulated in the law to respond to enforcement demands.
- The work to reduce the financial costs of exercising this right.

The associations also presented the following arguments to oppose the original drafting of Chapter 24:

- It is understandable to include some exceptions related to security and defense information, provided that these exceptions are necessary, proportionate, subject to judicial oversight and consistent with the controls set by the Constitution.
- Drafting the chapter in broad terms that undermine the right from its foundations, for all information possessed by the administration is linked in one way or another to the exceptions mentioned therein.
- The inclusion of exceptions in its first drafting as an expression of the administration's failure to keep pace with the requirements of openness required by the emerging democracy (interview with Mahdi Al-Esh, a director within "Al-Bawsla" Organization, 2019-13/01).

COPING STRATEGIES: THIS SECTION IS THE BASIS AND SHOULD BE EXPANDED

It is noticeable that all the organizations that have participated in the campaign to defend the Law on Access to Information are active in citizenship censorship over the work of state institutions, which is a natural matter. Still, it is also evidence of associations anticipating their field of activity, thus influencing the text's drafting that may affect their work later. The National Syndicate of Tunisian Journalists mainly represents these associations, the Bousla Association, the Association of Accountants Experts in Tunisia, Article 19 and the I WATCH Organization.

The intervention of these associations was divided into two parts: educating citizens about their right to access information and exerting pressure on the government and Parliament. In this context, a "ma3louma" website (<https://ma3louma.org/>) was established to help the public follow up on their requests and inform them of the measures to be taken at each stage. An introductory flash on access to information procedures was also prepared and posted on social media under the title "Follow Your Right to Information" (link: <https://www.youtube.com/watch?v=3N9N6tKuZCM>). It also organized awareness-raising field campaigns near the departments of the departments in the various states of the republic, during which awareness brochures were distributed. It also contributed to preparing training sessions for multiple departments' employees and inviting citizens to participate in them.

On the other hand, these organizations delegated representatives to the Parliament during a discussion of the draft bill in the Parliamentary Committee and the plenary session. An awareness campaign for all citizens was based on the publication of cartoon images on social media platforms to warn of the dangers of adopting Chapter 24.



AFTER THE LAW'S ISSUANCE:

According to Law 22/2016, the Access to Information authority was established. Its functions were defined in Article 38, most notably "deciding on the lawsuits filed with it in the field of access to information". The Assembly of the Representatives of the People elected the nine members of the Commission on July 18, 2017, among them "a representative of organizations active in the fields of the right to access information"⁵. It is worth noting that the candidates representing civil society associations apply individually and do not represent their organizations. The members of the Assembly of People's Representatives choose the most appropriate member based on their CV.

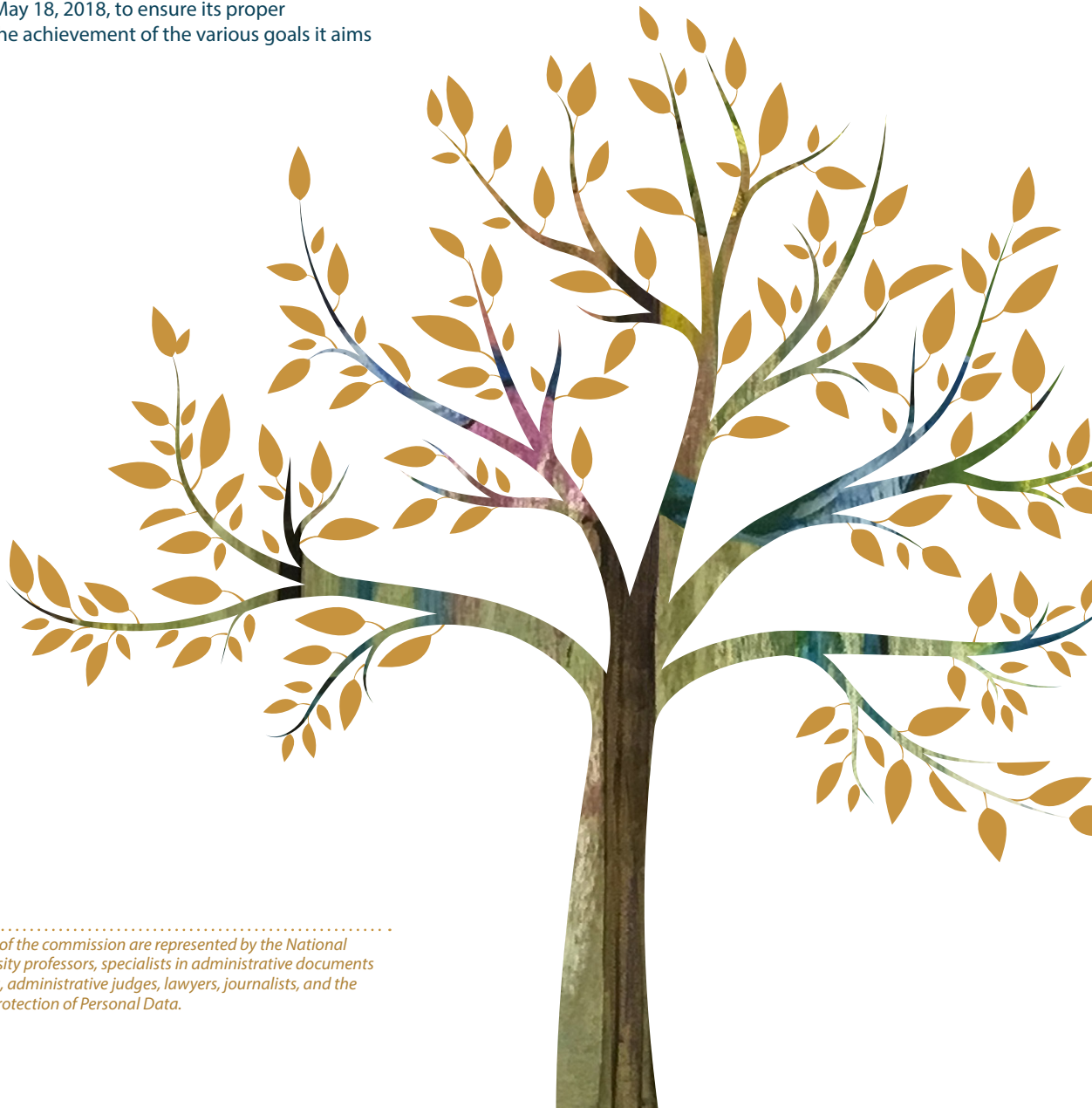
The commission issued its first decisions on February 1, 2018 (the Information Access Authority issues its first decisions, Mosaïque FM, 2018, <https://urlz.fr/8Dy4>), before its head, Imad Al-Hazqi, announced in November that he had received almost 500 cases related to the refusal of plaintiffs to have access to information, adding that the head of the government and the ministries are the most defendant parties. Al-Hazqi confirmed that the authority is facing financial and logistical difficulties that prevent it from enhancing its human resources and completing its work with satisfaction (Al-Hazqi: internal and less cooperative processing with the Information Access Authority, Mosaïque FM, 2018, <https://urlz.fr/8Dya>).

On the other hand, and facing the steady increase in requests to access information, the Prime Minister issued an explanatory circular of the law on May 18, 2018, to ensure its proper implementation and the achievement of the various goals it aims to achieve.

CONCLUSION

The civil society's associations emerging after 2011 and active in the field of civil censorship over the work of state representatives in its various structures have contributed to the issuance of the Right to Information Law and the development of its provisions to suit its purpose through field and media work directed to the government and the Parliament on the one hand, and the general population on the other hand. In this context, it is necessary to emphasize the primal role that the members of the Assembly of the Representatives of the People played in preserving the spirit of the law and refusing to make it formal.

It is also certain that the civil society's associations were the main beneficiaries of this law and that the increasing number of complaints submitted to the Information Access Authority is evidence of the growing awareness of citizens of the possibility of exercising this right.



⁵ The remaining members of the commission are represented by the National Council for Statistics, university professors, specialists in administrative documents and archives, judicial judges, administrative judges, lawyers, journalists, and the National Authority for the Protection of Personal Data.

The Reconciliation Law and the “I Am Not Forgiven” Campaign

| Muhammad Al-Sahbi Al-Khalfawi |

The liquidation of the Zine El Abidine Ben Ali regime's inheritance was one of the themes of discussion during the founding phase. The transitional justice process was launched with the first government formed after the revolution. Many phases followed, during which the Transitional Justice Law No. 53 was issued on December 24, 2013 (<https://urlz.fr/9ik>), which established an independent body to follow the process. The National Constituent Assembly chose Siham Bensedrine to preside, who is a controversial figure known for her radical stances against those belonging to the former regime, which made the work of the commission arouse widespread opposition among them.

The victory of Beji Caid Essebsi in 2014 provided an opportunity for those who supported him, particularly members of the former ruling Constitutional Party, to think about ways to bypass the Truth and Dignity Commission and its president and the requirements of the Transitional Justice Law. Before assuming his new position, the President of the Republic, who is also a member of the previous system, repeatedly expressed his desire to move beyond the past and to pass at full speed to a comprehensive national reconciliation, after which the person in power and its victim are equal.

BACKGROUND ON THE INITIATIVE TO SUBMIT A RECONCILIATION LAW

On the occasion of Independence Day, on March 20, 2015, the President of the Republic, Beji Caid Essebsi, announced his intention to submit an economic and financial reconciliation law to the Assembly of the Representatives of the People, which led to many protests on social media networks, before a coordination organization was formed to organize field protests under the title “I am not forgiven.”

Furthermore, in summer 2015, the Presidency of the Republic submitted a draft bill that included three measures: The first measure provides amnesty to “public functionaries for acts related to financial corruption and assault on public funds unless they are aimed at achieving personal benefit, except for bribery and seizure of public funds”. The second procedure stipulates “the possibility of concluding a peace concerning the beneficiaries from acts related to financial corruption and assault on public funds. The reconciliation includes funds and property that are still in the custody of the relevant person”. As for the third measure, it is “an amnesty for violations of exchange arrangements to settle unresolved situations and mobilize resources of hard currency for the benefit of the state, provided that it includes violations committed between June 1, 1955, and January 14, 2011.”

After the law was submitted, the “I am not forgiven” movement organized a rejection march for this bill, with all parties’ participation and civil society’s organizations rejecting this project. The controversy and confrontation continued for two years before the ratification of an amended version of the law on September 13, 2017.

ARGUMENTS USED BY BOTH PARTIES

To defend the Reconciliation Law, the Presidency of the Republic relied on a set of arguments, most notably:

- The transitional justice process organized under the 2013 law has been disrupted, and the Truth and Dignity Commission does not have the credibility needed to carry out its work.
- The disruption of private investments in Tunisia due to the prosecutions of important economic businessmen prompted them to stop a large part of their businesses.
- The slow pace of the Tunisian administration’s work due to the fears of its senior employees of prosecution for the administrative and financial work they were forced to do for Zine El Abidine Ben Ali’s benefit entourage, his family and his political system.
- Taking money out of Tunisia necessitates the issuance of a financial amnesty for those who took it out to return it to the internal economic cycle.
- Forecasts of an increase in the growth rate of almost %1.5 if this project is approved.

The necessity to accelerate the passage process to the phase of a comprehensive national reconciliation and overcome the past remnants and pains.

On the other hand, those who are involved in the “I am not forgiven” campaign and the parties and organizations opposing the law considered that:

- The passage of this law would get rid of the process of transitional justice and does not support it.
- Every reconciliation without disclosure and an apology may lead to a rift deeper than the previous regime left.
- The success of transitional justice is one factor for the success of the democratic transition process, while the presidency project represents an opportunity for impunity.
- The Tunisian economic problems are not related to the prosecution of the perpetrators, members of the previous system, but rather the relation between trust and the enhancement of the business climate in Tunisia with the realization of new justice (Interview with Sami Ben Ghazi, a spokesperson for the “I am not forgiven” campaign, 2019-13-01).

ADOPTED STRATEGIES

The “I am not forgiven” movement presented itself as “an independent citizenship initiative open to anyone who wants to join, and seeks to bring together all citizens and the political, human rights and intellectual components around the task of withdrawing the Reconciliation Law that allows corruption and declares the innocence of the plundering capital of people’s money,” and it declared that it is its main and only goal are “withdrawing the draft bill on allowing corruption and rejecting the coup against the transitional justice process that seeks to uncover the truth, preserve memory, accountability, reparation, rehabilitation, reform of institutions and reconciliation”.

Young people founded the campaign; most of them belong to political organizations opposed to Ben Ali's regime, which began its work after the 2011 revolution. This mixture, the horizontal structure and decentralization, extended the campaign with innovative and extraordinary fun ways of working. It basically sought to form a national public opinion opposing the draft bill. In this context, the "I am not forgiven" activity focused on distributing data, writing on walls, and publishing photos of senior figures of the former regime with the word (Wanted). It also organized periodic marches in the country's states and held extensive discussions on social media. It welcomed the political parties opposing the bill in its various activities, with the stipulation that they should not be employed by partisanship and that they should not raise their flag in popular rallies. It also worked to expand the debate on the draft bill to include opening an argument with its defenders about its political effectiveness, economic efficacy, and compatibility with the provisions of the 2014 constitution.

The campaign succeeded in creating a state of discontent among the public opinion due to the prolongation of the debate on the draft bill to two full years, despite the control of the President of the Republic, Beji Caid Essebsi, after his election in late 2014 and his party's acquisition of the largest bloc in Parliament. This was contributed by the intervention of representatives of the Presidency of the Republic and the parties supporting the bill through media platforms to defend it.

CAMPAIGN RESULTS AND ACCESS TO THE AUTHENTICATED COPY

Due to the movements led by the "I am not forgiven" campaign in summer 2015, the Presidency of the Republic had to request that the debate be postponed to a later time, as it can be studied further. Certainly, these movements' size was not large to push the presidency to this step⁶. Still, it was sufficient for this institution to realize the difficulty of obtaining the majority needed to pass it in Parliament. In addition to the parliamentary blocs opposing the law, the Islamic Ennahda Movement, which is the main partner of the President of the Republic Party in the government, has also expressed its reservations about the bill without pushing its supporters to participate in movements, so it does not end its good relationship with the President of the Republic.

"I am not forgiven" movement contributed to highlighting another important factor, which is the poor formulation of the text of the draft bill and its violation of many provisions of the Constitution, which prompted the heads of the two most important parliamentary blocs supporting the bill to demand reviewing it, namely Hassouna al-Nassi representing "Mashrouu Tounis" bloc, and Sufian Tobal representing "Nidaa Tounis" bloc, knowing that both belong to the previous political system.

The second round of the reconciliation struggle began in April 2017, when the President of the Presidential Court presented a new amended version of the draft bill, from which he withdrew the amnesty for the perpetrators of exchange crimes, repeating the same economic argument in defense of this law, which claims that merely ratifying it will increase the country's economic growth (by 1.5%).

Accordingly, "I am not forgiven" launched the second round of the campaign to confront the bill with the method and the ability to renew themselves while inventing creative methods of protest. The confrontation ended with the postponement of considering the bill again.



In September 2017, the Presidency of the Republic proposed the third amendment to the draft bill by withdrawing economic crimes from it and transferring its name to the draft administrative reconciliation bill so that its powers are limited to public functionaries and quasi-functionaries, i.e., ministers and state clerks involved in providing administrative facilities for the figures of the previous regime without leading to the realization of private interests.

In a tumultuous parliamentary session on September 13, 2017, accompanied by a sit-in by the "I am not forgiven" movement in front of Parliament, 117 out of 217 Members of Parliament approved the bill, while the opposition blocs boycotted the session. As a result, opposition Members of Parliament filed an appeal before the Interim Committee for Monitoring the Constitutionality of Laws (the alternative to the Constitutional Court that has not yet been established), which issued a controversial decision in its inability to decide on the challenge presented to it (text of the decision of the interim body for monitoring the constitutionality of laws, <https://urlz.fr/9ikP>). After the commission returned the draft bill, the President of the Republic sealed it and ordered its promulgation in the Official Gazette of the Republic of Tunisia, and it became effective.

CONCLUSION

Two basic observations emerge. The first one is related to the results of the law's entry into force, so that the Presidency of the Republic, the government, or the "I am not forgiven" campaign provided any information about the extent of the law's success or failure in achieving its objectives. The second is the decline of the movement after the law's approval. This is due to the frustration that many of the campaign's youth lived it after the law's approval, despite their ability to make many amendments to its first draft.

In fact, the campaign did not form a political platform or program through which it can continue working after the end of the mission that it was entrusted with itself, or even to create a new political group that differs from the classic organizations; this is due to the lack of goals for the campaign to transform into a political organization, knowing that the joint activity of its members created questions about its fate after the mission was completed.

⁶ The number of participants in the first march in July / August 2015 did not exceed 3,000 people.

Municipalities emerged in Tunisia in 1858, with the establishment of the capital's municipality, Tunis, so that municipalities became popular after that, especially during the colonial era. Since its independence and until the outbreak of the revolution of January 14, 2011, Tunisia witnessed about 13 municipal elections, and then the first democratic municipal elections were held in 2018.

The approval of the Local Communities Journal is a defining moment in devoting local governance, establishing local democracy, and thus resisting one of the factors in launching the popular movement at the end of 2010. The legislative process was an opportunity to test the civil society's dynamism that successfully went through the experiment. Yet, the central authority's unwillingness to abandon part of its authority and submission to the Constitution in its seventh chapter on local governance made the civil society redouble its efforts and change its work strategies.

At least at the ruling parties' level, the political arena was not prepared to pave the way for the local community to participate in the political life outside the existing party system. The executive authority worked to set limits for the civil society during the work of the Ministry of Interior and Local Development on drafting the draft bill⁷ by drafting it in a limited time and including the final text to reduce the effectiveness of the civil society's participation, especially when it is presented to the relevant committee in the Assembly of the Representatives of the People.

However, the executive and legislative authorities' attempts faced the cohesion of civil society, which deliberately unified efforts, relying on pressure for changing some of its content that is not in line with the spirit of the Constitution. However, at the same time, the executive and legislative authorities worked on some legal ways that allowed them to circumvent the journal's output.

CIVIL SOCIETY'S STRATEGY DURING LAW DRAFTING

The participation of civil society in drafting the draft law for the Local Communities Journal was an important event from the political perspective, especially that the first version of the draft did not respond to the aspirations of local communities and components of civil society, which was considered a violation of the constitution and an implicit consolidation of the central authority's interference.

In this context, the General Administration of Local Communities launched in 2015 the first version of the bill and organized national and regional consultations (www.ccl.tn), during which conglomerations were formed that led to changing a number of its chapters to harmonize with the spirit of the Constitution, by holding evaluation workshops in which legal experts participated. (Buhilal Saida, 2015, Local Communities Journal Bill: "Al-Bawsala" Organization recommends amending many chapters, <https://bit.ly/2spKkdX>). The work of the civil society was not limited to relying on these regional and national consultations. Still, it also held meetings with many experts and issued recommendations (Al-Bawsala Organization's report on the first version of the Local Communities Journal Bill, <https://bit.ly/2Fty5Vz>) about what should be changed in the journal bill. In addition, a new version of the bill

was issued in 2016 (<https://bit.ly/2D8jRrP>) that did not respond to the proposals and recommendations presented by the various components of civil society, which led to the intensification of activities and meetings to mobilize local and national associations, for instance, "Al-Bawsala" organization allocated an electronic platform to follow up on the progress of municipal activities and developments in the draft bill on local communities, as well as the organization of "Solidar" organization to organize discussion workshops on the journal bill and directing recommendations in this regard (Leaders Arabia, 2017, recommendations of many associations regarding the draft Basic Law relating to the Journal of Local Communities, <https://www.:/bit.ly/2spLeYc>).

In 2017, controversy continued over the journal's chapters that had witnessed 18 changes since 2015, concerning the relationship between the central and local authority, the way localities operate and their relationship with the civil society and the residents, and how participatory democracy is perpetuated (Interview with Aicha Karafi, President of the Tunisian Association for Local Governance, January 8, 2019), whereby the Ministry of Local Affairs issued a copy in 2017 (<https://bit.ly/2HJ1ESf>) in which he responded to many associations' requests, and was approved by the Ministerial Council and referred to the Assembly of the Representatives of the People.

During that period, the political instability in Tunisia affected the authority's movement towards decentralization due to the laxity and slow discussion of the draft bill on the Local Communities. Civil society was apprehensive that the bill would not be approved before the municipal elections⁸, and the matter became a real concern, especially that the Office of the People's Representatives referred the bill (<https://bit.ly/2svM43l>) to the Administration and Armed Forces Committee on May 8th. 2017. In this context, and to expedite the consideration of the draft bill, some civil society's organizations sought to exert pressure on the committee by proposing a plan prepared by "Al-Bawsala" organization to activate the committee's work (<https://bit.ly/2RqBkEB>). However, it did not respond to the suggestion due to the political calculations that overshadowed it and postponed the election date.

The main requirement of the civil society's associations was the necessity of ratifying the law before the municipal elections so that those involved in this field can get acquainted with the new laws on the one hand, and for civil society and the candidates to define the strategies of tribal action and post-activity to form municipal councils on the other hand.

During the participation in the committee's hearings to consider the draft bill, the civil society was not more organized than the period of drafting the bill, as the sessions took place between 15 and 21 June, in which 13 organizations participated. Still, they did not seek to form partnerships or rely on networking or any other strategy to exert pressure on the legislative authority and to compel it to change the controversial chapters, in which the executive authority did not respond to the demands of the civil society that is divided in turn over these demands. However, the majority of the civil associations called for the change of many chapters (Buhilal Saida, 2017, a draft bill on local communities

⁷ It later split to be affiliated with the local development of the Ministry of Environment.

⁸ The Independent Election Commission set December 2017, 17 as the deadline for holding elections.

journal, <https://bit.ly/2SScWlm>), while they spoke of the central authority's unwillingness to change, which expresses its fear of local democracy (Zayani Amina, 2017, civil society in Tunisia objects to the local communities journal, <https://bit.ly/2sn2YmO>), implying the failure of regional and national consultations.

The civil society failed in realizing the required change despite the participation of minimal organizations in the lobby. At the same time, it was unable to compel the political authority to hold the elections on the specified date and was postponed to May 2018 because the House of Representatives of the People did not approve the draft, and it was not issued in the Official Gazette until May 9, 2018, that is, after conducting Elections on May 6, 2018. The points of contention focused on many chapters dealing with the structure of the administrative organization of local groups, and stemming from civil society's fear of the efficacy of implementing laws, as it accused the legislative authority of seeking to confiscate the free management of local groups that are supposed to achieve complete independence for localization or decentralization. On the other hand, many chapters have been restricted by the legislator, despite their functional value, by referring them to government orders that are supposed to clarify the method of applying the chapters or restrict them legally.

THE IMPACT OF THE LOCAL COMMUNITIES JOURNAL ON CIVIL SOCIETY

Despite the initial local democratic transformation in the Journal of Local Communities, the practices that followed the municipal elections and were followed by the elected local authorities and the executive authority that has the power to regulate the methodology of the work of the municipal councils tended towards restricting the work of civil society, especially regarding the participation of its organizations in Municipal councils work, whereby the government issued the internal regulation for municipal councils without consulting the civil society and the municipal councils. The internal regulation included constitutional violations represented in not enabling the civil society to film the sessions and meetings of municipal councils and restricting the attendance of its components to secret deliberations, according to the ambiguity of the legal chapters, whether in the journal of local communities or the model internal system, in addition to the deliberate violations of the central authority represented by the governor who worked to exclude the media and the civil society from attending and monitoring the inauguration sessions of municipal councils.

In this context, the civil society's performance varied according to the municipalities and the results of their elections. Still, it was weak in general, and some major organizations were content to denounce and issue recommendations (Tunisia ultra, 2018, Al-Bawsla: Some chapters of the model internal regulation of municipal councils are unconstitutional, <https://bit.ly/2snlk7d>), and resorting to the judiciary in an attempt to annul some chapters of government orders ("I Watch", 2018, "I Watch" refuses to prevent filming of municipal council sessions, <https://bit.ly/2CnqrZx>).

Whereas, the executive authority had directed towards devoting the approach of constraining civil society by referring the chapters of the journal to government orders, limiting the activities of civil society in municipalities and limiting its participation in the work of municipal councils in which there are social headquarters, a decision that was not addressed or confronted by organizations, which encouraged the rest of the organizations on networking as a common matter.

CONCLUSION

The impact of the local political situation on the relationship between civil society and local councils, which tended to overwhelm the majority of the rights granted by the journal to civil society and residents, and tried to follow the methodology of pre-revolutionary work, or at least the special prosecution offices before the elections, cannot be denied. The organizations were unable to overcome this tension due to a lack of knowledge of the content of the journal and how to implement its chapters facing the intransigence of municipal members and their benefit from the absence of the possibility to rely on the administrative judiciary in violation of the constitutional principles codified in Chapter Seven.

On the other hand, the municipal councils, of which the majority of their members are independent, had engaged the organizations in the various activities of the municipality and the residents of the town by exploring opinions in the selection of the investment projects to be implemented and the periodic meetings between them⁹.

Despite what the legal chapters of the journal approved of devotion to participatory democracy and governance, the civil society found itself facing attempts to overcome the obstacles of legal interpretation by resorting to other legal means such as the right to access information (Al-Sabah newspaper website, 2018, an evaluation of the municipalities' work for "Raj" association shows the limited interaction of the municipalities with the demands of participation and access to information, <https://bit.ly/2QHgjiv>), which had a great contribution to enabling organizations to participate effectively, or at least to see what the municipal council may conceal in violation of the law. On the other hand, the local square organizations lack the necessary tools to confront the authority's circumvention of what was approved in the journal's legal chapters. On the other hand, the lack of networking affected the achievement of the desired results to restore the role of associations in the local authority.

The failure of civil society to manage the dispute with the legislative authority cannot be assured. Despite the repulsion that it faced, it was relatively successful in imposing the minimum of its demands. Among the essential axes that had been set, maybe, is the inclusion of the authority's remote control of the local communities' work, which had become, with the experience, a matter of concern to the central authority, as well as the inclusion of the possibility of the presence of members of civil society in the work of municipal councils.

⁹ Similar to the municipality of Qalaat Senan from the state of Kef, the municipality of Hajeb El-Ayoun from the wilayat of Kairouan, and the municipality of Zaribeh Al-Hammam from the state of Zaghouan.

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BREAKING THE MOLD PROJECT

In mid-2018, the “Civil Society Actors and Policymaking in the Arab World” program at IFI, with the support of Open Society Foundations, launched the second round of its extended research project “Arab Civil Society Actors and their Quest to Influence Policy-Making”. This project mapped and analyzed the attempts of Arab civil society, in all its orientations, structures, and differences, to influence public policy across a variety of domains. This research produced 92 case studies outlining the role of civil society in impacting political, social, economic, gender, educational, health-related, and environmental policies in ten Arab countries: Lebanon, Syria, Palestine, Jordan, Egypt, Morocco, Tunisia, Yemen, and the Arab Gulf

Over two dozen researchers and research groups from the above countries participated in this project, which was conducted over a year and a half. The results were reviewed by an advisory committee for methodology to ensure alignment with the project's goals, and were presented by the researchers in various themed sessions over the course of the two days

THE CIVIL SOCIETY ACTORS AND POLICY-MAKING PROGRAM

at the Issam Fares Institute for Public Policy and International Affairs at AUB, examines the role that civil society actors play in shaping and making policy. Specifically, the program focuses on the following aspects: how civil society actors organize themselves into advocacy coalitions; how policy networks are formed to influence policy processes and outcomes; and how policy research institutes contribute their research into policy. The program also explores the media's expanding role, which some claim has catalyzed the Uprisings throughout the region

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