



Shared Prosperity Dignified Life



# Open Government Case Study - Sample Case Submission Form

*[Open Data, Participation, Collaboration, Citizen Engagement, and Public Sector Innovation]*

## Important Information

The Economic and Social Commission for Western Asia (ESCWA) and the Organisation for Economic Co-operation and Development (OECD) are conducting a joint study on the economic and social impact of open government for the Arab region. The study will reflect on literature review and previous studies and reports made by OECD and ESCWA and other organizations, and it will consider case studies and best practices from Arab and OECD countries. As such, and for the preparation of the study, this Sample Case Submission Form is intended to help the collection efforts for inspiring case studies and best practices from government entities and agencies in the Arab region. It should be noted that selected cases may be published within the ESCWA portal for the open government, which is under design and implementation, as well as the [OECD Open Government case platform](#)<sup>1</sup>. Furthermore, the relevant experiences will be featured in the planned Joint OECD-ESCWA meeting of the MENA Working Group on Open and Innovative Government this year, in coordination and collaboration with authorities concerned by these experiences.

The attached form serves as a submission form for open government activities that have been or are currently being developed and implemented at any level of government, and specifically those authorities that are working on open government development in the country, including local levels. The Case Study might cover one of the following topics: Open Government, Open Data, Stakeholder Participation, Collaboration, Citizen Engagement, Transparency, Accountability or Innovation in the Public Sector.

In the context of the attached form, an “activity” refers to any processes and actions taken to work towards the achievement of open government at national, area or local levels. An activity can consist of one or more actions. Participants can submit as many activities they wish, and it is preferable to choose activities with an economic or social impact. ESCWA will make the analysis of the contributions and may contact participants with follow-up questions.

To share a case, please complete the MS Word form, either in English or in Arabic, as many times as you wish. We must receive all submissions no later than [15/05/2020]. Should you have any questions, do not hesitate to send an email to Ms. Nibal Idlebi, chief of Innovation at ESCWA (email: [idlebi@un.org](mailto:idlebi@un.org), & [escwa-tdd@un.org](mailto:escwa-tdd@un.org)) and to the OECD Open Government Unit ([Opengov@oecd.org](mailto:Opengov@oecd.org)).

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<sup>1</sup> [https://oecd-opsi.org/case\\_type/open-government/](https://oecd-opsi.org/case_type/open-government/)

## 1. Organisation Details

### 1.1. Organisation Name

### 1.2. Organisation Type

[Government, NGO, International, Academia, Private Sector]

### 1.3. Country

### 1.4. Primary Sector

[Economic affairs, Education, Public administration, Health, Transport, etc.]

– Access to Information Authority  
 – General directorate of reforms and prospective administrative studies at the Presidency of the Government,  
 – e-Government Unit ( as a support entity)

Government

Tunisia

e-Government, local affairs

## 2. Activity Case Study

Now, we are going to ask you several questions about your activity. We are very excited to find out what you did, how you did it and who benefited from it. The more comprehensive your answers are, the easier it will be for the reviewers and readers to appreciate the aims and achievements of your activity.

### 2.1. Title

[a title for your activity]

### 2.2. Website

[the website about your activity, if existed]

### 2.3. Year Your Activity was Put Into Practice

### 2.4. Which of the following best describes your activity?

[Please mark the main category]

<b>Strengthen the legal framework of access to information</b>	
All news and information about this project are published through the OGP portal <a href="http://www.ogptunisie.gov.tn">www.ogptunisie.gov.tn</a> And through the web site of Access to information authority <a href="http://www.inai.tn/fr/">http://www.inai.tn/fr/</a>	
2016-2020 (in progress)	
	Open Data
	Participation
	Collaboration
<b>x</b>	Citizen Engagement
<b>x</b>	Transparency
<b>x</b>	Accountability
	Public Sector Innovation

## 2.5. Summary (Short and Simple Explanation)

The summary should describe your activity and be short and simple (few sentences), and it should use clear language, compel the reader to continue reading, use simple, not sector-specific terminology (no idioms, slang, or domain-specific "buzz" words). The summary should answer the following questions:

- What the activity is?
- Why it was developed or the problem/opportunity being addressed?
- And who it benefitted?

***"Strengthening the legal framework of access to information"*** represents a main project included in all OGP action program and related action plans. It aims to enhance the implementation of the access to information legal framework and precisely the organic law No. 22-2016 through various measures and initiatives.

For years, administration has faced several issues namely the limited culture of openness, weak information sharing and dissemination within the administration and for citizens. Issues affected the confidence of citizens on administration. Promoting the implementation of the legal framework offers the opportunity to improve public governance, to enhance transparency and apply the right of access to information. But the weak knowledge of the related law and other issues obstructs the consecration of this right.

## 2.6. Case Study Overview

The Overview is an overview of the activity and outcomes. You will have the opportunity to elaborate on some of the details. Please tell us:

- What problem the activity solves or what opportunity was taken advantage of
- What the activity is
- Objectives
- Beneficiaries
- How is it envisioned for the future? For example, how will it be institutionalised in its current context? How will it scale even bigger?

### **Overview of the project and issues to be resolved**

*Tunisia has witnessed since 2011 an exceptional change in the relationship of administration and citizen aiming to establish a participatory democracy and to ensure the right of public to access the information. Tunisia is considered one of the leading arab countries in this field thanks to the establishment of a legal framework in favor of this right which became a constitutional principle. But Government has faced several issues to apply this legal framework. For that, the Tunisia's OPG program usually devotes projects and initiatives supporting the application of the legal framework. In this context, "Strengthen the legal framework of access to information" is part of the 3<sup>rd</sup> OGP action plan. It is addressed to public officials and citizens.*

### **The main objectives of this project are :**

- Raise awareness among officials within public institutions on the importance of engaging with this openness and transparency process and its expected positive benefits consecrated by providing access to information
- Be in compliance with the legal framework of access to information namely the organic Law n° 22 of 2016 and particularly the provisions on the proactive information dissemination
- Anchoring a new culture within the administration based on openness and cooperation principles;
- Outline several practical procedures aiming to manage the change brought up by the implementation of the access to information law
- Improve the ability and capacity of existence of competencies within the administration in charge of the execution of the related law to apply the right of access to information
- Establishing tools and frameworks aiming to assist the officials in charge of access to information in their work and facilitating their relationship with information producers within their institutions, or with the information seeker, in addition to improve the quality of the access to information process.
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### **Beneficiaries included :**

- Public officials at central and local levels :they will benefit of several kinds of support such as capacity building program, providing guidelines and associated materials
- Citizens : they will be more informed about the methods of application of legal framework
- CSOs : have various tools and mechanisms to benefit from this legal framework

### **Achieved milestones and activities are articulated around :**

- Establishment of the Access to Information Authority in 2017 which was a commitment in the 2nd OGP action plan

- Elaboration of guidelines on access to information for civil servants and public institutions
- Promulgating an explanatory circular on provisions of the related Organic law n° 22 (Circular n° 2018-19) aiming to clarify the obligations assumed by the public institutions subject of the related law
- Designing and implementation of a capacity building on access to information for various categories of civil servants and public institutions subject to the related law. Within the framework of the 3<sup>rd</sup> OGP action plan, more than 7 training sessions around the related law have been completed

**The envisioned activities for the next steps included :**

- Drafting a legal framework on the reuse of public information which will be complementary with the related legal framework
- Elaborating a Government Decree on to the establishment of an internal entity in charge of access to information activities
- Drafting an assessment report for Tunisia regarding the implementation of the Goal No. 16.10.2 of the SDGs on the promotion of access to information in Tunisia;
- Establishing common rules for the classification of administrative data in order to facilitate the document archiving operation and the proactive dissemination of information

**2.7. What Makes Your Activity Different, Unique, or Innovative?**

*The specificity of this project is its extended perimeter to cover several aspects related to the access of information field. Given that the planned activities covered the organizational, functional and regulatory aspects. In addition, the success of the Tunisian experience in the field of access to information due to multiple factors such as the involvement of citizens and CSOs and their increased awareness of the importance of access to information.*

## 3. Development

### 3.1. Collaborations & Partnerships

Were there partners involved? Describe what each brought to the table and why it was important to the case. These may include: Citizens, Government officials, Civil society organisations, and Companies.

This project bring together several partners such as :

- Central and local Governments subject to the related law provisions
- Access to Information Authority: in charge of the monitoring and assessment of the implementation of the organic law on access to information, monitoring the commitment of public structures in terms of information dissemination, in addition to examine appeals against refusals by public authorities to disclose requested documents and information.
- Civil Society Organizations: having an essential contribution to push the administration to disseminate information and to assist it through several activities and assistance
- Donors: provide the required technical and financial support for the government to enhance the implementation of the legal framework of access to information

It should be noted that the completion of various activities aimed at strengthening the right of access to information are generally carried out within the framework of cooperation between the government and non-governmental actors and donors having an important contribution to support this process.

### 3.2. Users, Stakeholders & Beneficiaries

Who are the users, beneficiaries, and stakeholders targeted? How each group are affected. These may also include: Citizens, Government officials, Civil society organisations, and Companies.

- **Beneficiaries** include various entities. It can be mentioned the citizens as a first beneficiary. Noting that citizen will be able to follow-up the government action based on information related to the public policies execution. In addition government and in particular officials in charge of the access to information will benefit of this
- **Stakeholders:** Government (Ministries, local authorities, Access to Information Authority) are the main stakeholders in this field given their related fundamental contributions and. Also, CSOs and NGOs have an important role to support the efforts deployed by the Government to establish the access to information framework.
- **Users :** includes Government, citizens, CSOs and NGOs. Given that Government could benefit from the published information to design and assess its public policies. For other users, the legal framework and measures undertaken to inculcate it offer them the opportunity to exercise a constitutional right, and to monitor and evaluate government actions.

## 4. Reflections

### 4.1. Results, Outcomes & Impact

- What results and impacts have been observed from the activity so far?
- How have the results and impacts been measured (e.g., methodologies used)?
- What results and impacts do you expect in the future?
- To the extent possible, please indicate the tangible or numeric results.

#### ***Observation of the current situation 04 years after adopting the legal framework of access to information.***

The legal framework of access to information and precisely the related organic law is considered as one of the most advanced laws thanks to the exceptional and promising provisions offering more freedoms and guarantees to citizens to benefit from this law. However, the consecration of this law remains weak for several reasons including the absence of the regulatory texts related to this law, the weakness of support and training of public officials and their resistance to change. This observation can be explained by referring to some indicators such as the number of the access to information requests, the response rate of public structures.

#### ***The current progress of this project allows achieving some concrete results within the framework of the OGP program. These results covers various aspects :***

- The establishment of the Access to Information Authority mentioned in the organic law n°22 of 2016
- The elaboration of two guidelines on access to information : [guideline dedicated for public officials](#), and a [guide for citizen and CSO](#);
- Organizing 07 training sessions on access to information for the benefit of public officials at the central and local levels for the year of 2019.

#### ***The future measures to extend the project and to create an impact :***

- *Continue the implementation of the Capacity Building program on access to Information*
- *Drafting an assessment report regarding the implementation of the goal 16.10.2 of SDGs on the promotion of the access to information in Tunisia*
- *Establishing a coordination working group between the Access to Information Authority and civil society to facilitate exchange and coordination about the improvement of the access to information framework*
- *Drafting an action plan for the implementation of the organic law n° 22-2016 on access to information in order to support public officials in charge of access to information in their work*

### 4.2. Challenges

- What challenges have been encountered?
  - What failures have been encountered along the way (e.g., structural failures or significant setbacks)?
  - And how, if at all, have those challenges and/or failures been responded to?
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*Several challenges have been faced during this project which revolved around:*

- *Increasing awareness among Tunisians citizens on how they can benefit from the legal framework of access to information*
- *Raising awareness of public institutions around the importance of this legal framework and supporting them to use technology to speed up communication and case-handling, as well as ensuring that all of these institutions comply with the access of information law.*
- *Design and generalise the execution of a the capacity building program on access to information for the benefit of public officials and particularly those in charge of the access to information in order to improve their understanding and adoption of the different concepts. For that, various training session have been completed in this field. Also, materials and guidelines have been developed for the institutions subject of the related law;*
- *Providing the human, and technical resources required to be in line with the provisions of the organic law n°22-2016 given the significant workload related to the processing of access to information requests which become a burden for officials responsible of access to information working without an organizational framework (absence of dedicated entity for the access to information) arranging their missions and tasks.*

#### **4.3. Conditions for Success**

What conditions do you think are necessary for the success of your activity? Conditions for success may include:

- Supporting infrastructure and services
- Policy and rules
- Leadership and guidance
- Human and financial resources
- Personal values and motivation

*There are several success keys and conditions allowed to achieve this project. These conditions include :*

- *Existence of a complete legal framework for the access information which considered among the most important ones in the world*
- *Commitment and leadership of the Government project owners at the central level who have made multiple efforts to ensure the optimized implementation of the project*
- *The existence of a civil society organizations active in this field, which contribute to further disseminate useful information and cases to raising awareness of citizens. CSOs provided in several cases the support and technical assistance for the benefit of public institutions*
- *The establishment of a framework of coordination between government and other stakeholders involved.*
- *Commitment and involvement of the various partners involved in the project.*
- *The participatory approach adopter during the whole implementation of this project. Given that all concerned actors have been involved in all stages and the various activities were carried out in concert with them*
- *Existence of tools and materials dedicated for the implementation of the legal framework on access to information such as guidelines elaborated for public institutions and citizens and CSOs.*

#### **4.4. Replication**

Has the activity been replicated to address similar problems? If so, how? In your opinion, what is the potential for it to be further replicated in the future? You may wish to discuss how the activity has already been used by others, as well as how you believe it could be used by others in the future. These others may be in: Other organisations, within your organisation, larger or smaller agencies, organisations or governments.



This project allows furthering involving civil society organization to contribute to achievement of some activities enhancing the application of the legal framework. It could be mentioned in this context the initiative of onshore association aiming to develop a platform enabling citizens and each entity to send an access to information request. But the main issue of this initiative is its limitation given that this platform is not yet adopted by the government stakeholders involved.

#### **4.5. Lessons Learned**

What lessons from your experience would you like to share with others like you? Where there any pitfalls to avoid?

“Strengthen the legal framework of access to information” represents a framework that allows consolidate the multiple efforts and initiative provided by all stakeholders involved in this process. Noting that Tunisia established a legal framework in favor of the access to information considered as a constitutional principle thanks to the constitution of 2014, an achievement that allows Tunisia to join the OGP initiative in 2014 with a good rate in the access to information criteria. But, It cannot be possible to establish an access to information ecosystem based only on a legal framework. For that, this project allowed focusing on different aspects other than legal namely the organizational, procedural and technical aspects. Also, the implication of all stakeholders and the establishment of a participatory approach during all project’s phases facilitated the work of the team in charge of it and allow to consolidate and enhance the initiatives undertaken.

#### 4.6. Anything Else

Is there any other information you would like to share about the activity?

*[response of no more than 300 words]*

### 5. Materials

#### 5.1. Materials

Do you have online materials you would like to include with your submission? Please use the fields below to insert your links.

Link for images

Link for supporting files

Project-Related Video URL 1  
Project-Related Video URL 2  
Other related URL

**5.2. Could you give us the permission to republish the data and information, or part of them, included in this form?**

**5.3. Please provide the correct reference for re-publishing purposes.**

<b>Guideline on access to information dedicated for public officials</b> <a href="http://www.inai.tn/wp-content/uploads/2020/02/%D8%AF%D9%84%D9%8A%D9%84-%D8%A7%D9%84%D9%86%D9%81%D8%A7%D8%B0-%D8%A5%D9%84%D9%89-%D8%A7%D9%84%D9%85%D8%B9%D9%84%D9%88%D9%85%D8%A9.pdf">http://www.inai.tn/wp-content/uploads/2020/02/%D8%AF%D9%84%D9%8A%D9%84-%D8%A7%D9%84%D9%86%D9%81%D8%A7%D8%B0-%D8%A5%D9%84%D9%89-%D8%A7%D9%84%D9%85%D8%B9%D9%84%D9%88%D9%85%D8%A9.pdf</a>
<b>Guideline on access to information for citizen and CSO</b> <a href="http://www.ogptunisie.gov.tn/wp-content/uploads/2019/29/ATI_CS0_Guide_FINAL_Web_Arabic_GR.pdf">http://www.ogptunisie.gov.tn/wp-content/uploads/2019/29/ATI_CS0_Guide_FINAL_Web_Arabic_GR.pdf</a>
<i>[https://...]</i>
<i>[Yes, No]</i>
<i>[response]</i>