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Under the High Patronage of H.E the President of the Republic
Mohamed El Moncef El Marzouki

Seminar

Towards reforming the administrative and financial control system in Tunisia and enhancing its effectiveness in the fight against corruption

Hotel Africa, Tunis, 11 June 2013

Programme

OVERVIEW

Under the High Patronage of H.E the President of the Republic of Tunisia, the High Committee for Administrative and Financial Control is organizing a seminar in Tunis on 11 June 2013 entitled “Towards reforming the administrative and financial control system in Tunisia and enhancing its effectiveness in the fight against corruption”, with the support of UNDP’s Regional Project on Anti-Corruption and Integrity in the Arab Countries (UNDP-ACIAC). This seminar aims at enabling stakeholders to draw a clearer picture of the strengths and weaknesses of the current Tunisian administrative and financial control system and exchange related experiences and expertise with a view to activating this system and strengthening its effectiveness in the fight against corruption. It falls within the framework of efforts aimed at the development of national reform strategies, including the national anti-corruption strategy. Participants include high level officials from relevant ministries and authorities in Tunisia as well as national, regional and international experts and representatives of related organizations.

I. CONTEXT

1. The Tunisian administrative and financial inspection system *a-posteriori* comprises of three bodies with similar horizontal competences that extend across the public sector as well as publicly funded entities. The three bodies are:

- The General Inspection of Public Services, attached to the Prime Minister’s Office
- The General Inspection of Finances, attached to the Ministry of Finance
- The General Inspection of State Property and Land Affairs, attached to the Ministry of State Property and Land Affairs

2. There exist additional bodies that perform inspection tasks, such as ministerial inspectorates with vertical competences limited to the ministry under which they operate, and the Court of Accounts that mainly exercises jurisdictional powers. As for the monitoring of inspection reports developed by the above mentioned bodies and by the Court of Accounts, it has been the responsibility of the High Committee for Administrative and Financial Control since 1993, which is a public institution of an administrative nature subject to the supervision of the Presidency of the Republic. It is to be noted that no independent body exists in the current system in charge of evaluating the implementation of public programs and policies.

3. Despite having horizontal powers covering all ministries and all structures in charge of managing public funds, the inspection offices are currently subject to the hierarchical authority of the ministers under which they operate. As such, they can only act upon a mission order issued by their minister, which subjects them to the authority of the executive power they are supposed to inspect. Consequently, this situation limited the efficiency of the inspection offices and their areas of intervention, led to the reduction of the number of inspection tasks, in addition to delaying the preparation of reports, as per the following points:

- Slowness in the performance of tasks ;
- Lack of objective criteria in the selection of entities that will be subject to inspection;
- No inspection of sovereign authorities such as the Presidency of the Republic, the Prime Ministry, or the Ministries of Interior, Defense, or Justice ;
- Lack of optimization in the use of available human and material resources ;
- Inability to comply with international standards of inspection and evaluation ;
- Lack of updated procedures manuals ;
- Marginalization of the task of evaluation.

As regards the High Committee for Administrative and Financial Control, it suffers from the same shortcomings, particularly the limitation of its powers and lack of human resources at its disposal.

4. The Tunisian Revolution of January 14, 2011 - a popular movement seeking freedom and dignity – is also an uprising against the squandering of public funds and corruption. The achievement of these objectives requires the need to rethink the inspection and monitoring system to meet the demands of a society that aspires to become democratic and consistent with the requirements of good governance. In this context, and in order to address the identified shortcomings, it is important that the tasks of inspection and monitoring be reformed by ensuring the independence of the given authority and its emancipation from the executive power, and by adapting its operating procedures to the principles of good governance. A number of recommendations can be proposed in this framework:

- Changing the legal nature of the High Committee for Administrative and Financial Control from a public institution with an administrative character, to an independent public authority responsible for inspection, evaluation, and monitoring to be named “The National Council for Inspection and Evaluation”. This will enable it to perform its tasks independently and efficiently in adequacy with the principles of the revolution;
- Uniting the three bodies performing financial inspection and emancipating them from the hierarchical authority of their ministers, by merging them in the above mentioned Council. This approach is in line with a policy of reorganization and rationalization of public administration, and seeks to assign this new institution with a role that surpasses that of “classical” inspection;
- Granting the National Council for Inspection and Evaluation extensive powers that cover the evaluation of program and public policy implementation;
- Consolidating collegial decision-making with respect to decisions relating to control, evaluation and monitoring and identifying programmes of work on the basis of objective criteria guaranteeing a better rotation in inspection operations and preventing simultaneous interventions;
- Enabling the Council to refer certain files or actions noted in the records to the public prosecutor so that it can initiate criminal proceedings, and enabling it to refer noted behavioural misconduct to the Financial Disciplinary Court;
- Ensuring the independence and neutrality of the members of the National Council for Inspection and Evaluation vis-à-vis political parties;

- Rationalizing the management of available human and material resources in the various inspection and monitoring structures;
- Ensuring adequate training to the Council members and enhancing their capacities;
- Publishing an annual activity report to inform civil society and the public about the public administration's adherence to good governance principles.

II. AGENDA

8.30 – 9.00 **Registration**

09.00 – 09.30 **Opening Session**

- **Seminar Introduction**

Mr. Ghazi JERIBI, President of the High Committee for Administrative and Financial Control

- **Opening Statement**

H.E Mr. Mohamed EL MONCEF EL MARZOUKI, President of the Republic

09.30 – 10.00 **Break**

10.00 – 11.15 **First Session**

The state of the Tunisian administrative and financial control system and challenges for its activation

***Objectives:** present and discuss the current state of the Tunisian administrative and financial control system in Tunisia with a view to forming a comprehensive image and identifying key related reform challenges and opportunities.*

- **Moderator**

Mr. Ghazi JERIBI, President of the High Committee for Administrative and Financial Control

- **The state of the control system in the public sector: between dispersion and unity**

Mr. Khaled LADHARI, President of the Committee of General Control for Public Services

- **The independence of control bodies as a guarantee for effective anti-corruption efforts**

Mr. Abdelhamid THABET, Financial Judge, In charge of Mission, High Committee for Administrative and Financial Control

11.15 – 12.30

Second Session

Lessons learned from comparative experiences in activating the role of administrative and financial control in the fight against corruption and illicit enrichment

***Objectives:** enable participants to discuss key lessons learned from international experience in reforming administrative and financial control systems with a view to activating their role in the fight against corruption and illicit enrichment and discuss opportunities for the launching of innovative initiatives in this regard including the reform of the role of internal audit and the strengthening the relationship of audit institutions with other stakeholders, particularly civil society.*

- **Moderator**
Mr. Ahmed OUERFELLI, Legal Advisor to the President of the Republic of Tunisia
- **The role of administrative and financial control in the fight against corruption and illicit enrichment**
Dr. Stuart GILMAN, Senior Partner, Global Integrity Group
- **The relationship between audit institutions and civil society**
Mr. Francesco CHECCHI, Anti-Corruption Specialist, UNDP's Bratislava Regional Centre
- **Perspectives on the reform of internal audit**
Ms. Rania UWAYDAH MARDINI, Regional expert and instructor at the Olayan School of Business, American University of Beirut

12.30 – 12.45

Break

12.45 – 13.30

Closing Session

- **Seminar conclusions**
Mr. Arkan EL SEBLANI, Manager, UNDP's Regional Project on Anti-Corruption and Integrity in the Arab Countries (UNDP-ACIAC)
- **Concluding remarks**
Mr. Ahmed OUERFELLI, Legal Advisor to the President of the Republic of Tunisia
Mr. Ghazi JERIBI, President of the High Committee for Administrative and Financial Control

13.30

Lunch
