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SECURITY SECTOR REFORM AND INTERNATIONAL CO-OPERATION OUTCOMES

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Cover photo: Protesters clash with police as they gather to protest the death of 24-year-old Malek Sellimi at hospital following a neck injury sustained during a police chase in September – 14 October 2022, Tunis, Tunisia.

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Introduction

Since the Tunisian Revolution in 2011, the International Co-operation department at the Ministry of Interior (CIMI) has managed incoming proposals for international co-operation despite a lack of clear strategic objectives and significant constraints and limitations with respect to its ministerial mandate, authority, coordination methods, and program monitoring and evaluation tools. The challenges affect the way in which the Directorate General of International Co-operation (DGCI) manages, coordinates, and monitors international co-operation proposals as they relate to the Internal Security Forces (FSI).¹

In the performance of its duties and without any substantial support from another strategic entity (such as the Ministry of the Interior's (MOI) Cabinet), the DGCI has always dealt with the following five major challenges. First, it serves as both the catalyst and the facilitator of the programs proposed by donors and technical or financial partners to the MOI. Unfortunately, such programs are usually quite technical and target security entities that, in Tunisia, have neither (1) the existing structures for managing international co-operation and external relations, nor (2) the specific capacities and skills required to enact other, non-technical facets of these programs. Second, these security co-ordination proposals from outside donors and partners are often not aligned or co-ordinated with one another. The DGCI is saddled with the responsibility of attempting to align and reframe the various methods and processes, with limited support from the outside parties; notably, there is also no support for DGCI personnel, which is expected to perform these duties without requisite knowledge or tools, and without receiving any training in the necessary technical skills. Third, because the DGCI may be required to manage a great variety of proposals at the same time, it hasn't been given the opportunity to increase its own capacity or skill sets, nor has it been able to develop a robust tool for monitoring and evaluating the programs. This makes it hard for the DGCI to optimise both the impacts of its proposals and its own mission. Fourth, the DGCI is structurally hampered by its status within the MOI, from which it receives no substantive support. The DGCI is a sort of "front" unit, lacking a defined strategy or technical capacities, and practically isolated from other units within the MOI (especially at the strategic or governance level) that could provide support or promote its work. This structural isolation is in part due to Parliament's failure to require validation and monitoring of any security sector strategy; instead, it rubber stamped the MOI's budget in this area. International co-operation in the security sector was completely missing from the Parliamentary Security and Defence Commission's meeting agenda. Finally, as referenced above, the MOI's Cabinet has no specific government mandate regarding international co-operation and lacks the technical capacity to manage it. The Cabinet's role is purely administrative: processing mail addressed to the minister, facilitating internal meetings, and requesting files or security dossiers for high-level meetings both domestically and abroad (which are prepared and organized by the CIMI).

This paper will try to analyse the CIMI, specifically relating to its own capacity and its relation to the MOI's abilities to develop a seamless strategy for international co-operation within a framework of a necessary "separation" between the security sector's political governance – embodied by the minister, who dictates the vision for the security sector, as well as any implications of such a vision for democracy, rights, and liberties – and its technical governance, which is provided by security technocrats who seek to ensure a neutral and professional

¹ The FSI are comprised of the National Police (special services, common services, technical services, general security, external security, intervention units, and special units), the National Guard (a paramilitary entity), and Civil Protection. These three FSI security entities have weak functionality in their organizational structures, as many of their services are run by more important sub-directorates and directorates of the Ministry of the Interior. Their only practical purpose is managing the DGCI's mail, and sending formulaic and bureaucratic responses. Moreover, the FSI's mission is highly detailed and technical, as it's an accumulation of everyday public order mandates from the Daily Order, a doctrinal concept of discipline, and its statutory position which demands absolute respect; [الأمر اليومي].

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implementation of any security strategy, as well as endorsing and enforcing reforms to the security sector. This separation is necessary to develop and undertake the process of SSR.

This paper analyses the problems raised by the current state of international co-operation proposals – which are usually drafted without a common identification of “needs” – and will also reference the controversial elements of the concept of security sector reform (SSR), as well as the disparate methods and shifting agendas of the successive political and technical governance elements of the MOI over the past decade. Additional elements – such as the dynamics between key actors within the MOI and the security sector – have exerted significant influence in these areas. We will also examine the primary forces at play: political actors, civil society, the media, and the community. The paper will conclude with a summary of the main issues relating to the processes of international co-operation in its global context, including that of SSR, and will present some recommendations for donors on how to better approach sensitive security entities with reduced technical capacities, as well as a ministry undergoing a very biased political transition.

International Security Co-operation: Performance, Context, and Problems with the International Security Proposal and the SSR Project

1. International Co-operation: A Simple Administrative Practice Devoid of Strategy

Until the 1990s, the MOI's international co-operation bureau had the primary mission of co-ordinating and monitoring security-related external relations, such as for bilateral conventions, international visits, secret immigration cases, and the Council of Arab Interior Ministers.² More specifically, the bureau managed a variety of international relationships, including coordinating with INTERPOL National Central Bureau Tunisia, managing the Council of Arab Interior Ministers' meetings portfolio, handling the irregular immigration issue with Italy, following-up on certain matters of border coordination, preparing international trips for the Minister of the Interior, and coordinating and representing the MOI at joint commissions on bilateral co-operation. Since 1996, and with President Ben Ali's direct approval, the bureau, which had meanwhile become the Directorate General of International Co-operation,³ has transformed into the Directorate General of International Co-operation and External Relations⁴ (with two separate directorates, one dedicated to bilateral co-operation and the other to multilateral co-operation).⁵ As a result, an article was inserted into the decree that defines the powers of the MOI, as well as to the decree relating to the MOI's structure. This

2 This was almost the case of all ministries.

3 إدارة التعاون الدولي

4 What is paradoxical and even bizarre is that the MOI was practically one of the first (if not the first) ministries to create a directorate general for international co-operation, replacing the famous "international co-operation bureaus" reporting to the heads of cabinets.

5 It is customary for the position of Director General, as well as the positions of Director of Bilateral Co-operation and Director of Multilateral Co-operation, to be filled by civilians, often by high-level officials from the Tunis National School of Administration. The staff is comprised of civilians and military personnel. In 2016, the Directorate General of International Co-operation and External Relations consisted of 66 people, the majority of which (60%) were from the military.

coincided with the signing of the Exchange of Letters with Italy, which was the first effort to contractually formalize the Tunisian-Italian relationship regarding the management of illegal immigration (later replaced by a 2011 co-operation agreement, under then Prime Minister Béji Caid Essebsi). Similar to the numerous other specialized directorates general at the MOI, such as those for Regional Affairs or Local Communities, the DGCI is a primarily administrative office working on bilateral or multilateral co-operation agreements. Its functions, performed through formalized procedures, are heavily reliant on approvals and validations. It lacks a defined strategy or clear objectives for development, capacity building, or prospective partnerships.

The lack of a ministerial or governmental strategy for international co-operation can be in-part explained by an institutional inability to produce strategic-level documents. At the governmental level, the security sector is not guided by a government strategy with a clearly outlined vision, mission statement, strategic objectives, and concrete action items. Additionally, the Tunisian government has limited capacity politically to take charge of a vision for security reform. Such a vision would need to take into account considerations of human rights and freedoms; unless it could embrace the ideas of a "democratic vision of security", any policy produced by security departments would only be according to their existing technical missions. Turning to the MOI, it has always followed the Ministry of Foreign Affairs regarding in issues affected by conventional co-operation frameworks.⁶ Foreign Affairs essentially controls the framework within which bilateral and multilateral agreements and partnerships are made, while CIMI is relegated to being a technical extension of its diplomacy and external relations efforts. The inability to produce its own CIMI strategy has always been a weakness for the MOI, and has prevented it from being able to capitalize on the significant increase in international co-operation proposals that have emerged since the revolution.

The MOI's inability to produce such a strategy also stems a lack of strategic planning at the ministerial level, as well as a lack of a will at the MOI's strategic governance level (the Cabinet and relevant specialised units).⁷ Indeed, the level of technical capacities is contingent on politics: the improvement of technical capacities would increase the professionalised performance of police duties, decrease violations, and increase recognition of and respect for rights and freedoms (i.e., it would create a republican and democratic police force). Finally, the lack of strategy undermines the DGCI's

6 The MOI is a permanent member of joint co-operation commission meetings gathering Tunisia and friendly countries. CIMI represents the ministry in these meetings.

7 The largest strategic planning capacity-building project within the MOI (funded by the British Embassy and implemented by AKTIS Strategy throughout 2014) was abandoned and showed much political influence.

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capacity for building specific skills among its civilian and uniformed personnel. Staff members can join the DGCI without any previous training in diplomacy or international co-operation. Basic knowledge is acquired through on-the-job learning, which leads to staff repeating existing practices and maintaining the status quo.

Finally, the DGCI suffers from staff turnover due to a lack of privileges and training available to its personnel. Other directorates general or departments often confer certain privileges that the DGCI doesn't offer. Military and civilian personnel assigned to work in CIMI are often in a constant quest to move to other ministerial entities that could provide them with access to such privileges, and as such they often prioritise acquiring skills-certifications that would help them to advance professionally outside of the DGCI.

2. Co-operation Proposals are Non-Co-ordinated, Highly Technical, and Follow Donor Agendas

The decade after 2011 was marked by a number of diverse international co-operation proposals in the security sector, which could have had a substantial impact on the capacities of the DGCI. For such proposals to have had a real effect, however, first there needed to be a DGCI-dedicated capacity-building programme, and a request from the MOI for technical support of the DGCI. With such supports, the DGCI may have been able to build its internal ability to manage, monitor, and evaluate international co-operation programmes, bolstered by a ministerial mandate and mission that might have allowed it to manage an international co-operation strategy with government support.

Instead, the proposals that CIMI received were flawed or improperly motivated, sometimes by the donor's political agendas or other biases. Immediately after President Ben Ali's fall, the USA and Germany responded to an "urgent need" to support the "democratic transition of forces." Their response was in anticipation of potential instability within the MOI and the security forces, but seemed to be motivated by the desire for their own agencies – which had offices in these countries' embassies in Tunisia – to install programmes of stabilisation, capacity-building, and material support and equipment in terms of material and equipment.⁸ At one point

⁸ These bureaux are permanent representatives of the various countries' security agencies, such as the US' Bureau of International Narcotics and Law Enforcement Affairs, the FBI (including its Hostage and Rescue Team), the German Federal Police, etc. There are other bureaux that also represent intelligence agencies. These bureaux are what we call Liaison Officers whose counterparts at the MOI are the DGCI and the Directorate for External Security (a branch of the Directorate General of Special Services).

during the country's stabilization efforts, the FSI needed materials and intensive training in crowd management and the proportionate use of force, which certain countries satisfied; however, their goals seemed to be the promotion of certain political dynamics via these security initiatives.

More generally, many of the international co-operation proposals received by the MOI were un-co-ordinated and highly technical, requiring tools and capacities that greatly surpassed the existing capacities of the DGCI and other intended beneficiaries. In 2012, and with the appointment of the Hamadi Jebali administration (the first government after Ben Ali's), there was an influx of international co-operation proposals to the MOI. It seemed as though these partner countries were competing in a race to see who could be the first to come to the MOI's aid. Additionally, the support offered was more substantial in theory than in practice – another example of the grandstanding from countries that wanted to project an image of being the first to provide support for in democratic governance and capacity-building within the MOI and FSI. The competitive and political nature of the first waves of international co-operation proposals prevented both the necessary co-ordination between such proposals and the training and support that would have been required by their highly technical nature.

Finally, it's important to note that SSR has never been demanded by any Tunisian government or minister of the interior; instead, SSR has been included in international co-operation proposals as part of the donors' agenda. As such, the DGCI, without an SSR mandate from the MOI, must manage these technical proposals from donor states according to their own priorities. Despite this, these agendas did not completely undermine the significance of the technical proposals, which did present significant added value both technically and in terms of good security governance. Additionally, it should be noted that the offers of assistance were not made contingent on the acceptance of certain conditions regarding SSR by the MOI, nor were there any "political" conditions imposed on the security assistance (especially from the USA and Germany). For these two specific countries, it was more of a strategic objective aiming to achieve a respectable level of professionalisation of the security forces as well as a level of "democratisation" that "requires" them to abide by a number of rules, such as respecting human rights and the freedom of expression and demonstration, as well as accepting democratic control.⁹ By "professionalisation," this paper refers to the support

⁹ There were specific programmes in the context of professionalization – through training and equipment – that targeted special units whose mission is highly technical and sensitive, such as the Anti-Terrorism Special Units or Intelligence and Intelligence-Sharing Units. The democratization level is transversal and more politically "biased"; this is outside the scope of this paper.

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provided to build the technical capacities of units at all levels, including their performance. By “democratisation,” this paper refers to security forces subjected to democratic control and respecting the values of democracy, rights, and freedoms.

In this context, it’s worth noting that the FSI’s code of conduct, which has been released, is part of the donors’ demands as something they can point to as the first signs of effective reform. Like many other items – such as the creation of a Central Unit for Strategic Planning or the Media and Public Relations Units – the FSI code of conduct was the result of technical processes launched by technical agencies such as the UNDP, without taking into account the timing and more urgent priorities at hand. It was evident that the code was more of a “quick win” project that was also for the benefit of SSR strategic priorities, such as curriculum modernization and professional capacity-building. A real assessment of actual needs was not part of the process.

3. Unstable, Politicised Governance Prevents Political Co-operation Frameworks

Many security co-operation proposals emerge from understandings, political programmes, or bilateral mechanisms that are rooted in political relationships. For example, a security co-operation agreement with Türkiye was clearly part of a political and security support to the troika government presided over by the Ennahdha party from 2011 to 2013. In another example, in 2014 Head of Government Mehdi Jomaa visited the US to meet with President Barack Obama, and the two countries launched a bilateral strategic dialogue process, of which one key operational component was a joint strategic security coordination group.¹⁰ I should note that I coordinated the meetings of the “US-Tunisia Security Joint Team” at the MOI level; I also represented the MOI in its meetings with the Head of the Government (Lassaad Dorboz, who was President Jomaa’s Security Advisor, chaired the bilateral meetings with the American delegation). Finally, there were the Secretary of State Political Consultations process that was launched by German Chancellor Angela Merkel a few months after the revolution, which had the strategic objective of “supporting the process of democratic transformation in Tunisia.” This process, which holds its meetings in Berlin by joint agreement, designed a support

10 “U.S.-Tunisia Strategic Dialogue”, available at <https://tn.usembassy.gov/us-tunisia-strategic-dialogue/>; “Dialogue Stratégique entre la Tunisie et les USA: Une lettre et des questions”, Nawat, available at <https://nawaat.org/2014/04/01/dialogue-strategique-entre-la-tunisie-et-les-usa-une-lettre-et-des-questions/>; “Le dialogue stratégique US avec la Tunisie en cinq questions”, available at <https://www.espacemanager.com/le-dialogue-strategique-us-avec-la-tunisie-en-cinq-questions.html>; “U.S.-Tunisia Joint Statement on Strategic Partnership - U.S. Embassy in Tunisia”, available at <https://tn.usembassy.gov/us-tunisia-joint-statement-on-strategic-partnership/>

programme for the MOI under which the FSI received essential points of security support from the primary German security agencies, such as the federal police, the border police, the special units, and the scientific and technical police.

Importantly, the above-described agreements were achieved within political frameworks. Unfortunately, the instability at both the political and technical governance levels within the MOI have greatly affected CIMI. Indeed, with every new minister, CIMI must be prepared for changes at the directorates general with which it coordinates. It must also go through a necessary transitional period while the incoming minister is briefed on current matters. Meanwhile, the multiple and diverse co-operation proposals continue, demanding reliable and continuing political validation and authorizations, especially for sensitive co-operation programmes or programmes relating to the fight against terrorism. As for technical governance, any political change within the MOI almost automatically entails changes at the helm of the most sensitive and key directorates general, as each minister appoints new directors immediately after they take office. In most cases, these political changes will also impact how the newly appointed directors manage these highly sensitive entities and programmes. These changes, on both the governance and technical levels, deny CIMI the stability that would allow it to perpetuate and capitalize on certain practices, and prevents it from being able to strategize over the medium to long term.

Preliminary Conclusions and Brief Recommendations

CIMI remains an administrative practice that follows a technical logic without any reference to a set strategy for security co-operation supported by a well-defined security policy established by a stable government. Therefore, SSR has never graduated to a clearly identified need. Most importantly, it was never adopted politically during the first years following the revolution. The response of the MOI to reform attempts (for the most part, technical and material support programmes selected without an inclusive and needs-based process in terms of training, equipment, and materials) has remained very limited and was reduced to merely managing different security co-operation proposals by the DGCI. The latter was soon called upon to manage a large number of security co-operation proposals without understanding their logic and without having, as specified earlier, the necessary tools for such an endeavour.

There has never been a clear alignment between, on the one hand, the donors’ expectations for professionalization, democratization, and reform through support programmes and, on the other, a stable political and strategic Tunisian

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will combined with sufficient technical preparedness for such reforms; without such a mutual understanding, it is hard to manage proposals in light of donor expectations and root SSR into the philosophy of these projects. Additionally, the MOI had never considered SSR to be a key pillar of democratic transition and a necessary stepping stone towards the professionalization and modernization of security forces. It is also worth noting that for the political parties – almost without exception – their motivation for controlling the MOI was to establish their party's dominance. With this attitude, it would have been impossible to find a political party that thought deeply about the very real challenges and opportunities of implementing an SSR project, or which would be able to anticipate the repercussions of reform on the democratic transition process.

Without evident political buy-in and a reform strategy that defines for the MOI a clear vision, mission, and strategies for the security sector (and without which the DGCI nevertheless had to conduct fact-finding missions, capacity building tasks, assume the responsibilities of harmonization and optimization of international co-operation proposals), the SSR project has been a massively missed opportunity on all levels and by all actors. A robust SSR project could have at a minimum contributed to professionalizing security forces, modernizing and upgrading their training, and enhancing their relationship with citizens, especially through their democratization and their submission to democratic control. Indeed, without any professional policing regulated by clear protocols and instructions, nothing is guaranteed with respect to human and fundamental rights. A police intervention provided by well-trained, clearly instructed, specialised units is necessary to guarantee a minimum level of respect for citizens' rights. It should also be noted that, at this highly specific level, professional performance is insufficient if it is not paired with a clear and politically validated predisposition to subject security services to democratic control.

This project could have also yielded political awareness (among political actors) of the significance of SSR for enshrining and ensuring the impartiality of the MOI and the emancipation of the much “aborted” process of police “republicanization” and FSI professionalization, at least for those units most in contact with citizens.¹¹ Moreover, the MOI could have seized this SSR project opportunity to: (1) create a significant leap forward in how it governs security, both politically and strategically, and offering a different dynamic from coercion and punishment; (2) develop its capacities in strategic planning as leverage for modernizing and professionalizing security forces; (3) manage forces and

¹¹ There was a draft for a support and training programme in “crowd management” (by the US' Bureau of International Narcotics and Law Enforcement Affairs) targeting a cohort of 1,000 specialised units of the Directorate General for Intervention Units.

missions during a very sensitive democratic transition period with significant security and political challenges;¹² (4) launch reform processes to modernize curricula and units; (5) develop its capacities in institutional communication, particularly in times of crisis and regarding sensitive matters, such as anti-terrorism; and (6) pave the way for the progressive inclusion of civil society in supporting the SSR process.

Furthermore, donors had no clear outlook on the type of the assistance most suitable and adapted to the true needs and priorities of security forces in terms of professionalization and democratization. In general, the international offer of assistance or support designed for, or on the basis of, SSR did not only transcend the reality of technical capacities, but was not also very concerned about the very feeble political will and quasi-absent commitment to reform.

The proposals were obviously (especially during 2013, 2014, and 2015) grandstanding and competitive, with rather political and strategic goals and priorities. They were mainly about showing political support to the MOI in terms of democratizing the FSI, establishing technical relations with certain mission-specific units, supporting the fight against terrorism, or supporting the direction of specific administrations (as in the two most striking cases of Turkish support to the Ennahdha Movement government of Ennahdha and American support to the “technocrat” government of Prime Minister Jomaa). One possible explanation is the lack of a request from the MOI as the beneficiary, which was already unable to pass this proposal through a predefined SSR strategy. Consequently, the concrete and effective impact on international co-operation, as one of the capacities of the MOI needed to support SSR and democratic transition, is limited.

It is therefore of the utmost urgency today to consider creating an SSR project that is driven, above all else, by a clear political will to professionalize and democratize forces, to be followed by necessary support for the DGCI's capacities, which will continue to manage every category of security co-operation proposals. Moreover, regarding the necessary harmonization and optimization of the international offers for security co-operation, donors are urged to support security co-operation and coordination mechanisms, as well as bilateral and multilateral coordination. This sort of co-ordination could stem from a joint identification of needs leading to the identification and formulation of the most appropriate proposal, as well as identifying the best suited source. The only instance where this kind of mechanism was created was at the time of the Imperial attack (2015) when, based on an initiative from the British Embassy, a sui generis “G7+3 Mechanism” for anti-terrorism security coordination was created, consisting of the Group of Seven, Spain, the

¹² There were opportunities and offers for merging forces, changing curricula, etc.

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Netherlands, and Belgium. Besides this mechanism, no other bilateral or multilateral mechanism was put in place.¹³

In addition to the ideas discussed, the author has a few additional recommendations. First, based on analysis of the media's coverage of the police union issue and the problematic relationship between the unions and the MOI, it is clear that the media does not seem to have sufficient knowledge of the security function in general, and even less knowledge of the components and specific objectives of an SSR project. There is an urgent need for action aimed at supporting the capacities of the media to better understand the security constraints as well as the real challenges and opportunities of the reform

¹³ The Group of Seven is Germany, Canada, the United States, France, Italy, Japan, and the United Kingdom; "Le 'G7 élargi' en Tunisie, un modèle de coopération multilatérale sécuritaire inédit", Le Blog de B2, available at <https://www.bruxelles2.eu/2018/08/le-g7-elargi-en-tunisie-un-modele-de-cooperation-multilaterale-securitaire-inedit/>. Created in the summer of 2015, the four "G7+3" working groups each paired a Tunisian ministry with an international counterpart to: (1) protect tourist sites and other sensitive areas (led by the MOI and the United Kingdom); (2) fight terrorism (led by the Ministry of Defence, the European Union, and France); (3) improve border security (led by the Ministry of Defence and Germany); and (4) improve airport and seaport security (led by the MOI, France, and the United Kingdom).

project. A responsible and well-equipped media with adapted training can be very useful in supporting the reform project and informing the public of its objectives and challenges. Additionally, considering the MOI's limited capacities for institutional communication, the media could support the MOI by reinforcing its communication with responsible and simplified content. Responsibility here falls upon the MOI to stop using confidentiality considerations and the sensitivity of security information as pretexts to remain opaque, solely permitting a minimum of communication that's essentially institutional and technical. It would also be preferable for the MOI to become open, collaborative, and transparent with the media, thus guaranteeing improved access to information. Next, parliamentary oversight over the MOI – not limited to a simple technical control of budget items – is essential to developing capacities for a genuine democratic control of the FSI, covering both performance and institutional conduct in relation to rights and freedoms. Finally, during the current period of interrupted democratic transition and mitigated political governance of the MOI, with a renewed use of this apparatus and its departments for political ends, any support to the MOI is not only counterproductive but could also enhance the capacities of services that do not respect human rights and freedoms.

Avocats Sans Frontières

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