



Anti Corruption Policy

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Terminology

This terminology defines the meaning of this policy as follows:

Governance: It is a system of oversight and guidance at the institutional level, which defines responsibilities, rights and relationships with all groups concerned and clarifies the rules and procedures for making rational decisions related to the work of the structure. It is a system that promotes fairness, transparency, accountability and enhances trust and credibility in the work environment.

Public official: Any person who is entrusted with the powers of the public authority or works for an interest of the state, a local group, a public institution, a public establishment, or any other entity that contributes to the conduct of a public service.

Transparency: It is clarity within the public structure and in the relationship with citizens (beneficiaries of the service or its financiers) and the overtness of the procedures, goals and objectives.

Integrity: It is the system of values related to truthfulness, honesty, sincerity and dedication to work that reflects compliance with the requirements of the law and its purposes in order that the image of the structure to which the official belongs to is preserved in the eye of the public and the right of citizens to obtain the necessary information about the work of public structures in order to ensure that the work of these structures meets with what is defined by the law relating to their jobs and tasks.

Efficiency: is the public official optimal employing of the resources available to the structure which he belongs to and the development of working methods in order to achieve the structure expected goals at the lowest possible costs.

Accountability: The duty of public officials, whether elected or appointed, is to submit periodic reports on the results of their actions and their effectiveness in implementing them.

Accounting: Those in charge of public office are subject to legal, administrative, or ethical accountability for their decisions and actions, whether horizontal accountability (public servant responsibility to other

parallel parties) or vertical (the public servant responsibility vis-a-vis his electors, his reference authority, and the citizens)

Corruption: Any act that involves misuse of power, influence, or function to achieve a material or moral self-interest service for oneself or for others.

Bribery: is the public officer soliciting or accepting, directly or indirectly, for his or for others benefits in exchange for doing a work he is in charge of or for abstaining from it.

Favoritism: is the unlawful execution of actions in favor of an individual or entity to which the official belongs, such as a party, family, or region

Nepotism: It is the unfair preference of one party over another while performing a service in order to obtain certain interests.

Interference: is the intervention for the benefit of an individual or group without commitment to work assets and the necessary competence, such as appointing a person to a specific position for reasons related to kinship or party affiliation.

Looting of public funds: This consists in obtaining and disposing of public funds without right.

Conflict of interest: is the conflict between the function of the public official and his personal interests, which may affect his decision-making and the way he performs his obligations and responsibilities.

1- Preface:

Corruption is one of the most dangerous phenomena on the development process that should be ensured by countries, especially developing countries, to solve their economic, political and social problems, as corruption results in undermining the foundations of development and the inability to fully exploit resources and economic potentials. The phenomenon of corruption also impedes the equitable distribution of wealth, which results in the exacerbation of the

phenomenon of unemployment and the prevalence of a state of social and political instability.

In view of the role entrusted to the state institutions where it manages public funds, these institutions bear a national responsibility represented in protecting the funds allocated to them and making sure that they are used in a meaningful way and therefore corruption is a form of waste of public funds, which negatively affects government development programs and projects in particular and leads to He incurred heavy losses in this area. Hence the importance of a national anti-corruption strategy that includes policies and frameworks at the institutional level.

Within this framework, this policy that the agency has adopted as a public institution to which all laws related to anti-corruption and also related to administrative control apply, as a commitment among them to the principles of transparency, integrity and anti-corruption stipulated by international agreements and ratified by the Tunisian state and at the same time in line with the requirements of international partners in This area is modeled after the Green Climate Fund.

2- The general framework for combating corruption in Tunisia:

2-1- The Constitution

The 2014 constitution, whether within the preamble or the chapters, established good governance and anti-corruption an important position, as the preamble included:

"Pride in the struggle of our people for independence and nation-building ... and certainly with injustice, injustice and corruption ..."

The chapters also included:

Article 10: The state should endeavor to properly dispose of public funds and take the necessary measures to spend it according to the priorities of the national economy and prevent corruption and all that would prejudice national sovereignty.

Article 11: Anyone who assumes the presidency of the republic or the presidency of the government or any other high position must declare his property as determined by law.

Article 15: Public administration in the service of the citizen and the public interest regulates and operates according to the principles of neutrality, equality, the continuity of the public service and in accordance with the rules of transparency, integrity, efficacy and accountability.

Article 32: The state guarantees the right to information and the right to access information

Article 130: Good Governance and Anti-Corruption Authority contributes to good governance policies, preventing and combating corruption, following up on its implementation and disseminating its culture, and promoting the principles of transparency, integrity and accountability. The authority monitors, investigates, verifies cases of corruption in the public and private sectors and refers them to the relevant authorities.

2-2- Ratified International conventions:

Tunisia has signed several international agreements since 2004, but the true will to fight corruption began to emerge since 2012, as it was also strengthened with important support from many countries and international bodies. We mention of these agreements:

A - The United Nations Convention against Corruption, which was issued in accordance with United Nations Resolution No. 58/4 of 10/13/2003. Tunisia signed this agreement on March 30, 2004 and was ratified by Parliament in accordance with Law No. 16 of 25 February 2008. Its purposes are mainly to promote and support measures to prevent and combat corruption, enhance integrity, accountability and proper management of public affairs and public property

B- The African Union Agreement to Prevent and Combat Corruption, which was signed in Mobutu on 11 July 2003, and among its objectives is

to encourage and promote the establishment of the necessary mechanisms in Africa by the States parties to prevent corruption

C- The Arab Convention Against Corruption, signed in Cairo on December 21, 2010 and ratified by Tunisia in the Basic Law No. 73 of 2016. Among its objectives is to strengthen measures aimed at preventing and combating corruption and supporting Arab cooperation to prevent, combat, detect and recover assets

2-3- Anti-corruption legislation:

The Tunisian state has an arsenal of projects related to combating and preventing corruption, among which the most important:

- Ordinance No. 1039 of 2014 related to the regulation of public transactions, and it specifically states that these deals are subject to the principles of competition, freedom to participate in public demand, transparency and fairness of procedures, as well as to good governance rules and take into account the requirements of sustainable development
- Ordinance No. 4030 of 2014 of the Public official code of conduct and ethics has stipulated that the public official must refrain from requesting, requiring or accepting gifts, donations or benefits, whatever they may be for himself or for the others
- Basic Law No. 26 of 2015 related to combating terrorism and preventing money laundering
- Basic Law No. 10 of 2017 related to reporting corruption and protecting whistleblowers, which specified the procedures and how to provide personal protection for whistleblowers by the relevant public authorities
- Basic Law No. 22 of 2016 related to the right to access information as it requires the relevant structures to facilitate access to information and sets procedures and deadlines for responding to demands

- Law No. 46 of 2018 related to declaring properties and benefits and combating unlawful enrichment and conflicts of interest
- Governmental Decree No. 1158 of 2016 related to establishing good governance cells in ministries, local groups, public institutions and enterprises
- Articles 38-98 of the penal code related to corruption offenses committed by public officials or the like staff upon entry on duty like bribe giving or taking, embezzlement and abuse of power to derive a benefit. And the articles from 193 to 200 of the aforementioned magazine about the crimes of assault on public authority and breach of trust, such as fraud and counterfeiting an official seal and its use . . .

As a public institution, the agency is subject to all these laws, in addition to:

- The Staff Act of the Agency for the Promotion of Agricultural Investments
- The policy of the Agency for promoting agricultural investments to combat corruption
- Code of Conduct for the Staff of the Agency for the Promotion of Agricultural Investments

3- Agency policy in fighting and preventing corruption:

3-1- Field of application:

3-2- Definition of corruption and its causes:

The UN Convention against Corruption did not define this term, and only enumerated its areas, manifestations, and ways to combat it, but the World Bank gave the concept of corruption as "abuse of public office for private gain" and Transparency International defines corruption as "misuse of the public authority for profit or for a private benefit." In the light of the United Nations Convention against Corruption, the Tunisian legislator defines this term stipulated in Article Two of the Framework Decree No. 120 of 2011 as "abuse of power, influence or position to

obtain a personal benefit, and corruption includes especially bribery in all its forms, in the public and private sectors. The seizure, misappropriation or waste of public funds, exploitation of influence, abuse or misuse of power, unlawful enrichment, breach of trust, misuse of moral property and money laundering”

The first article also states, "This framework decree aims to combat corruption in the public and private sectors, particularly in developing efforts to prevent it, facilitate detection, and ensure that perpetrators are tracked and deterred, and support the international effort to reduce it and reduce its effects."

Accordingly, all definitions converge in the definition of corruption as an abuse of power or function to obtain private gain or personal benefit.

The reasons that result in administrative corruption mainly revolve around:

Internal administrative reasons:

- The absence of a strong and clear organizational culture that leads to compliance with the ethical charter
- Weakness of the regulatory system that makes corrupt practices pass without accountability
- lack of clarity of powers and authorities, and inadequate organizational structure to the nature of the work
- Disguised unemployment means that there are a number of workers who do not do any work
- The weakness of the administrative leadership, which encourages the perpetuation of these practices without fear

Economic reasons, including:

- The deterioration of economic conditions and the low salaries and wages that secure an income level that provides the needs in an acceptable degree, as well as the depletion of this income due to the effect of inflation
- The absence of incentive systems and job rewards that help workers make more efforts and adhere to job ethics and business requirements
- Poor planning and weak domestic and foreign investment resulting in increased unemployment and limited employment opportunities

- Political reasons, including:

- Political instability and multiple transition periods when changing political systems, especially in developing countries, create the atmosphere for administrative corruption
- Adoption of the criteria of loyalty to governing political entities and parties in recruitment and employment rather than the criteria of competence and experience

Legal and legislative reasons:

- Poor drafting of laws and procedures governing work due to vague or sometimes unconformable articles of the laws, which gives an opportunity for the employee to evade or go to interpret the law in his own way
- Enacting improvised laws that provoke confusion and drive people to bypass and circumvent them
- Formulating interpretable laws according to considerations through which to achieve hidden and unannounced goals

The causes of administrative corruption, as illustrated, are numerous and different from one person to another, as well as from one institution to another, determined by the circumstances and factors that help to the emergence of corruption.

3-3- The objectives and pillars of the Agency's anti-corruption policy:

The anti-corruption policy adopted by the Agency for the Promotion of Agricultural Investments aims to raise the level of credibility and responsibility that the agency has, whether in the eyes of international dealers and partners or with Tunisian citizens dealing with it, by controlling and disposing of risks related to corruption. This policy also highlights the measures that must be taken in the face of situations Or suspicions of corruption, as well as measures to be taken to prevent or reduce the risk of corruption. By setting this policy, the agency wishes to be an institution that adheres to the principles of transparency and clarity of financial accounts and dedicates values to disposal and the way they are managed, and accordingly needs to disclose and report as well as prevent any form of misappropriation of resources.

The creation of a mechanism to detect abuses will enhance good governance in internal behavior as well as in the management of projects assigned to the agency, given that this mechanism, which must be feasible and effective, will enable the agency's employees, partners and dealers with them to report cases of fraud and corruption and all the violations issued by the agency's employees or other related persons By proxy, whether by supply or project implementation.

The commitment of the agency's employees to the code of honor invites them to observe the standards of ethics, integrity and responsibility and dictates that they provide the best services with accuracy and efficiency and in the scope of complete transparency and avoid any action that would distort their image as employees of the agency as well as conflicts of interests between their work and their own activities.

The clarification of laws and the clarification of procedures within the procedures manual or the basic law promote respect for fundamental values and dictate to employees the commitment to integrity, honesty and integrity, in addition to dedication to performing the duty

From these premises, the Agency is committed to fighting corruption and fraud and promoting a culture of fighting corruption and preventing it within the scope of what is dictated by national and international laws.

It also pledges to apply the principle of "zero tolerance" in its dealings with corruption cases and investigating attempts or suspicions of corruption and dealing with them with the required seriousness and to ensure the application of what they contain. Policy and direction, all agency employees acknowledge informing them about their understanding and stating that they are committed to implementing them

3-4- Corruption prevention measures:

In light of the importance of the issue of corruption in that its implications go beyond the side of direct financial losses to offend the image of the institution, finding measures to prevent and expose this scourge is one of the priorities of policies aimed at fighting corruption and accordingly, the Agency's prevention and detection measures will depend on:

- Seek to create a climate that condemns and rejects actions that lead to corruption

Strengthening the internal control mechanism and ensuring the independence of its work

- Defining the actions and responsibilities of all agency employees
- Setting a training and communication program in this field
- Implementing detection, reporting and investigation procedures
- Addressing conflict of interest situations
- Take the necessary measures when the anti-corruption policy is not applied

3-4-1- The climate of integrity and good behavior:

Creating a climate to promote ethical behavior and establish principles of transparency is one of the feasible measures in the prevention of corruption by the agency. The creation of this climate is linked to several measures, the most important of which are:

- The commitment of the agency's officials and employees to fostering a sound and transparent environment in which value culture finds the required place
- Within this climate are codes of conduct that set for employees the required behavior and the violations that subject its owner to penalties
- Include the alert against fraud and fraud operations in all contracts that link the agency with its clients and suppliers
- Pledging to spread the culture of the ideal employee to urge accurate application of procedures and laws
- Incorporating changes in national and international laws related to combating corruption into everyday activities

3-4-2- Internal Control:

In the internal control process, the agency seeks to find a viable, effective and consistent monitoring system in line with international standards, especially what is stated in the recommendations of the COSO 2013 Committee (Organizations Committee sponsoring the Trade Way Committee) by adopting the following:

- Create an appropriate environment for the oversight process by developing the current organizational structure within the scope of respecting the legislative and legal framework so that it can define responsibilities and indicate the delegation of powers in addition to information and reports department clarifying
- Rely on the principle of competence in assignment, promotion and work evaluation to ensure that the culture of professionalism is promoted and the principle of transparency is maintained
- To prepare administrators and their perspectives to understand and accept internal control, enabling them to assess risk and ensure quality of performance
- Establish a risk management mechanism by establishing and identifying a risk profile jointly prepared by the various departments of the Agency

as the fight against corruption starts from knowing how the corruption process is emerging

- Intensifying monitoring operations at all levels and in all jobs
- Developing an information and communication system so that in addition to obtaining useful and updated information from the inside, it is possible to know the external events associated with it, which enables us to take a meaningful decision.
- Guidance, ongoing monitoring, establishment of dashboards and control of indicators for each activity of the Agency

3-4-3- The role and responsibility of the actors:

In the monitoring process to prevent and combat corruption, the agency relies on the three-line model:

- The front line of defense consisting of agents and cadres who carry out daily tasks and those responsible for their part also to ensure that the internal monitoring system performs its functions with regard to preventing corruption
- The middle defensive line consisting of those charged with conformity and consisting of officials in charge of matching operations as assessment and follow-up officials, information systems officials, accountants ...
- The backward defensive line consisting of internal and external observers, auditors of accounts

In addition to its oversight activities aimed at increasing credibility and justice, improving the behavior of agency employees, as well as transparency of transactions, reducing the risks of administrative and financial corruption and reducing waste and abuses, internal control ensures that the operations carried out by agency employees, as well as its dealers and suppliers, are in accordance with laws as well as with rules and legislation Agency-specific policy, including anti-corruption and prevention policy

The auditor, within the scope of independence, shall, in addition to including in his report for each operation, suspicion of corruption, profligacy or unjustified use of the resources or property of the Administration, seek, for his part, to achieve the objectives of the Agency's prevention and anti-corruption policy

The state oversight bodies mentioned above are also playing an integral role in the fight against corruption, as the agency's accounts and the sections of its disposal are subject to the supervision of the Accounts Court and the General Financial Supervisory Authority, and transactions and purchases are subject to the supervision of the supreme body of public demand, and the external observer carries out continuous monitoring

3-4-4- Training and Capacity Building:

In view of the pivotal role of agency staff in combating and preventing corruption, and in order to generalize and deepen the sense of responsibility in relation to the risk of corruption, the Agency will develop a communication plan as well as a program for capacity-building of new and existing staff, In particular with regard to the application of these policies and their integration into practical procedures and measures

3-4-5- prevention and reporting Procedures:

All Agency staff members shall inform the general management without delay of any action contrary to the anti-corruption and anti-corruption policy or suspected of violating the policy, particularly those that are committed or attempted by one of the employees such as:

Bribery: To obtain a financial benefit often for the passing of illegal acts or the principles of the profession

- favoritism: It is a preference for one side to another in the service without the right to obtain certain interests

- Nepotism, which is the execution of an act contrary to the law for the benefit of an individual or a party to which a person belongs (party, family, district, etc.)

- forgery: Forgery or changes to documents or accounts

Embezzlement: The unlawful seizure of property, belongings or documents to prove rights or otherwise, owned by the State or by one of its institutions

- extortion: Obtaining funds from a particular party in exchange for the implementation of interests related to a person's corrupt job and can be blackmail by threatening to force others to pay money, make things, or compromise

Fraud: Making a false name or an incorrect attribute to deceive the person into providing funds

- Exploitation of positions: to take advantage of the job to obtain special privileges, improperly dispose of public property or grant licenses or privileges to individuals or companies illegally

- The medium: It is to intervene in the interest of an individual or group without the necessary labor assets and competence, especially with regard to assignments

It also includes the following abuses committed by suppliers and external dealers:

Encouragement: It is represented in the attempts of suppliers or dealers to find someone to take care of their interests and accelerate their administrative operations at the level of administrative departments

Forged invoices: The receipt of a supplier's invoices without obtaining goods or services

- All deceit, fraud, intrigue and extortion by external providers or dealers

The agency controls the way and the procedures for reporting corruption and also provides whistle-blowers with the means to report

(The Agency's website with a dedicated e-mail or every direct reporting to the Agency)

3-5- Complaints management mechanisms

Within the framework of the Agency's anti-corruption and prevention policy, the Agency places its staff and those working together when it notes damage at the agency level or suspects of operations that may or may lead to corruption, a complaints management mechanism, which consists of the following actions:

Receipt and registration of the complaint:

Within the scope of its activities, projects and programs, each person, group, partner or customer with the agency can, upon observing or registering a process or suspicion of corruption, file a complaint by using the agency's website that contains an email address exclusively designated for this purpose or by mail, fax, phone or Directly to the central headquarters or the headquarters of the provincial departments of the agency existing in each state.

The seizure office builds the complaint document, taking into account all the cultural aspects of the complainant (such as his inability to write), submitting the complainant a copy or sending it to him with a deadline for answering, and then the complaint is registered electronically or in the related record and the complaint is passed to the General Department for consideration With those charged with corruption and the prevention of it

Studying and addressing the complaints:

Complaints are studied and dealt with after classifying them according to the degree of severity, at the level of the committee in charge of honoring the profession with the agency that can carry out its investigative and research work to seek the assistance of every person it sees as a testimony for research, and it must coordinate with the

research committee that the general management can make in certain cases as it has the complete validity and without any reservation to any information or any person to study all aspects of the complaint and access to any information and search in all departments and administrations without exception

The committee proposes a draft answer that includes all aspects of the complaint and proposes a solution to solve the problem, according to the laws in force. The complaint can be resolved at the agency level by adopting the following:

- Consent
- In drafting a fair settlement, and in the event of difficulties requiring more time to reach this settlement, the complainant must be informed of this.
- When the agency is proven responsible for what happened, the necessary measures must be taken to repair the damage caused

Monitoring and reporting:

The General Management shall ensure the follow-up to the work of the committee and ensure that all the phases through which the grievance mechanism has to pass have been respected and that the proposals are consistent with the laws and legislation in force, including directives for agency partners like the Green Climate Fund and the cooperation and development agencies, it is also keen to implement the resulting decisions within the specified deadlines and publish the follow-up results related to this complaint internally and externally.

The committee also undertakes the preparation of a report on each grievance or complaint, as well as preparing an annual report, during which statistics on this subject are explained and the results are analyzed and developed. These reports are certified by the General Management and ordered to be published.

3-5- How to deal with corruption situations:

3-5-1- Reporting suspicions of corruption

3-5-1-1- Responsibility:

Responsibility for handling corruption cases rests with the agency's General Manager, who must intervene directly or assign a committee to address this issue. In this case, the General Manager must ensure that the members who are assigned to the research and treatment process do not assume any responsibility in the fields where the corruption case occurred

3-5-2- Protection of whistleblowers

In addition to all the guarantees enjoyed by whistle-blowers contained in the Basic Law No. 10 of 2017, which is considered in terms of its application to the National Anti-Corruption Authority and until the cooperation agreement is signed between the aforementioned body and the agency. In addition to the legal guarantees, the agency takes the following measures regarding the protection of whistleblowers within the scope of the aforementioned law:

- Whistleblower protection includes all practices of heresy, demeanor, punishment, direct and indirect pressure, and transfer without request
- The protection of whistleblowers is guaranteed provided that the charges are in good faith and that the information relating to them is substantiated
- Informants can request confidentiality, anonymity and, in such cases, the General Management must take action to ensure confidentiality
- In the case of reporting a corruption situation, officials listen to the informer with all attention, respect and seriousness, and they must inform the informers of the protection measures since the beginning of

the listening session and confirm that the administration will prevent any punishment or reaction resulting from this process

After the hearing process, the officials prepare a report within a period of five open days and refer it to the internal controller, accompanied by the evidence, who in turn transmits it to the general manager, the general clerk, the director of legal affairs and the central managers.

3-5-3- Research and investigation method

- After consulting the internal controller and the managers to whom the report is referred, the Director General shall take a decision to address the internal corruption situation, or that the situation requires the intervention of external parties.

- The decision to invite the police to investigate the case is due to the Director-General, who may consult with the Director of Legal Affairs for this purpose, and the Director-General may also take the opinion of the Comptroller or any expert to examine the accounts

- The research is carried out with all impartiality and without taking into account any relationships that connect people with the institution or department. The internal controller maintains a notebook in which all the research procedures and the steps that he went through are recorded As well as transcripts and an inventory of evidence

- The Director-General is invited to ensure that those in charge of the research are free from the conflict of interest status, and he must also ensure that there is no easy access to data and computers in the source area of corruption by those charged with the research.

- The internal observer prepares a report on the results, summaries and recommendations that have been reached, and it is prohibited to publish the results of the research or discuss it with persons who are not participating in the research committee or the general manager or the above-mentioned interlocutors or who legally and administratively require their notification So as not to damage the image of people who

are not proven guilty and the agency is therefore not subject to legal consequences

The internal controller prepares a report on the results, conclusions and recommendations that have been reached, and it is prohibited to publish the results of the research or discuss it with persons who are not participating in the research committee or the general manager or the above-mentioned interlocutors or those legally and administratively required to inform them so that the image of people who cannot be proven is not exposed. The charge against them is damaging, and the agency is therefore not subject to legal tracking

- In general, all search procedures must take place within the framework of respecting the rights of the person or persons suspected, including the principle of innocence, until proven guilty, facilitating self-defense for the suspect, and ensuring the right of non-disclosure of identity throughout the search period and closing the file.

3-5-4- Punitive Measures:

If the accusation is proven by the committee in charge of searching for one of the agency's employees and in the form of making a decision to remedy the situation internally, the general manager has the authority to make the punitive decision stipulated in the internal law after consulting the Agency Joint Committee. May also be subjected to reprimanding measures the direct responsible officials, those whose negligence led to corruption taking place in their department or office; is also subjected to punitive procedures, according to the text of the internal law, whoever reports bad faith to report a suspicion of corruption allegation unlawfully.

3-5-5- Follow-up procedures

The general manager shall ensure that an analytical process is conducted for the work method in the administration or department that has been subject to the corruption process and that the reform and development procedures have been applied, and lessons must be taken from this

process and distributed to all employees of the agency in order to strengthen internal control and spread a culture of prevention from corruption

3-6- Coping with the cases of conflict of interest:

The employee, the agency official, or the person dealing with it in the event of a conflict of interest, according to Law No. 46 of 2018 in Chapter 4, considers the situation in which a person subject to the provisions of this law has a direct or indirect personal interest that he extracts for himself or others that arises or that affects his performance Objective, impartial and neutral to his professional duties

The Agency will use the following procedures and measures to prevent conflicts of interest among its directors, officials, employees, and clients, and in accordance with the requirements of the aforementioned law.

- Declaration of properties and benefits:

This procedure requires the employees and officials of the agency stipulated in Chapter 5 of the aforementioned law to declare the properties and profits stating that the financial assets owned by them do not represent a conflict of interest between the performance of the official duties of the employee or administrator and the agency's departments. The agency also provides the Authority with a nominal and updated list whenever necessary, in the persons it is looking into and who are required to declare

Gifts:

Agency employees and officials are prohibited from accepting gifts for themselves or for whom they have a relationship that affects or would affect their objective, fair and impartial performance of their professional duties. However, due to courtesy considerations, these employees and officials can accept symbolic gifts whose value does not exceed a limit set by order, as stipulated in that chapter, No. 28 of the aforementioned law.

Any conflict of interest situation, if any, should be disclosed in any transaction assigned to, involved in, or any action concerning of any employee.

Annex

Authorities and bodies entrusted with anticorruption

In order to fight corruption and be protected from its impact, the Agency is subject to control by some authorities and bodies such as:

- **Court of Audit** established by virtue of the law number 8, issued in 1968, to be focused on overseeing the good management of public funds and in line with the principles of legitimacy, efficiency and transparency. The court is equally entitled to oversee the counts of the public accountants, to decide the management methods and penalize the relevant mistakes.
- **Administrative tribunal:** Established by virtue of the law number 40, issued in 1972, to handle the law-trespassing cases to be raised in order to abrogate the rulings related to administrative matters.
- **The senior authority for administrative and financial oversight,** Established by virtue of the law number 50, issued in 1993. To coordinate the programs related to the public control for the benefit of the state services, the public institutions and the follow-up of its reports. These authorities are:
 - The public oversight authority entrusted with the public services
 - The financial public-oversight authority
 - The public control authority of the state-owned and estate affairs
 - The corps of public-expenditure controllers established by virtue of the decree number 660, issued in 1978
 - The senior authority of public tenders, established by virtue of the decree number 5096? Issued in 2013. It comprises the senior

authority for the oversight and auditing of the public procurements and the authority entrusted with the follow-up and control of public procurements.

- The administrative ombudsman: This position is established by virtue of the law number 51, issued in 1993, to cope with the individual cases filed by legal entities and related to their administrative issues.

The Agency also cooperates with:

- The national anti-corruption authority (INLUCC), established by virtue of the decree number 120, issued in 2011, for the disclosure of properties for a category of some employees, or through direct cooperation by means of an MoU related to anti-corruption procedures.
- **The Tunisian Financial Analysis Commission**, established by virtue of Article 118 of the status Number 26, issued in 2015, and related to the fighting of terrorism and money laundering.

Legal procedures to support anti-corruption efforts

These procedures come in line with the following regulations:

- The protection of the whistle-blowers by virtue of the law number 10, issued in 2017, and related to the disclosure of the cases of corruption and the protection of the whistle-blowers. In line with this law, a set of procedures were enacted to protect the whistle-blower:
- To provide personal protection by the relevant authorities,
- Transfer of the whistle-blower, upon his request or after his approval, from his working area in accordance with the procedures required,
- To provide the legal and psychological counseling for the whistle-blower,

- To inform the whistle-blower, through the immediate disclosure devices, about any danger that might threaten him or his close relatives.
- The right of access to information, by virtue of the law number 22, issued in 2016, whereby any physical or legal entity would be entitled to:
- Submit a written application according to the specimen put at the disposal of the public, or posted on the web site, and whereby the relevant public body is required to provide an answer within a deadline not exceeding 20 days.
- To submit an application authorizing him to consult the data on the spot, and whereby the relevant public body is required to provide an answer within a deadline not exceeding 10 days.

The public body is not allowed to refuse any access to the information, unless it is deemed to affect the public order or the national defense or the international relations or the rights of others to enjoy the safety of their own lives, data and IPRs.