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## **Building Partnerships Towards a Democratic Police Force in the Post-Revolutionary Tunisia Context**

**By: Lea Lavut<sup>1</sup>**

### **Abstract**

This research analyzes security sector reform in Tunisia, and focuses on Tunisia's Community Policing (CP) program in particular. CP is identified as an effective form of policing in the context of Tunisia's political transition and continuing security concerns. This work pinpoints a number of gaps in the existing pilot CP program and areas for improvement, and proposes additional ways to address separate but interrelated problems by means of new policing methods, based on comparative research into methods used in the United States and Germany. It proposes to expand the existing private-public partnerships, which are at the heart of CP, and it identifies some areas of cooperation between the police and society that can be generalized across nations. Finally, the argument is put forth that police reform is a multi-pronged, multi-sectoral effort, relying on the efforts of many actors other than the police.<sup>2</sup>

### **Keywords:**

*Tunisia, Community Policing, Security Sector Reform, Deradicalization*

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<sup>2</sup> This article is based on a thesis at New York University.

## **Acronyms**

CP Community Policing

MOI Ministry of Interior

SSR Security Sector Reform

CVE Countering Violent Extremism

ECWs Electronic Control Weapons

PGF Presidential Guard Forces

ISF Internal Security Forces

INL Bureau of International Narcotics and Law Enforcement

OSF Open Societies Foundation

SWAT Special Weapons and Tactics teams

NCA National Constituent Assembly

ISIL Islamic State of Iraq and the Levant

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## I. Introduction

Since the 2011 Revolution, Tunisia has witnessed a number of efforts at reforming the security sector, particularly focusing on the internal security apparatus. The police have long played a central role in the internal security apparatus of Tunisia at the local community level, and previous regimes have traditionally derived their power from police. Ironically, although Ben Ali, the previous president and dictator, had a military background, he did not rise to power by way of military coup, as his counterparts in other Arab countries have.<sup>3</sup> Instead, he came to power through a police coup, and thereafter, the police were his primary instrument of maintaining power and oppressing dissent.<sup>4</sup> A critical goal of the leaders of the revolution and their successors has been the reform of the police, supported internationally by institutional reform initiatives from donors including the US, Finland,<sup>5</sup> Qatar,<sup>6</sup> Norway, Japan, Belgium among others. Although considerable efforts have been made at reform since the revolution, the rift between law enforcement and the communities they police remains wide and in many ways is increasing.

Reforming the security apparatus in the current counter-terrorism context poses a special challenge. Police have once again adopted aggressive policing methods as terrorism continues to rise. What is clear is that aggressive policing has not been successful. Tunisia's conventional strategy of coercive top-down policing has served to alienate and fragment society. The answer therefore lies in a softer bottom-up strategy, and involves examining ways to create a force that polices society effectively while adhering to human rights and democratic principles.<sup>7</sup> This is actually a global dilemma, reflected in the policies adopted in the context of countering violent extremism (CVE). Policies are mostly focused on containment and less so on proactive policing strategies. What emerges is a disturbing trend

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<sup>3</sup> Lutterback, Derek. "Tunisia After Ben Ali: Retooling the Tools of Oppression?" Norwegian Peacebuilding Resource Centre. Policy brief/Executive Summary. May 2013.

<sup>4</sup> *Id.*

<sup>5</sup> In addition, there have been a number of internationally supported SSR efforts such as the one from the United States which include training partnerships. In June 2014, The International Association of Chiefs of Police (IACP) hosted four colonels from Tunisia through the International Police Education and Training Program. After meeting with federal and local law enforcement in Washington DC, the delegates took part in training activities by IACP, Northeastern University and the Boston Police Department.

<sup>6</sup> Memorandum of Understanding between the Government of the Republic of Tunisia and the Government of the State of Qatar on military cooperation. Order number 3178. 31 July 2013. <http://www.legislation-securite.tn/ar/node/32040>

<sup>7</sup> Aepli, Pierre. Toolkit on Police Integrity. The Geneva Centre for the Democratic Control of Armed Forces (DCAF). 2012

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of the broad use of force and impunity by police. The result is a pattern of further radicalization that is not solely correlated with social grievances themselves, but also arises as a result of lack of focus on the underlying social causes.

This thesis will first provide a general assessment of the principal issues regarding legislation, administration, and police operations, as well as societal issues. It then focuses on the fledgling, but promising community policing (CP) program. Studying the underlying drivers of disorder reveals the absence of key infrastructure to address these gaps in both civilian and police efforts, and demonstrates that although the number of those turning to jihadism is currently increasing, there is a dearth in adequate intervention mechanisms. In particular, currently there is no de-radicalization program in Tunisia or similar intervention program despite the significant threat of terrorism in the country. It will be shown that a de-radicalization program can serve as an effective intervention mechanism that supports counterterrorism policing efforts on the local level and the CVE efforts in the country overall. Second, the thesis will address police capacity in mental health services, which has serious implications on public disorder and crime. Specifically, inappropriate responses to mental health issues contribute to increased use of force by police. The thesis also advocates the implementation of a Memphis-model Crisis Intervention Team, which is a partnership and training mechanism for appropriate police response to the mentally ill. Efforts at developing a better approach to social problems caused by mental illness and substance addiction are directly applicable to the prevention of radicalization and terrorism, as the mentally ill are uniquely vulnerable to radicalization efforts.

The security apparatus's hold on Tunisia can be traced to at least as early as 1956. In the period between 1956-2011 the Tunisian government enacted 1,700 pieces of legislation, which include approximately 1,200 still in operation. Most of these were "promulgated in the form of presidential decrees, a way to legally bend the security forces and shape their main functions to protect the regime instead of the people."<sup>8</sup> Ben Ali's government, in place from 1987 until 2011, was particularly oppressive in the way it systematically silenced any dissent. His grip on power by way of police force played a substantial role in the regime's demise. In the last days of his rule, "Tunisians watched in wonder as the military inexplicably withdrew

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<sup>8</sup> Bouguerra, Bassem. "Reforming Tunisia's Troubled Security Sector." Atlantic Council Rafik Hariri Center for the Middle East. October 2014.

from positions defending the capital.”<sup>9</sup> Then, on 24 January 2011 General Rachid Ammar proclaimed to thousands of protestors: “Our revolution is your revolution”, and that the “the army will protect your revolution.”<sup>10</sup> The General’s decision not to fire on civilians was arguably the death knell on Ben Ali’s reign. After being advised by Ammar there would be a three-hour air time slot to guarantee his safe departure from the country, Ben Ali’s fled to Saudi Arabia the next day.<sup>11</sup> During the Interim government, there were frequent clashes between the police and civilians and the military would act to secure the situation and prevent the police from using violence to suppress protest. In fact, the Tunisian military is an entirely independent entity, unlike “any other in North Africa and the Middle East” it is “much smaller, more professional and historically apolitical.”<sup>12</sup> “The armed forces clearly ascribe to the concept of civilian oversight of the military, and although they are currently fulfilling a number of internal security tasks, they have publicly, and repeatedly, stated their intention to return to the barracks when the police can again fulfill their security functions.”<sup>13</sup>

Following the Revolution, there was promise of change during the interim government, the Troika coalition composed of Ennahda (moderate Islamist), Ettakatol (social democratic), and Congress for the Republic (center left and secular). Though there has been much change, in many ways pre-revolutionary patterns of oppression have continued. The key demands in the Revolution, which included measures to address corruption, poverty and political repression, have yet to be met. Tunisian’s opinions are divided along party lines, with some actually preferring the pre-revolution status quo.<sup>14</sup> For this reason, the big tent secularist political party Nidaa Tounes was elected in 2014; they seek a return of the *matrach* (dictatorship), arguing there is a need to reign in the freedom of expression, which has now existed for four years.<sup>15</sup> Such nostalgic sentiments are particularly characteristic of certain classes of constituents, viz.,

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<sup>9</sup> Kirkpatrick, David A. “Chief of Tunisian Army Pledges His Support for the ‘Revolution.’” The New York Times. 24 January, 2011

<sup>10</sup> *Id.*

<sup>11</sup> Lasserre, Isabelle. “Rachid Ammar, le centurion du peuple.” Le Figaro. 21 January, 2011.

<sup>12</sup> Kirkpatrick, David A. “Chief of Tunisian Army Pledges His Support for the ‘Revolution.’” The New York Times. 24 January, 2011

<sup>13</sup> Hanlon, Querine. “The Prospects for Security Sector Reform In Tunisia: A Year After the Revolution.” Strategic Studies Institute Monograph. U.S. Army War College. September 2012

<sup>14</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

<sup>15</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

those groups involved in maintaining the security of the country.<sup>16</sup> Prior to the Revolution for example the right to wear the veil was restricted to the traditional Tunisian way which left part of a woman's hair and neck uncovered; if worn in the religious way, women were subject to harassment, assault and being barred from work or school. Veils were forbidden during examinations.<sup>17</sup> Now even men are forbidden from overt displays of religiosity, and are notably required to shave their beards. Furthermore, a number of mosques have recently been closed out of fear that terrorist activities were being organized within them.<sup>18</sup>

Universities were also very politicized, and consequently politicians paid considerable attention to the political activities of students and faculty.<sup>19</sup> The old regime in fact staged events so that students who were outspoken politically, attended meetings, and convened with political associates would be caught speaking about inappropriate subjects. The universities were even built in such a way that police stations were strategically embedded within campuses, in order to police political protest and conduct surveillance.<sup>20</sup> This was actually a way to lure politically interested students out of the shadows; the regime even hired professional actors to speak with left-wing students in order to expose them. Involvement subsequently ensured that the student would be blacklisted politically and excluded from employment with the government. This was a cunning move by the regime, preying on the traditional cultural openness of Tunisians; an important teaching of Islam is that one ought to give the benefit of the doubt to all people one encounters. When there is an observed difference, there is a tendency among Tunisians not to view this difference with suspicion. In such a cultural context, people were highly susceptible to the government's operations.<sup>21</sup>

In the current context, public spaces have opened, elections are broadly fair, and representatives of all political parties are able to enter government. There has been a shift in terms of open expression in Tunisia, particularly in terms of openness to the outside world. Tunisia currently does not maintain diplomatic relations with Syria, which were suspended by

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<sup>16</sup> Interview with Emna Sammari, Program Associate at the International Center for Transitional Justice (ICTJ), Tunis. 18 September 2015.

<sup>17</sup> *Id.*

<sup>18</sup> "Tunisia launches security clampdown after Sousse attack." BBC. 27 June 2015

<sup>19</sup> Interview with Hosni Mouelhi, Program coordinator at Open Society Foundations, Tunis. 22 September 2015.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

Moncef Marzouki (president 2011-2014).<sup>22</sup> However, in the newly open political climate, members of Tunisian civil society have travelled to Syria, met with Syrian officials, and visited Tunisian inmates in Syrian prisoners, and held a press conference upon their return.<sup>23</sup> All of this took place without disturbance by Tunisian government authorities. Tunisia is therefore considerably more open than before in terms of social expression and action.

### **A. Has the moment for reform passed?**

Critics contend that meaningful reform has not occurred, arguing that police and security forces have yet to demonstrate accountability. In the Ministry of the Interior (MOI) there “remain black boxes with opaque decision making processes, governed by officer networks that have resisted reform, financial transparency, and political oversight.”<sup>24</sup>

Nonetheless, opinion on whether security sector reform can truly gain traction in the country is divided, and diverging opinions have emerged in the literature since 2011. Some argue that the opportunity has been missed because certain necessary goals have not been attained in the most ideal timeframe where they would have made a meaningful impact.<sup>25</sup> Others argue that reform is progressing relatively well and that time is needed for concrete results to emerge.<sup>26</sup> Particular problems include mental health, drug abuse, and youth issues including unemployment, disillusion with national institutions, corruption, and in general the efficacy of government. Tunisians have long lived under authoritarian regimes, in which the institutions of the state were perceived as adversaries, rather than as institutions helping them to live fulfilling lives. Law was viewed as an instrument of oppression, rather than order. Such attitudes pose large challenges to any reform effort.

### **C. The political transition has not occurred yet**

The political revolution begun in Tunisia in 2011 is not yet complete.<sup>27</sup> Members of the media in Tunisia argue the opposite, that the political transition is complete; as a new legislature has been elected under the new 2014 Constitution, the foundation for the new state has been

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<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> Sayigh, Yezid. "Missed Opportunity: The Politics of Police Reform in Egypt and Tunisia." Carnegie Middle East Center, 17 Mar. 2015.

<sup>25</sup> *Id.*

<sup>26</sup> Discussion with UNDP Tunisia Rule of Law director Martin Borgeaud. New York. 10 April 2015.

<sup>27</sup> *Id.*



completed. This belief is also common in society. On the other hand, a series of necessary reforms have not yet been implemented. A tradition of centralized government dates back over 500 years, and the new government has yet to decentralize. The instruments of the current government are based on a concept of a centralized state. A municipal ordinance must be passed for decentralization to take place, and for this aspect of political reform to take place.<sup>28</sup> Furthermore, most of the new institutions of government present in the new constitution, aside from the parliament, have yet to be established.

It is difficult to assess the extent to which existing institutions have the will to change and reform. The MOI has repeatedly expressed the will to reform itself, but its will to change can only be measured by the actions that follow such words. It is likely that it is inappropriate to measure such willingness immediately, as the current government is only a year old.

There is also a substantial disconnect between residents of coastal areas and the interior. Mouelhi explains that, historically, development in Tunisia has been restricted primarily to the coast, and the interior has been marginalized. Tunisians who live along the coast have subscribed to an “image of a country that was successful or at least relatively successful from a microeconomic perspective” even though many of them dispute this now.<sup>29</sup> On the other hand, those who resided in the interior experienced poor conditions and repression, and had first-hand knowledge of such oppression, notably the repression of an uprising in the south of the country, sparked by economic privation. Coastal residents, when they uncovered what was happening, were horrified, and asked how these things would happen in their country. Such ignorance is common.<sup>30</sup>

It was not only the coastal residents who were ignorant of the repression of the state and the resulting economic problems.<sup>31</sup> Indeed, the country received praise in 2008 from Dominique Strauss Khan, then Director of the International Monetary Fund (IMF), as an example for other countries in the region.<sup>32</sup> In other words, the roots of present efforts at reform must be seen in their historical context, whereby the scope of Tunisia’s problems were not fully recognized.

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<sup>28</sup> Interview with Hosni Mouelhi, Program coordinator at Open Society Foundations, Tunis. 22 September 2015.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> International Monetary Fund. IMF Managing Director Dominique Strauss-Kahn's Statement at the Conclusion of His Visit to Tunisia. Press Release No. 08/291.18 Nov. 2008.



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A further problem rooted in the legacy of the government of Ben Ali was the singular focus on political rights, to the neglect of socioeconomic issues, due to restrictions placed on freedom of expression and assembly; political parties essentially then focused on their survival. Once Ben Ali's government had fallen, Decree 88<sup>33</sup> was passed and it became relatively easy to form political parties and civil society organizations, and such groups were less concerned with their survival. Opposition politicians were simply not accustomed to frank discussions about economic issues, and were ill-prepared to address the concerns of an unemployed and underemployed populace once their immediate repression had ended.

Hosni Moelhi of Open Society Foundations disagrees with the notion, argued by Yezid Sayigh, that the moment for reform has passed. He attributes the current system of government in Tunisia, and its mechanisms and institutions, to being the product of eight hundred years of evolution, involving the country's historical Islamic roots as well as the legacy of French colonialism, and displays continuities with such eras. With the same actors in place, problems will persist. The country now resembles very much what it was under Ben Ali.

## **II. Methodology**

This qualitative case study is based on interviews, field notes and research. The interviews draw upon consultations with experts in government, members of civil society, mental health and security in Tunisia and the United States. Fieldwork in Tunisia was conducted in September 2015, in partnership with CEMAT (Le Centre d'Etudes Maghrébines à Tunis) and the Ministry of Higher Education in Tunis. Field observations in the cities of Tunis, La Galoulette, Bizerte, Sidi Bou Said, and Hammamet consisted of interviews. This was complemented by interviews conducted in the U.S. Research sources included open source data, as well as documents viewed in visits to the National Archives of Tunisia.

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<sup>33</sup> Decree Number 88 for the Year 2011 Published on 24 September 2011 Pertaining to Regulation of Associations.

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### III. The Tunisian Internal Security Forces

#### A. Structure of the Police

The Tunisian internal security forces (ISF) include the following organizations: the police (*shurta*), National Guard (*al-Ḥaras al-Waṭāni*), and Judicial Police (which function in the Ministry of Justice and courts but is controlled by the MOI)<sup>34</sup> all housed within the Ministry of Interior; the Intervention Forces (SWAT) and the Presidential Guard Forces (PGF). Estimating the size of the security sector in Tunisia is complicated. As a result of the distortion of facts from the government, prior to the Revolution, the security forces were believed to number at least 150,000.<sup>35</sup> Although much information can be found on the MOI's open data website, the information on the security forces is empty under its assigned tab.<sup>36</sup> According to Mohammad Lazhar Akremi who served as minister delegate to the MOI and was tasked with reforms under the prior transitional government, before the revolution the size of the ISF, including police, National Guard, and civil defense forces, was 49,000 under Ben Ali. Following the revolution, an additional 12,000 recruits were hired so the total rose 61,000.<sup>37</sup> Of these, approximately half were "part-time augmentation forces or paid informants."<sup>38</sup> In order to sustain the image of a huge security apparatus that the Ben Ali regime was trying to project, police worked "unsustainably long hours, handling enormous workloads."<sup>39</sup>

#### B. The Tunisian Ministry of Interior

Despite the fact that the Ministry of Interior has for some time been perceived as a "black box" in terms of its operations, there have been several efforts at reforms. The first was carried out by Mr. Farhat Rajhi, Interior Minister in the Ghannouchi Essebi II government, at the end of March 2011. This set of reforms involved the dissolution of the Security

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<sup>34</sup> Hanlon, Querine. "Security Sector Reform in Tunisia: A Year After the Jasmine Revolution." USIP Special Report 304. 12 March 2012

<sup>35</sup> *Id.*

<sup>36</sup> <http://opendata.interieur.gov.tn/fr/datas/index?type:7/categorie:1/source:12> Accessed 1 December 2015

<sup>37</sup> Author Querine Hanlon interview with Mohammad Lazhar Akremi, Tunis, January 25, 2012. Hanlon, Querine. "The Prospects for Security Sector Reform In Tunisia: A Year After the Revolution." Strategic Studies Institute Monograph. U.S. Army War College. September 2012

<sup>38</sup> Hanlon, Querine. "Security Sector Reform in Tunisia: A Year After the Jasmine Revolution." USIP Special Report 304. 12 March 2012

<sup>39</sup> Bouguerra, Bassem. "Reforming Tunisia's Troubled Security Sector." Atlantic Council Rafik Hariri Center for the Middle East. October 2014.

Directorate of the State under which the notoriously political police functioned and the dismissal and reassignment of several top level security officials and about forty lower level officials. In reaction, two thousand people attacked his ministry resulting in him being dismissed after only two months.

The second reform effort came with the new government that followed the elections of 23 October 2011. Starting January 2012 at the orders of Ali Laaravedh, Minister of Interior, there were a number of reassignments of senior security officials such as Moncef Laajimi,<sup>40</sup> who directed the anti-riot police between January 10 and 12. These actions were also followed by aggressive reaction, such as the unions asking for intervention from brigades to unite with them in their barracks.

In the late part of 2011, a "White Paper" was presented by Lazhar Mohamed Akremi, Minister of Interior under the Essebi government, who was charged with reforming the Tunisian security apparatus. This White Paper, so far the most ambitious reform project,<sup>41</sup> was the outcome of four months of debate by a committee established by the MOI. The committee of thirty members of the security forces convened daily in workshops. Recommendations made by the report, spanning six chapters, included the restructuring of the security apparatus, the evaluation of recruitment and training programs for officers, the establishment of an internal dialogue on community policing, the rationalization of working tools, and the unification of administrative mechanisms.<sup>42</sup> It was envisioned that there would be three entities at the MOI: a higher-level entity charged with developing strategies and providing leadership, a central entity that would control and manage day-to-day operations, and a lower court which executes policy. The idea was that all would function in a dynamic and decentralized manner. It also sought the creation of a municipal police force that would function without weapons, an early step in the pursuit of a police force that would gradually work towards rapprochement between itself and the citizens.

Many of the objectives outlined in this White Paper have not been met yet. Akremi has said that part of the problem has been that security forces are hindered by the lack of political will,

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<sup>40</sup> "MI : La mise à la retraite de Moncef Laajimi n'est qu'une procédure administrative." Mosaiquefm. 25 April 2013.

<sup>41</sup> Hanlon, Quérine. "The Prospects for Security Sector Reform In Tunisia: A Year After the Revolution." Strategic Studies Institute Monograph. U.S. Army War College. September 2012

<sup>42</sup> Hanène Zbiss interview with Lazhar Akremi, former Deputy Minister with the Minister of Interior. "La volonté politique est absente." Réalités. 2 February 2013

and kept in the dark: “there is a manipulation that officers work with only 30% of their true abilities. The police can solve all the problems that exist in the country. We have officers in sufficient numbers, with great skill and significant mobilization capacity that can restore security throughout the country in just two weeks and without repression.”<sup>43</sup> Akremi among others attributes the hindering of thorough reform of security sector to a lack of political will. On the other hand, some signs of change. For example, two members of NAWAT, a leading opposition group during the Revolution were appointed as members at the MOI.<sup>44</sup>

### **C. How Tunisian police operate in the counter-terrorism context**

Though the stated aim of the MOI has been to reform itself and improve relations with civilians, according to civil rights groups, after the last 2014 election the MOI has reverted to old practices involving systematic human rights violations by the police, including torture. Whereas before the revolution, people rarely discussed human rights issues, there is a more open discussion on these matters. This is especially the case as regards the state’s counterterrorism policy, which fails to respect the rule of law in its operations.<sup>45</sup> For the most part no specific groups are singled out, but the families of those arrested on charges of terrorism will typically be targeted. In contrast to general human rights issues, the violation of the rights of those suspected of terrorism is rarely discussed openly. Tunisian journalists tend to refrain from writing about this, as they themselves have been affected by terrorism. The reality of arbitrary detention and torture by police is detailed only in reports in the foreign press.<sup>46</sup>

In a speech on the 58th anniversary of the founding of the Republic, in Djerba on 25 July 2015, former President Moncef Marzouki criticized the current legislation on anti-terrorism, which allows the death penalty, emphasizing that the law endangered liberties and freedoms more than terrorism itself. He argued that the fight against terrorism should be undertaken in a manner that respects human rights. In response to criticism directed against the ten deputies that abstained during the vote for the anti-terrorism law, he asserted he would do the same if he were a member, adding that democracy had to be respected, and that an expression of

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<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> “An Analysis of Tunisia’s Draft Counterterrorism Law.” Human Rights Watch. 8 April 2015.

<sup>46</sup> *Id.*

differences in opinion does not imply sympathy with terrorism.<sup>47</sup> The United Nations Special Rapporteur on Human Rights and Counterterrorism has argued that the 2003 law, when it was used during the Ben Ali administration, “did not provide the Tunisian people with more security, but was widely abused as a tool of oppression against any form of political dissent.”<sup>48</sup> Following recent terror attacks in the post-revolutionary period, a number of individuals have again been charged under this law.

On 25 November 2015, a suicide bomber blew up the presidential guard bus in the center of Tunis. Following this attack, a state of emergency was instituted, and a curfew between 9 PM and 5 AM was imposed. Security officials intensified raids and made numerous arrests, particularly in certain neighborhoods. In la Goullete, suburbs in northern Tunis, police carried out brutal raids at 2 AM, pointing guns and engaging in intimidating behavior. Those arrested later recounted that the police, “broke down the doors at their houses and pointed their guns at the men, women and children. Several of these men, young and old, were arrested and taken to the headquarters of the criminal police in El Gorjani in Tunis without explanation and under the threat of arms. Three hours later, they were all released without none of the has been prosecuted.”<sup>49</sup> Arrests were made, after which the suspects were released. Another case involved a medical student, Slim Ghedira, who was brutally arrested and only allowed to leave once he had signed a document that he could not read, and the contents of which he was not allowed to know. He stated, “I wanted to know what I was going to sign but the officer threatened every time I asked to read the document. After an hour of harassment and gratuitous violence I resigned myself to sign.”<sup>50</sup> There are organizations that exist to defend the rights of those charged with participation in terrorism, but the media alleges that they exist only to defend the rights Salafists.<sup>51</sup>

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<sup>47</sup> “Moncef Marzouki : la loi antiterroriste est plus dangereuse que le terrorisme.” Mosaiquefm. 26 July 2015.

<sup>48</sup> UN Human Rights Council, *Report of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism*, Martin Scheinin : addendum, 14 March 2012, A/HRC/20/14/Add.1.

<sup>49</sup> “Tunisie : Guerre contre le terrorisme et bavures policières.” Kapitalis. 27 November 2015.

<sup>50</sup> *Id.*

<sup>51</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

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#### **D. Accessing the detained**

The Tunisian League for Human Rights is one of several organizations that makes visits to prisons to visit inmates, and has sometimes experienced harassment and mistreatment by police and security agents. At times they have been barred entry into the prison altogether, hindering their ability to ascertain compliance by the authorities with human rights protocols regarding prisoner treatment.

Prior to the revolution, human rights groups and individual defenders wishing to visit detainees were unable to do so freely. They were required to submit a request in advance and wait for an appointment. A lawyer recounted her experience visiting prison before the revolution, describing the prison like “paradise. They were playing music. The walls were newly painted,” implying that the prison was a Potemkin village.<sup>52</sup> After the revolution, all organizations may come and go at will, and visitation authorization is usually granted. However, the interaction is closely controlled; phone conversations between visitors and prisoners are monitored by staff, so confidential matters are not discussed.

Tunisia in general has a culture of surveillance, not limited to prisons. Surveillance is directed in particular to some groups such as transitional justice organizations, which contend with efforts to eliminate the transitional justice process altogether. Transitional justice advocates have described phone calls during which they report having often heard voices; sometimes they hear the person that is listening hang up before the other person starts talking.<sup>53</sup>

#### **IV. The Tunisian Community Policing Model**

The most recent bone fide attempt to reform Tunisia’s police sector has been the Tunisian community-policing program, a joint project between UNDP and the MOI. The first phase of the project was launched at the end of 2011. The second phase launched in August 2013 still continuing by UNDP under its mandate to provide support to national authorities in strengthening the rule of law in post-conflict contexts. It seeks to support the Tunisian MOI and SSR process, working on all components of SSR and aims to change the face of security

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<sup>52</sup> Interview with Emna Sammari, Program Associate at the International Center for Transitional Justice (ICTJ), Tunis. 18 September 2015.

<sup>53</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.



forces, which were seen as tools of the regime. The preliminary phase of the project was introduced in August 2011, concluding in September 2012. Following the UNDP 2012 Action Plan, the second phase of the project was launched in 2013 as part of its strategy to support the democratic transition in Tunisia. Prior to the revolution, the MOI, as an administration, was opaque in all of its operations, which meant that there was no contact with external organizations, and no official contact with citizens.<sup>54</sup> What renders this SSR effort unique is that the MOI has expressed the will to reform itself. The stated objectives of the MOI for the program is that “since 2011, it tried to regain the trust of citizens and civil society through the opening of security institution to the outside world by opening media as a token of good will to build an institution based on transparency and clear vision which requires the research of better mechanisms and tools to address the country’s security situation and the reform of the security system.”<sup>55</sup> It further seeks to “define the means of preventions and protection that go beyond the traditional security institution towards social considerations citizen-oriented and consolidation of close relations, trust and reconciliation between the latter and the safety officer; establish an interactive partnership, where citizens will be aware of the importance of his role in the security of the region.”<sup>56</sup>

A working group from the MOI was formed to develop this ministerial policy. MOI representatives visited Canada, United Kingdom, Belgium, Switzerland, Norway and Japan to identify best practices. Following the consultations, best practices were identified after which a model of CP was developed to fit the Tunisian context: The Tunisian Model of CP. The project was subsequently funded by Japan, Belgium, and Norway. In order to gauge the specific needs of communities, UNDP organized workshops and roundtables with civil society.

In the initial phase of the project, a survey was conducted in the selected pilot localities to measure specific areas of need. The criteria measured included: Ethics, reception, the assistance of the victims, and the level of trust between citizen and police forces. At the beginning of 2016, a second survey will be launched to measure current progress and identify areas for improvement.

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<sup>54</sup> Houssein Eddine Ishak, National expert on Security Sector Reform, UNDP Tunisia. 21 September 2015

<sup>55</sup> La Police De Proximité En Tunisie. Des forces de sécurité plus proches de la population, pour un service de qualité. République Tunisienne Ministère de l’Intérieur. Politique ministérielle. Juin 2014

<sup>56</sup> *Id.*



The project between UNDP and MOI is based on four goals: 1. Support to the review of the legal framework. 2. Support for strengthening the capacities of inspections. 3. Human resource management 4. Support to improve the relationship between security forces and citizens. The Tunisian CP program operates on the basis of four legal frameworks. It provides support to management structures especially inspections, oversight, and human resources management. The first police station was inaugurated in June of 2014, and the last of the six pilots was launched last April. After the inauguration, two trainers from UNDP embarked on the process of coaching the chief, agents and staff of the police stations. Assistance was provided towards the process of rehabilitation of stations and provision of new equipment; improvement of the reception areas; improvement of the security of agents; improvement of the security of buildings as well as the procurement of agents. A recruitment process was launched to enlist two experts in the field in order to coach and impart best practices.<sup>57</sup>

#### **A. The six pilot police stations**

In collaboration with the MOI, six pilot stations were selected. The program has been implemented in Marsa Ouest, Sidi Hsine El Attar, and Sakiet Ezzit for the National Police, and Naassen, Manaret Hammamet and Sidi Ali Ben Aoun for the National Guard.<sup>58</sup> This past September, Marsa marked one year of successful implementation, an early indication that shows promise for the program overall.

#### **B. Leveraging partnerships for effective community policing**

CP activities are tailored to the unique needs of each locality, as different types of partnerships are leveraged.<sup>59</sup> For instance, urban and rural areas tend to have different demands. The specific characteristics of Les Berges du Lac (Tunis) for example, render it a more difficult locality to implement CP. It is an affluent town, home to corporate offices, embassies and various institutions, and, consequently, residents are less likely to come in contact with police officers. On the other hand, in popular localities there is a more intimate interaction between law enforcement and civilians; agents are on a first name basis with

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<sup>57</sup> La Police De Proximité En Tunisie. Des forces de sécurité plus proches de la population, pour un service de qualité. République Tunisienne Ministère de l'Intérieur. Politique ministérielle. Juin 2014

<sup>58</sup> *Id.*

<sup>59</sup> Interview with Houssein Eddine Ishak, National expert on Security Sector Reform, UNDP Tunisia. 21 September 2015.

civilians, knowing who their families are. There is therefore a closer contact with police and criminals in the area. This specific context facilitates easier implementation of CP. Marsa West illustrates a locality more conducive to CP implementation. There is a robust interest in the program and expression of the will to have the program institutionalized. The stakeholders there are very active and very interested in seeing the program succeed. This ownership of the project was demonstrated in May of 2014 when a major forum was held for civil society and a number of the associations present projected the CP project as their own, a sign of their enthusiasm.<sup>60</sup> In Marsa, the process of defining the priorities in the area has successfully resulted in a closer contact between the police forces and associations. One of the CP initiatives in the city is the local committee of security implemented to address security concerns and devise solutions.<sup>61</sup>

On June 5, 2014, the pilot was launched in Hammamet, which is a touristic area with two big localities with slightly different landscapes.<sup>62</sup> Manaret Hammamet, is not as touristic the more popular side of Hammamet. There, a number of education-based organizations exist whose very active members include school directors and teachers. The CP program organized with them local discussions involving citizens, such as students and parents, on dialogue relating to school violence. Another active movement in Manaret Hammamet, are the scouts with whom CP also sought partnerships. In Sidi Ali Ben Aoun (Sidi Bouzid), a rural locality with forest areas, the forest guards were invited to the local committee to participate in dialogue. Thus, CP mobilizes partnerships on the basis of the unique needs of the particular locality.<sup>63</sup>

### **C. The four- pillar framework of the Tunisian CP model**

The four pillars of the Tunisian CP model build on the experiences of CP program studies and adopt new approaches to fit the country's specific milieu. The four pillars are partnerships, problem solving, communication, and the delivery of quality services.

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<sup>60</sup> Interview with Houssein Eddine Ishak, National expert on Security Sector Reform, UNDP Tunisia. 21 September 2015.

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

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### **1. Partnerships**

The partnerships component is based on the premise that ensuring security and quality of life are not strictly the domain of the police. Rather, it should be a concerted effort of all sectors of society, partnering together to solve problems.<sup>64</sup>

### **2. Problem solving**

Problem solving involves the recognition that the traditional approach of reactive and repressive policing does not positively impact crime reduction efforts. Instead, a security policy built on proactive crime prevention, results in a more secure environment.<sup>65</sup> This approach is based on non-criminal preventative measures, focusing on the direct factors surrounding a given crime as well as the social prevention component. The early prevention philosophy seeks to solve problems in the short, medium and long term. The approach is fourfold: It involves problem identification, analysis, solutions, and the evaluation of the procedures followed. This method seeks to address the problem before it escalates into more dangerous crime, acting as an early intervention mechanism.<sup>66</sup>

Here, the “neighborhood agent” plays a key role in dispute resolution in collaboration with the citizens of the locality. The “neighborhood officer” has more control compared to traditional police officers in that he has more independence in terms of decision-making on problems that arise on the ground, where he is permanently based. He interacts closely with the public, and is not automatically subject to the organizational hierarchy, unless certain situations deem it necessary.<sup>67</sup>

### **3. Communication**

Communication is a powerful transparency mechanism within institutions.<sup>68</sup> An essential component to building trust between police officers and civil society is the sharing of information and problems. It will impose the necessary checks on the organization and its

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<sup>64</sup> La Police de Proximité en Tunisie. Des forces de sécurité plus proches de la population, pour un service de qualité. République Tunisienne Ministère de l’Intérieur. Politique ministérielle. Juin 2014.

<sup>65</sup> *Id.*

<sup>66</sup> La Police De Proximité En Tunisie. Des forces de sécurité plus proches de la population, pour un service de qualité. République Tunisienne Ministère de l’Intérieur. Politique ministérielle. Juin 2014

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

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agents who have traditionally conducted themselves with impunity towards members of the public. The desired outcome of this approach then, is that it would contribute to the mentality shift essential to meaningful and sustainable reform.<sup>69</sup>

#### **4. *The delivery of quality services***

Finally, CP seeks to facilitate an improvement in the quality of services delivery to citizens. This includes ensuring timely resolution to problems and keeping citizens adequately apprised of judicial proceedings. The treatment of vulnerable populations, which includes the elderly, as well as victims is also addressed under this pillar.<sup>70</sup>

#### **D. Towards effective CP implementation: UNDP roadmap to address problem areas in the current security structure**

The effective implementation of the CP model is also contingent on the application of changes to the existing security structures. This includes the training of local police, the implementation of a sound infrastructure conducive to effective policing, addressing issues concerning the current organizational structure, and the communication with the civilian population as well as within the MOI.

##### **1. The Training of local police officers**

Essential to the success of CP is effective communication between local police officers and their counterparts in the force. Additionally, the program is seeking to implement training centers with simulation rooms to support regular training exercises where officers will practice interaction with citizens.<sup>71</sup>

##### **2. The implementation of tools of policing:**

The implementation of policing tools involves changes on the administrative, operational and legislative fronts. To that end, the program is seeking to improve the existing policing infrastructure by bringing it up to standards conducive to effective policing. This includes

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<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*

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ensuring an adequate work environment for officers, which is up to safety standards- a condition that is necessary to facilitate secure and effective liaising with members of the public.<sup>72</sup>

### 3. Organizational restructuring

On the organizational restructuring front, an efficient system would entail a tiered scheme where regional units will be subject to monitoring from a central unit. On a local level, area police will direct the district officers who in turn function independently in terms of overseeing the activities of their respective localities. In this way, it is a response to Article 14 of the Tunisian Constitution, which requires that “the state commits to strengthen decentralization and apply it throughout the country within the framework of the unity of the state.”<sup>73</sup> More recently, another component to the program was the implementation in the six pilot police stations, the “local committee of security,” a discussion roundtable for dialogue between police forces, administrative forces, and local civil societies. What is innovative in this experience is that it is the first time civilians and members of the police have partnered to discuss security problems and introduce programs emerging from these mutual consultations.<sup>74</sup>

### 4. Communication

The communication component involves a uniform change, one of the criteria of SSR, which calls for a symbolic disassociation from the previous regime. Another element includes the improvement of technological capacity to facilitate an electronic database enabling socio-demographic studies as well as the efficient circulation of security information. There should also be legislative improvements, which includes the adoption of a uniform standard of officer conduct.

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<sup>72</sup> La Police De Proximité En Tunisie. Des forces de sécurité plus proches de la population, pour un service de qualité. République Tunisienne Ministère de l’Intérieur. Politique ministérielle. Juin 2014

<sup>73</sup> Constitution of the Republic of Tunisia art 14. Print.

<sup>74</sup> Interview with Houssein Eddine Ishak, National expert on Security Sector Reform, UNDP Tunisia. 21 September 2015.

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### **E. CP Police Training Modules**

Officers will be required to undergo a seven module training course in the principles and pillars of community policing: human rights and fundamental freedoms; communication and group dynamics; problem solving methods; conference on criminology, juvenile delinquency, prophylaxis, and victimology; methodology and tools to become more familiar with the territory; and judicial training. The coaching will be conducted by instructors with field experience to train other instructors, who will in turn train the district agents.

### **F. Community policing, a dynamic process**

As CP is a process in which civil society plays a key role, the involvement of local associations is essential. Overall, there are approximately 264 different delegations on the local level of the administrative authorities. However, in some localities it is difficult to find associations to mobilize partnerships on security issues. Another commonly identified impediment to CP implementation is the resistance to change within the police force. Mr. Ishak argues that the problem (in the Tunisian case) is not resistance, but rather it is generally a misunderstanding among officers regarding their role within the CP mandate, not uncommon given the early phase of this program. The project seeks to address this gap through the launch of a series of training programs in police academies. Moreover, although the CP program currently does not have a specific project for the promotion of the inclusion of women and the unique challenges they face, this issue is addressed under the umbrella of its programming under the fourth pillar concerning victims of violence.<sup>75</sup> As noted, the CP program, in its pilot phase is ever evolving and seeking out new partnerships. Recently, a meeting between UNDP and UN Women (mandated to work gender equality and women's empowerment) took place to discuss partnerships in the pilot police stations.

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<sup>75</sup> La Police de Proximité en Tunisie. Des forces de sécurité plus proches de la population, pour un service de qualité. République Tunisienne Ministère de l'Intérieur. Politique ministérielle. Juin 2014.



The above diagram illustrates the pillars of the Tunisian CP program.<sup>76</sup>

## V. Discussion of problem areas in Tunisia

There are a number of problem areas in Tunisian society, which remain under-addressed. This section discusses the lack of capacity to respond to problems endemic to Tunisia's youth population. It then focuses on the roots of extremism in Tunisia, and the problem of inadequate vetting of security forces following the Revolution. Another focus area highlights the need for adequate policing response for issues specific to women.

### A. Tunisia's youth population

The youth population in Tunisia in general is the group most likely to come in contact with the criminal justice system. As a result of the socio-economic landscape in the country, young people are often disappointed with life and succumb to distracting vices such as marijuana. As a result, most people in prisons are young. Youth is a particularly sensitive population, easily manipulated because of both psychology and socio-economic context. In Tunisia they are often marginalized and excluded from the job market, with few economic opportunities. There are also few opportunities in terms of social life; the country lacks clubs and other

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<sup>76</sup> *Id.*



social outlets. They are also marginalized politically; political participation among youth is very low.<sup>77</sup>

Consequently, they are under substantial pressure and often experience consequent mental health issues. As a result, they tend to gravitate towards other areas of fulfillment such as drugs, or leftism or Salafism as outlets of social protest. They will often congregate in cafes, which are frequented by extremists from both sides, exposing youth to potential radicalization.

Another result of this marginalization is the tendency of young people to leave the country.<sup>78</sup> There are two migration trends. The first concerns those that leave to Italy or France to improve their economic condition. This group often undertakes perilous journeys by sea much like other refugees, risking their lives in the process. The other migration trend is that of radicalized youth to Syria. Those going to Syria experience extreme pessimism and the inability to realize their aspirations. Of those, there are some that actually do believe in Jihad and the cause of overthrowing the government of Bashar al Assad.<sup>79</sup>

### **B. The roots of extremism in Tunisia: An imported phenomenon?**

The problem of radicalization in the country is reflected in the numbers of foreign fighters it exports to engage in jihad in Syria. In fact, Tunisia exports the highest number of Islamic extremists in the region. To date, figures of foreign fighters from Tunisia is estimated to be between 6,000-7,000.<sup>80</sup> Some contend that actual figures are even higher; the Tunisian government claims it has prevented around 1,400 fighters from leaving the country.

The debate over the roots of extremism in the country concerns different conceptions of political socialization. Some argue that this is an imported and relatively new phenomenon, that has emerged following the Revolution, as the space for expression opened up.<sup>81</sup> Some argue that the political freedom also facilitates terrorism, as prior to the Revolution such

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<sup>77</sup> B'chir, Nadya. "Tunisian Youth Opt Out of Politics." *Al Monitor*. 15 July 2013.

<sup>78</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

<sup>79</sup> *Id.*

<sup>80</sup> Malka, Haim and Balboni, Margo. "Tunisia: Radicism Abroad and at Home." *Center for Strategic and International Studies*. June 2016.

<sup>81</sup> Interview with Houssein Eddine Ishak, National expert on Security Sector Reform, UNDP Tunisia. 21 September 2015.

personal expression was forbidden.<sup>82</sup> Others contend that it started before the Revolution as a result of the regime's repressive policies concerning religion. Those seeking religion often turned to the Wahhabist version, which was readily accessible on satellite channels coming out of Saudi Arabia.<sup>83</sup> As a result of the scarcity of alternate versions of religion, people embraced a more radical stream of Islam.<sup>84</sup> Rachid Ghannouchi, the leader of the Islamist party, Ennahda, has stated "Some people are surprised that a country as moderate as ours can now export the terrorists by the hundreds and thousands. These people are by no means the product of the revolution. Rather they are the product of dictatorship. Under the Old system, there was a spiritual vacuum in Tunisia. Then, after the revolution, foreign ideologies were imported into the country, they have taken advantage of this spiritual vacuum, they have invaded."<sup>85</sup> Former interim president Moncef Marzouki has voiced similar sentiments saying that "those who are committed to the obscurantist terrorist thinking are the very people who are from the Ben Ali schools: Mubarak and Bashar Assad, and not schools of freedom, democratic culture, free in their thinking, and modernist." Moreover, he stated that "terrorism is the legitimate child of years of marginalization, dictatorship, arbitrariness and corruption," emphasizing the fact that "young Arabs confront the loss in front of them and that migration to Europe to live is wandering under bridges or [they] join groups of death and obscurantism to discover its value."<sup>86</sup> Some argue that this repression gave way to radicalization, because in fact the Tunisians in Syria are the product of the repression of Ben Ali's government; they could not attend prayers at their mosques and if they were caught going to prayer they risked arrest.<sup>87</sup> Nuanced opinion on the issue recognizes this as a complex problem; these individuals cannot be cast as simply victims or villains, but rather possess traits of both. The truth is somewhere within this ambiguous space. The profile of the perpetrator of the Bardot and Sousse attacks confirms this tension. He had a clean criminal record, and his neighbors

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<sup>82</sup> Interview with Emna Sammari, Program Associate at the International Center for Transitional Justice (ICTJ), Tunis. 18 September 2015.

<sup>83</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

<sup>84</sup> *Id.*

<sup>85</sup> Chahla, Marwan. "Terrorism in Tunisia, "Ennahda has nothing to do, says Ghannouchi" Kapitalis. 15 November 2015.

<sup>86</sup> "Tunis-Marzouki : Le terrorisme « enfant légitime » de la dictature." African Manager. 28 November 2015.

<sup>87</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

described him as a “very clean college student and a very kind mosque-going moderate Tunisian.”<sup>88</sup>

### C. Vetting security forces

Another problematic area confronting post-Revolution Tunisia is the vetting of security forces. On 24 December 2013, the Law on Establishing and Organizing Transitional Justice was adopted by the National Constituent Assembly (NCA). The law provides for a wide-ranging strategy to address past human rights abuses. This law includes a provision for the vetting of civil servants. Following the revolution, there was a number of high-profile dismissals and reassignments within the police. Impunity remains a problem, however, as demonstrated for example in the 2012 criminal case involving the victimization of a young woman and her fiancé by police. Justice was delivered after two years of numerous appeals by the victims and a public outcry, resulting in a fifteen-year sentence for the police involved in the attack.<sup>89</sup> More recently, in September 2015, problems surfaced over the lack of adequate vetting in the hiring of police. One hundred ten security members, belonging to various security agencies — the police, National Guard, Army, and Customs — were found to have various degrees of affiliation with terrorist organizations, and were dismissed.<sup>90</sup> According to Walid Louguini, Communications Officer at the MOI, the dismissals were supported by substantial evidence.<sup>91</sup> Taoufik Bouaoun, a senior-level official at the Ministry, states that officers were found to be involved in smuggling and terrorism. “When we entered the Ministry of Interior after the transition period, we discovered that some appointments were not subject to security criteria, namely that a safety investigation being conducted at the police station in the neighborhood [had] not been made.”<sup>92</sup> Responding to this, officials at the police union attributed this to the existence of a “parallel police”, a unit within the security forces formed by the Islamist Ennahda Party when it was in power (late 2011-2014). Bouaoun has denied this claim.

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<sup>88</sup> Interview with Zeineb Marzouk, journalist at Tunisia Live newsroom. Tunis. 21 September 2015.

<sup>89</sup> “Tunisie: peine de prison doublée en appel pour deux policiers coupables de viol.” *Juene Afrique*. AFP. 20 November, 2014

<sup>90</sup> *Le Figaro*. Tunisie: révocations en série dans la police. 16 September 2015

<sup>91</sup> *Id.*

<sup>92</sup> *Id.*

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#### D. Women and community policing

Another problem area in Tunisian society is the scarcity of adequate mechanisms to respond to difficulties faced by women. One such dilemma is domestic violence, which is prevalent but not openly discussed due to public stigma. A survey demonstrated that one in five women in the country are victims of domestic violence.”<sup>93</sup> It is generally uncommon for people to turn to the police in cases of domestic abuse.<sup>94</sup> Women from marginal cities and women from the regions are especially affected by this. The women there tend to accept violence from their spouses and lack the courage to pursue any legal action for fear not only of losing but also of reprisal.<sup>95</sup> At times, when victims do seek help from police, they are told to go home and forgive their husbands.<sup>96</sup>

The legislative framework also plays a role in contributing to this problem.<sup>97</sup> When the crime is committed against a spouse, the penalty is higher, yet there is a chasm between the written laws and actual practice, which is often influenced by tradition. Outcomes also depend on variables such as education. In cases of sexual harassment, police will counter the complaint by questioning the appropriateness of the victim’s attire or how late she was out, as if it invited the harassment.<sup>98</sup> In general, there is a culture of victim-blaming.<sup>99</sup> In the capital as well as the coastal areas, women are much more aware of their rights.<sup>100</sup> This is true particularly in the area of divorce: In Tunisia, where marriage is firmly within civil law, the laws on divorce are unlike other Arab countries, where religious law governs. Women are free to go to court to request a divorce; in other countries only a man is allowed to initiate this process. Although women are generally emancipated and aware of their rights, many are not, as a result of having left school early.<sup>101</sup> Consequently, they often lack support and financial

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<sup>93</sup> Lamboley, Carolyn. “1 and 5 Tunisian Women Victim of Domestic Violence, According to New Survey.” Tunisia Live. 2 March 2012.

<sup>94</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

<sup>95</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

<sup>96</sup> *Id.*

<sup>97</sup> *Id.*

<sup>98</sup> Interview with Emna Sammari, Program Associate at the International Center for Transitional Justice (ICTJ), Tunis. 18 September 2015.

<sup>99</sup> *Id.*

<sup>100</sup> Interview with Rim El Gantri, Director at the International Center for Transitional Justice, Tunis. 18 September 2015.

<sup>101</sup> *Id.*

independence. There are a number of organizations that work to support women, such as a shelter in the Medina section of Tunis, which works with the Minister of Social Affairs, and another organization called Beity, which works independently on women's legal issues.

## **VI. Alternative Policing Models/CP policing within the counterterrorism milieu**

### **The role of de-radicalization programs in community policing and CVE**

The current security situation in Tunisia requires systemic proactive counter-terrorism efforts. There is an abundance of evidence demonstrating that proactive policing yields more valuable intelligence leads than aggressive policing. Key to this process is the implementation of a de-radicalization program that builds on partnerships between civilian and state actors to assist with counter-terrorism efforts.<sup>102</sup> Tunisia's current policy of aggressive policing in this realm serves to fuel the rise of terrorism in the country, rather than to stem the tide. The current counter-terrorism law, adopted on 24 July 2015, lacks provisions for the prevention of violent extremism. This new law was a knee-jerk reaction to the events of Bardo and Sousse, and provides for harsher security measures and deviates from human rights standards. For example, the law, broadly written, arms police with powers to arrest civilians for participating in peaceful demonstrations. This is clearly ineffective; many studies have shown that a large portion of extremists were in fact radicalized in prison.<sup>103</sup>

### **The philosophy of de-radicalization**

There are two leading philosophies in international research of terrorism prevention: de-radicalization and disengagement. Disengagement involves the physical role change where a person leaves radical or terrorist groups, refuses to participate in illegal acts, and avoids insignia associated with the group, but does not necessarily change his ideology or world views. That is, at times terrorists may leave organizations and not commit illegal acts but still

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<sup>102</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

<sup>103</sup> See for example the case of Mohamed Merah, a French national who was jailed for violent theft and was subsequently radicalized behind bars, resulting in his participation in extremist motivated killings in the area of Toulouse. According to 2005 leaked U.S. diplomatic cables, French intelligence warned that prisons were hotspots of recruitment by Islamists and referred to these inmates as "time bombs." Wikileaks cable: 05PARIS5539

follow the jihadi ideology. De-radicalization on the other hand “refers to the process of behavioral and attitudinal change.”<sup>104</sup> Individuals classified as de-radicalized have not only left the terrorist group but also abandoned the radical ideology.

## 2. Disengagement or de-radicalization?

There is debate among policymakers as to which approach is more effective. Those advocating for disengagement alone argue that it is an effective means of counterterrorism because it is more successful and more legitimate.<sup>105</sup> Using this approach helps to avoid scenarios where it may be perceived that an attempt is made to influence political or religious opinion when an illegal act has not actually occurred, problematic on practical and human-rights levels. However, the consensus among politicians and researchers is that there is an element of radical ideology that is fundamentally dangerous and threatening to democracy. Radicalism where crime has not yet taken place should still be subject to some form of civil society intervention. The limitation of the de-radicalization approach is that it is almost impossible to measure; it is difficult to ascertain whether a person is a National Socialist or jihadi with absolute certainty. De-radicalization then, involves initiatives executed by various actors that may include state or non-state actors who assist people involved in radicalization to leave by means of debating and discussing the underlying ideology. This method is seen as a necessary element in the process of disengagement because when persuading an individual to abandon a group, it is important to address the motivations behind why the person initially joined. When conceptualizing de-radicalization programs in any context there are three levels of impact: macrosocial, mesosocial, and microsocial.<sup>106</sup> De-radicalization programs are intervention programs on micro- and mesosocial levels. Most of these programs work with individuals in prison or outside of prison. De-radicalization programs on a mesosocial level are family counseling programs.

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<sup>104</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015. See also Beutel, A. and P. Weinberger (2016). Public-Private Partnerships to Counter Violent Extremism: Field Principles for Action. Final Report to the U.S. Department of State. College Park, MD, START.

<sup>105</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

<sup>106</sup> *Id.*



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### **Case study: De-radicalization in the German context**

The German context is a complex one. It has grappled with right wing extremism and jihadism for some time, and has a variety of NGOs and state-run programs addressing these issues.<sup>107</sup> In 2000, the first individual microsocial de-radicalization program for neo-Nazis was founded. Following that, eighteen programs have been established. Of those, most are governmental programs such as those run by police and intelligence agencies, which include three that operate, the remaining functioning on a state level. Although there are many such programs at this level, NGOs and governmental organizations that address far-right extremism typically do not cooperate; they are quite critical towards one another over the methods each employ and they tend to disagree over definitions. The NGOs in general are quite critical of intelligence and police agencies. Furthermore, there is a dearth of investigation and evaluation of these programs in Germany.

In the realm of jihadism, a different scenario emerges. It is a fairly new phenomenon in the German context, as militant Salafism or Islamic extremism only started to emerge around 2004-2005, in contrast to right-wing extremism, which as Koehler puts it “we basically invented...”<sup>108</sup> Since the end of the Second World War, Germany has contended with a sizable militant right wing movement. Today, authorities estimate the figures of neo-Nazis at 22,600 of which 11,800 are militant neo-Nazis. By comparison, the number of militant Islamists or Salafists in Germany is estimated to be around a maximum of 8,350, and 500 violent jihadists.<sup>109</sup>

### **Public-private partnerships**

In 2012, the German Federal Office for Immigration and Refugee Affairs, which operates under the Federal Ministry of Interior, established a nationwide counseling hotline for de-radicalization.<sup>110</sup> This hotline initiative is actually a public-private partnership. Families may call the hotline free of charge if they have reason to believe an individual is involved in a radical movement. In the initial phase of the response, the concerned party receives first-line

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<sup>107</sup> *Id.*

<sup>108</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

<sup>109</sup> Current German domestic intelligence data. [www.verfassungsschutz.de](http://www.verfassungsschutz.de).

<sup>110</sup> *Id.*



counseling by a state or government official.<sup>111</sup> Following that, the individual is referred to one of four agencies that provide long-term counseling. These four NGOs, funded by the government, are located across Germany and the public private partnership is measured to be effective in terms of successfully reaching the target groups. The metric of success is seen in the figures: Since January 2012, there were 2,589 calls, which resulted in 1,224 counseling cases for the nine NGO partners. The long-term counseling involves, for example, ongoing discussion with parents, who can contact their assigned NGO counselor as frequently as they wish, with all problems relating to radicalization. The counselor works with the parent to identify what the root causes of radicalization of the person in question were, and to also come up with solutions to issues that were driving the individual to turn to radicalization in the first place.

Daniel Koehler, who was involved in the creation of the methodology and theories behind these programs<sup>112</sup>, in 2011 notes that there is a gap between how these programs were meant to operate and how they operate in practice.<sup>113</sup> Nevertheless, the program was considered to be successful in terms of meeting a demand<sup>114</sup> and as a result since last year, many German states have started to create smaller versions of this counseling network in their own areas.<sup>115</sup> They are essentially establishing state level networks between family ministries, social ministries, law enforcement agencies and NGOs to conduct the counseling and run the hotlines.<sup>116</sup>

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<sup>111</sup> *Id.*

<sup>112</sup> Koehler, D. (2015). Using Family Counseling to Prevent and Intervene Against Foreign Fighters: Operational Perspectives, Methodology and Best Practices for Implementing Codes of Conduct. Understanding Deradicalization: Pathways to Enhance Transatlantic Common Perceptions and Practices, M. E. Institute, Middle East Institute & Fondation pour la Recherche Stratégique.; Koehler, D. (2015). Family Counselling, De-radicalization and Counter-Terrorism: The Danish and German programs in context Countering Violent Extremism: Developing an evidence-base for policy and practice, S. Zeiger and A. Aly. Perth, Curtin University: 129-136.

<sup>113</sup> Gall, Carlotta and Samti, Farah. "Tunisian Gunman Showed Subtle Signs of Radicalization." New York Times. 28 June 2015

<sup>114</sup> The pioneering counseling program Hayat (Arabic word for "life"), established in 2011, inspired similar initiatives in other countries. Australia, Britain, Canada and the Netherlands are working on modeling this program to respond to growing radicalization.

<sup>115</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

<sup>116</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

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### The de-radicalization hotline

The question of the willingness of a family member or other close associate of a radicalized individual to report that individual's activities can be explained with the criminal phenomenon known as "leakage." Criminals such as school shooters, mass murders and suicide bombers will often "leak" pieces of information regarding the intent of the crime to their people in their immediate environment. For example, in the case of one of the perpetrators of Sousse, Seifeddine Rezgui, some of the signs of radicalization were exhibited in the time leading up to the crime.<sup>117</sup> Rezgui attended college in Kairouan, a city in Tunisia, which became a hotspot for Ansar al-Sharia activity in the aftermath of the Revolution. In June 2014, he updated his cover photo on Facebook to a black banner symbolic of the Islamic State.<sup>118</sup> In many cases, families and associates, though informed to a certain degree, tend not to contact the authorities out of a sense of loyalty, fearing they will inflame the problem. This is where this medium of a low-key hotline or contact focal point for assessment of the situation and neutral moderation is effective. Those needing assistance may also opt to receive services from the agencies that are part of the police or intelligence services. This network of NGOs will provide these services to the families so that they are spared the dilemma that is attached to calling the police. They also have the option to call the NGOs directly, without having to go through the hotline. In some cases however, when a counselor makes the judgment that a particular case poses a security risk, the counselor is required to inform the relevant government agencies. In such cases, the families are informed that this will take place.

The key is to gauge what it is that these families need. In many of these cases, there are families that are frightened by the possibility of losing their children, and this fear drives their desire to seek any assistance possible. As Koehler says "I think it's a little bit finding out what they really need. So most cases you do have a large number of families who are simply afraid of losing their sons and daughters forever so these mothers are panicking- they are extremely afraid of that and there will be a point when their fear and pain is so large that they will try out

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<sup>117</sup> *Id.*

<sup>118</sup> Gall, Carlotta and Samti, Farah. "Tunisian Gunman Showed Subtle Signs of Radicalization." New York Times. 28 June 2015

any help they can get.”<sup>119</sup> Koehler recounts his experience as a counselor receiving calls from parents who say “I don't care please put him in jail; I want him to be alive in Germany and not dead in Syria.”<sup>120</sup> At this point parents are past the point of fearing the involvement of police; in many cases they actually prefer it.<sup>121</sup>

Counselors adhere to a privacy policy, in which if they rule out criminal and illegal elements in a case, they are not required to transfer it to the intelligence agencies. Certainly intelligence agencies follow their own standards, and there is a fairly certain possibility that these agencies tap into counseling calls. Germany is not the exception; in France and the UK this is a standard occurrence. “Legally, and institutionally I will always say we will operate on a privacy regulations and data protection regulations, I, as a counselor, did not automatically report [behavior] to authorities, to the police, to intelligence unless I come across something that is clearly illegal.”<sup>122</sup> At this moment, when the counselor becomes aware of a potentially terrorist-related crime, the obligation to report attaches. It is important for the counselor to be transparent about the procedures, and this trust-building in turn yields an increase in the number of families willing to turn to these organizations for assistance. Families will often not call the hotline because of their inherent fear and distrust of the government, and some will call NGOs. However, as a result of how closely knit these communities tend to be, if a family that was previously reluctant to take action observes success, they are more likely to contact the program themselves, when such a need arises.

### **De-radicalization programs are globally and contextually transferable**

In the German case, the families that have sought the services of the de-radicalization program there are demographically mixed. The counseling cases are split almost evenly between those with a traditional Muslim background and those that are secular, possibly second generation immigrants to Germany originating from Turkey and North Africa for example. Those that are not particularly devout still have a certain affinity towards Islam in

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<sup>119</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

<sup>120</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

<sup>121</sup> *Id.*

<sup>122</sup> *Id.*

terms of the language and culture, and in these cases their children may discover the religion of their ancestors. There is also a sizable portion of cases that involve German Christian families that have never come in contact with Islam, whose children convert to Islam. In terms of economic and social backgrounds, the demographics are also very mixed.<sup>123</sup> There are young people with high school and university level educations, families that are wealthy and those that are poor, and those that come from entirely intact family units as well as those from broken homes with psychological problems.<sup>124</sup> In short, there is no specific generalized snapshot of a classic client for the program.

The counseling process is very much akin to a standard human relationship process where trust is key. Koehler's experience as a trainer of counselors involved emphasizing the importance of securing trust from the families and their role as mediators between the families and the pertinent institutions. During the process, the counselor discusses the situation with the family, provides a risk assessment and, evaluates why the individual has been radicalizing, formulates a plan of action, comes up with solutions to remedy the problem, and decides who the relevant focal points will be to deal with a particular situation. Communication in the process is critical as well as the improvement of trust. At times the counselor may need to inform those that raise the complaint that action by external actors is necessary and advise them that this may spare their child from an almost guaranteed eventuality of ending up in Syria, or carrying out a horrific crime.

## **7. Partnerships with police for countering violent extremism**

At this stage in the process, a case becomes the responsibility of the police.<sup>125</sup> Here, it is contingent on the security infrastructure in a particular country. In Germany, counselors rely on a network of specially trained police officers who are qualified to respond to crimes of this specific nature in the police unit or in the local state forces. A counselor may simply place a call and arrange to meet the police officer in an unofficial capacity to discuss the case. Partnerships between police and counselors are an integral part of this process, where these personal networks can make the difference in the process for effective de-radicalization.

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<sup>123</sup> *Id.*

<sup>124</sup> *Id.*

<sup>125</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

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Koehler, for example, has personal contacts and friendships with police and intelligence officers, which has facilitated a mutually beneficial and effective dynamic. These contacts will willingly cooperate on cases in a non-official capacity, making deals such as allowing him to lead the case for the time being, as long as they are kept apprised of the details and in exchange he will share some of the credit. At times, the process is initiated by the police who may have a case in which nothing strictly illegal has occurred and request him to take the case as a counselor.

Together with trust and partnerships, a counselor is also required to inform all sides involved, including the police, of their respective rights and responsibilities. In a typical situation the police will conduct a home raid, and often they view the family as a risk and tend not to engage with them. Their activities will include the confiscation of computers and cell phones most likely late at night, treating the family like criminals, and if not, the family will inevitably still feel that way. Koehler, in his role as counselor, will explain to police officers if he is able, to ensure they do not cross any legal boundaries. He will also explain to the family the reason for the police presence, and the fact that officers are restricted from communicating with them as this may compromise the investigation. Together with legal advice, the counselor establishes communication and trust among the various authorities and institutions, with police being just one component in the equation. Other stakeholders such as schools, employers, social and health service providers are also involved.<sup>126</sup>

### **Are De-radicalization programs effective?**

There is currently no research data to gauge the effectiveness of the German model of de-radicalization. As noted, a useful barometer of success in this particular case, is the fact that the intended target group is reached. Moreover, families from particularly radicalized cases, whose children were in Syria or were returning from there as active ISIL combatants were involved in the de-radicalization program. On the other hand, a reduction in the numbers of individuals leaving to Syria and Iraq was not observed. The number of German foreign fighters has recently dropped; however, authorities are unsure as to the reason behind this

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<sup>126</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

trend. In terms of qualitative impact, Koehler has observed, based on almost a hundred cases in the last few years, that there is clear indication of positive outcomes such as young people returning to schools, resumption of activities such as listening to music, meeting non-Muslim friends, making plans for the future and dating.<sup>127</sup> These are strong signs of de-radicalization. It is important to note that in the German context, this family counseling network is a mesosocial instrument, focusing on the family in the social environment. There are numerous individual de-radicalization programs for neo-Nazis. This is a tremendous problem as counselors are at a loss when faced with a radicalized individual making the decision within the family counseling process to depart from the group. This is where the microsocial individual de-radicalization program for intensive individual counseling is extremely important. Although it is still early at this stage to gauge what the long term results are, the indications of the positive impacts of the de-radicalization program in Germany has been the forging and developing of networks and communications between various governmental and non-governmental institutions and stakeholders such as community leaders, mosques, associations, social workers and police officers.

### **Convincing the police of the merits of their role in this process**

One of the problems in this process is that securing the trust of authorities and police officers is by far the most difficult task, more so than the families that require this assistance. Police officers tend not to trust actors outside of the force; they tend to believe that repression and force are often the solution. Implementing such a program involves establishing the problem and selling the program as an effective solution. In Koehler's work providing assistance to countries wishing to set up this program, there are key principles that are important for program buy-in.<sup>128</sup> One of the principles, is the staffing of the program, which involves ensuring that retired former police officers are on the staff as consultants so that they "speak the language" of the police officer. They are able to engage in discussions with their former colleagues on the level that non police officers could not. They can also better relate to the officers and convey to them that they have experience doing the work they do, having

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<sup>127</sup> *Id.*

<sup>128</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.



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received the same training. This ability to relate between program staff and officers works to establish the trust needed for the latter's program buy-in.

Another principle is that when working to establish buy-in for authorities of this program it is important to emphasize the benefits of this program in carrying out their work. De-radicalization can be an important instrument in identifying hot spots of radicalization, reasons behind radicalization, new and emerging groups, as well as new styles of radicalization. In short, de-radicalization programs are an effective tool for counterterrorism policing and "can actually help to sharpen the repressive tools of the police."<sup>129</sup> It works in CVE policing through the intelligence that materializes in the communication that takes place with a family that seeks assistance. The counselor becomes privy to any specific mosque or a particular individual in a community that is actively radicalizing and recruiting young people. In such a case, the counselor may refrain from disclosing the name of the person concerned to the police, and instead tip them off to what mosque they should focus on or on the person or group involved in recruitment and radicalization. It helps the police with the cases they are working on where the suspect's behavior suggests he is involved in certain activities that are not concrete enough for the case to be proven in court. By enlisting the assistance of the counselor, it enables the officer to remain close to the case and work together to ascertain whether there has been an escalation or de-escalation. So in this way, the cooperation of police with a counselor becomes a mutually beneficial exchange.

Another component involves working towards a mentality shift among officers regarding their perception of the counselors they partner with. This involves training and transparency. Police "officers tend to believe NGOs are incompetent to carry out risk assessment that meets their standards because in their view they know crime, and how to solve it, and jailing people is their domain. Although NGOs are usually associated with the "soft" measures approach, many of them are in fact well-trained to respond to such issues on par with the standards of police, with tools for risk analysis and assessment such as the VERA 2 Protocol,<sup>130</sup> an evidenced based approach for risk assessment, which utilizes the structured risk assessment methodology.<sup>131</sup> The tool is comprised of 31 indicators, which help to calibrate risk level of

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<sup>129</sup> *Id.*

<sup>130</sup> *Id.*

<sup>131</sup> D. Elaine Pressman, John Flockton, (2012) "Calibrating risk for violent political extremists and terrorists: the VERA 2 structured assessment", *The British Journal of Forensic Practice*, Vol. 14 Iss: 4, pp.237 - 251



potential terrorists. The purpose of risk assessment is to “evaluate the risk that an individual will commit acts of ideologically motivated violence (when at liberty);” and secondly, to “use the information to develop counter-terrorism strategies and programs for the individual while in detention.”<sup>132</sup>

**Table 1** The VERA 2 indicators

VERA 2 (Pressman and Flockton) Indicator items		Low	Moderate	High
BA.	Beliefs and attitudes			
BA.1	Commitment to ideology justifying violence			
BA.2	Victim of injustice and grievances			
BA.3	Dehumanization/demonization of identified targets of injustice			
BA.4	Rejection of democratic society and values			
BA.5	Feelings of hate, frustration, persecution, alienation			
BA.6	Hostility to national collective identity			
BA.7	Lack of empathy, understanding outside own group			
CI.	Context and intent			
CI.1	Seeker, consumer, developer of violent extremist materials			
CI.2	Identification of target (person, place, group) in response to perceived injustice			
CI.3	Personal contact with violent extremists			
CI.4	Anger and expressed intent to act violently			
CI.5	Expressed desire to die for cause or martyrdom			
CI.6	Expressed intent to plan, prepare violent action			
CI.7	Susceptible to influence, authority, indoctrination			
HC.	History and capability			
HC.1	Early exposure to pro-violence militant ideology			
HC.2	Network (family, friends) involved in violent action			
HC.3	Prior criminal history of violence			
HC.4	Tactical, paramilitary, explosives training			
HC.5	Extremist ideological training			
HC.6	Access to funds, resources, organizational skills			
CM.	Commitment and motivation			
CM.1	Glorification of violent action			
CM.2	Driven by criminal opportunism			
CM.3	Commitment to group, group ideology			
CM.4	Driven by moral imperative, moral superiority,			
CM.5	Driven by excitement, adventure			
P.	Protective items			
P.1	Re-interpretation of ideology less rigid, absolute			
P.2	Rejection of violence to obtain goals			
P.3	Change of vision of enemy			
P.4	Involvement with non-violent, de-radicalization, offence-related programs			
P.5	Community support for non-violence			
P.6	Family support for non-violence			
SPJ	VERA final judgment	Low	Moderate	High

**Note:** Rating differences for protective items: high rating = more mitigation and less risk

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#### Implications for practice

- The VERA 2 contributes to a multi-modal extremist violence risk assessment process.
- The addition of the VERA 2 to the field of potential risk assessment approaches enables a targeted assessment of risk specifically pertinent to extremist-based violence rather than general violence. It should be used with all violent offenders for whom ideological motivation was involved in the criminal action.
- All available facts and knowledge accessible from intelligence, legal, law enforcement, correctional and other reports should be obtained and integrated into the descriptors for the pertinent VERA 2 risk indicators. This information is used to assist the determination of the requisite evaluative judgments.
- Predictive risk judgements informed by the VERA 2 can assist security classification and custodial placement reviews, program interventions and decisions relating to progression pathways to lower classification facilities and eventual release into the community.
- Security and case management considerations are better informed by the additional empirically supported information obtained from the VERA 2 which enhances the validity and utility of the risk assessment process.

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<sup>132</sup> D. Elaine Pressman, John Flockton, (2012) "Calibrating risk for violent political extremists and terrorists: the VERA 2 structured assessment", The British Journal of Forensic Practice, Vol. 14 Iss: 4, pp.237 - 251

<sup>133</sup> *Id*

<sup>134</sup> *Id*

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### **Do material incentives work?**

How do you motivate a radicalized individual towards reform? The usefulness of material incentives is often debated within the discussion on effective de-radicalization programs. Some programs, such as the one in Saudi Arabia<sup>135</sup> use material incentives to essentially fund everything an individual requires including housing, a car, and marriage.<sup>136</sup> Koehler argues that this produces insincere motivations for an individual to cooperate with the program.<sup>137</sup> Other programs do not provide any material incentives such as the ones in Germany that work with Neo-nazis. In Koehler's assessment, it should be something between those two scenarios, where Jihadis or returnees from Syria may face issues such as PTSD or difficulties with labor market reintegration. Instead of delving out cash, assistance should take the form of psychological counseling, job training, drug treatment, housing, and perhaps facilitating a new social environment.<sup>138</sup> In Germany and many European countries social services exist to assist with these already. There is also a program in Somalia for example that provides assistance to former Al Shabaab fighters in the form of basic computer skills, fishing, and mechanics.<sup>139</sup> In essence, building capacity, as opposed to simple cash handouts, to support an individual with the tools to successfully reintegrate into society is critical for the de-radicalization process to be effective and sustainable.

### **The Philosophy of Community Policing**

Community policing is an organizational strategy. There are three inherently interrelated fundamental obligations of CP: Citizen involvement, problem solving and decentralization. Disregarding any of the three will inevitably hinder the success of the program.<sup>140</sup> One of the tenets of CP is its emphasis on organizational reform. By definition, it is "a process rather than a product."<sup>141</sup> Police departments seeking to implement CP programs are often faced

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<sup>135</sup> Williams, MJ, and SC Lindsey. "A Social Psychological Critique Of The Saudi Terrorism Risk Reduction Initiative." *Psychology Crime & Law* 20.2 135-151. *Social Sciences Citation Index*.

<sup>136</sup> *Id.*

<sup>137</sup> Interview with Daniel Koehler, Director of the German Institute on Radicalization and De-radicalization Studies (GIRDS). Germany. 8 October 2015.

<sup>138</sup> *Id.*

<sup>139</sup> *Id.*

<sup>140</sup> Skogan, Wes. "An Overview of Community Policing: Origins, Concepts and Implementation." *The Handbook of Knowledge-based Policing: Current Conceptions and Future Directions*. Chichester, England: John Wiley & Sons, 2008.. Print.

<sup>141</sup> Skogan, Wesley. "The Promise of Community Policing." *Police Innovation: Contrasting Perspectives* New York and Cambridge: Cambridge University Press, 27-44. David Weisburd and Anthony A. Braga (Eds.)

with organizational obstacles. Other local issues take precedence and CP falls in priority as officers assigned to CP “get drained back into the main force.”<sup>142</sup> This is a common problem in the UK CP program, where the effort is made to solve this through a strategy of “ring fencing” in which they attempt to prevent top commanders from poaching officers assigned to CP. However, the reality is that they are still moved as one cannot disobey the instructions of top commanders. As a result of its place in the power structure of the organization, the CP program tends to experience continued problems.<sup>143</sup> Common impediments include the facts that CP occupies a significant portion of an officer’s time and that CP does not appear in productivity metrics: The number of arrests, how fast they respond, etc. The criteria used to assess an officer’s performance in CP duties do not appear to yield any concrete, quantifiable results. A department risks its image when it has a significant portion of its officers assigned to CP assignments as the “metrics don’t seem to show productivity in the way in which police departments have traditionally defined it.”<sup>144</sup> Furthermore, the fact is that police departments in the US and UK are, to an increasing extent, metric-driven and these metrics fail to reflect CP activities and results. Criteria such as community confidence, community satisfaction and community involvement are left out of policing metrics.<sup>145</sup> Therefore, the prioritization of other problems and the lack of performance metrics are some of the organizational obstacles police departments struggle with in their implementation efforts of the CP program.<sup>146</sup>

When conceptualizing underlying causes of crime and disorder in society, there is an overarching similarity across communities in the world. In most areas, poverty is almost always strongly associated with area crime. In the United States, for example, in communities

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<sup>142</sup> Interview with Dr. Wesley G. Skogan, Professor of Political Science at Northwestern University and expert on community policing. New York. 4 August 2015.

<sup>143</sup> Interview with Dr. Wesley G. Skogan, Professor of Political Science at Northwestern University and expert on community policing. New York. 4 August 2015.

<sup>144</sup> *Id.*

<sup>145</sup> *Id.*

<sup>146</sup> The case of Newark, N.J. in the 1980s is illustrative of the problems where an early effort of CP was executed. The disconnect between police and the public was very large. Dr. Wesley Skogan, expert on community policing, relates in the time he was there, there were exactly two police officers of any rank who actually resided in the city. The rest resided as far as it was possible to commute to Newark. This reflected their negative view of the public they policed; they did not want to be there outside of their assignment hours. The experimental program conducted in Newark did not involve refocusing the work of the entire department; instead it involved selected areas, the formation of special units of officers who were persuaded to participate in this experiment, and selected commanders creating these units of officers. The former police chief in Newark, Gary McCarthy, spent two years there trying to remake the department from the inside organizationally, but as he describes it, by the time he left and his plane had landed in Chicago O’Hare Airport, Newark reverted to the way it was before he came. He was discouraged by what he saw the collapse of his reform efforts in Newark.

with high youth unemployment, involvement in crime, particularly in gang organization and gang-related violence, is inevitably interrelated, to a large extent with drug distribution as well since it is an alternative economy. In the American context, “youth violence is related to gun violence, related to street gangs — not young men hanging at street corners and shooting at each other with often no discernible reason so that over time in American cities the homicide problem has become increasingly concentrated on young poor males with guns.”<sup>147</sup> Other forms of homicides have decreased considerably over the last twenty years. Given the interrelatedness of youth violence and lack of economic opportunity and prospects for realization of aspirations for life, the inability of individuals in these communities to perceive a future beyond that existing in the present is central to the disorder that prevails as a result.

Within the police department itself, the resistance of officers tends to be among the main impediments to CP implementation and SSR overall. Although not many studies have been conducted on police culture, in the contexts that it has been studied, including the US, UK, France, Italy and Croatia, a number of overarching features have been identified.<sup>148</sup> Some of these include a tremendous sense of isolation of officers from the community they police, where the former sees the latter as the problem, not the solution. Another is the high sense of internal solidarity among the officers not only externally against the public, but to a greater degree against the politicians and especially against the media. Moreover, there is internal solidarity against their own commands, the result of which is that bad news tends to travel up the hierarchical structure within the organization.<sup>149</sup> Officers experience a sense of cynicism concerning the motives of members of the public and leaders who they regard as being removed from what they perceive as the reality, who in their view “pander to politicians” and disregard the needs of the rank and file.<sup>150</sup> Together with solidarity and cynicism, there exists a “kind of internal homophobia, gender phobia, and poor legal conservatism” that contributes to this cynicism and makes officers doubtful towards members within their own ranks as well, who do not resemble police officers in their attire and speech. The internal divisions span across racial lines and especially across gender and sexual-preference lines. There is also the

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<sup>147</sup> *Id.*

<sup>148</sup> Interview with Dr. Wesley G. Skogan, Professor of Political Science at Northwestern University and expert on community policing. New York. 4 August 2015.

<sup>149</sup> *Id.*

<sup>150</sup> *Id.*

tendency of placing a premium on crime fighting, where officers see “taking on the bad guys” and safeguarding a weak ignorant public from criminals likely to wreak havoc on society if given the chance as their primary duties.<sup>151</sup> The prevailing view among the police then, is that everything that does not involve aggressive crime fighting and tackling violent criminals does not fall under the remit of their work. Everything outside of that in their view is social work and serves as a diversion from what they consider to be “real” police work, an agenda that panders to politicians. Thus CP is viewed as antithetical to the police agenda from the perspective of police culture.<sup>152</sup> At the officer level, police culture has a way of hindering all sorts of reform. Police culture tends to want less constraint on the use of force and robust crackdowns, and tends to disregard politicians and their rhetoric. Indeed, the experts tasked with developing and implementing CP programs have attributed the difficulty of police buy-in to the fact that the benefits of such a program are not apparent to them.<sup>153</sup>

### **Reform should be a sustained effort**

Effective reform is a tough endeavor and as such requires a sustained effort.<sup>154</sup> As Skogan notes, “there is no such thing as solidifying your game, these organizations will slide back to zero overnight if you don't keep the pressure up.”<sup>155</sup> Hence, police reform is extremely difficult and it often fails at least to a certain extent.<sup>156</sup> Where there is a legacy of abuse or mistrust, any efforts to convince the community of the efficacy of CP can be difficult when it is undermined by corruption. This can only be solved by long term, continuous efforts by the police department to convince the community that their commitment is sincere. This entails demonstrating that the program is not merely a public relations strategy by continuing the program after media attention ceases to focus on it. The public needs to be convinced that the

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<sup>151</sup> *Id.*

<sup>152</sup> *Id.*

<sup>153</sup> *Id.*

<sup>154</sup> *Id.*

<sup>155</sup> This is illustrated in the case of the mayor of Chicago, Richard Daley, who was regarded as the most powerful mayor in the country, later reflected on having to think about his police department on a daily basis, and pursued close interaction with his police department to ensure they remained focused on the objective. He stated that he detested the process as he had an abundance of other things to oversee, such as community marches; however, he knew that this hands-on approach was critical to ensure that the department did not revert to its former ways of high expenditures, and inefficient and corrupt operations. His was by no means a painless effort; it was often fraught with difficulties and resistance to change even though he was regarded as the most powerful mayor in the United States.

<sup>156</sup> *Id.*

program will continue to exist over a long period of time, and that if they bring up issues they need to be convinced that something will happen in response — that their input translates to action, to the expression of their concerns, and that the police are responding with concrete action. From the citizen side, it is critical to see feedback and consequences; one of the key factors in this regard is the need for consistency in the personnel deployed to CP, so that citizens know that when they submit a complaint it is simple to follow up with the same officers. This keeps the officer accountable to the citizen.<sup>157</sup> Police tend to be wary of the possibility of being held accountable to civilians, and the lack of accountability is likely to cause failure of CP programs. CP programs have in the past succeeded in some of the most crime ridden localities in Chicago for example, where residents tended to be highly skeptical about the police as a result of a history of negative interaction/poor confrontation among police and civilians, due to the visibility of the program and the efforts of the police force. Hence, although they were “at best dubious and at worse somewhat hostile,”<sup>158</sup> citizens saw the positive outcomes conspicuously occurring in their neighborhoods. Another contributing factor to the success of Chicago was that Chicago was programmed like many of its counterparts at the start of 1990 when neighborhood crime was at its peak.<sup>159</sup> It decreased by 60 percent in Chicago, and in parallel, attendance dropped as well because “attendance was driven by concern about crime and when attendance drops, crime drops — it is a natural phenomenon.”<sup>160</sup> People invested efforts in this because of their interest in it, and when the issues began to diminish as a result of the significant crime drop, their participation dropped, as the data shows.

To effect change, leadership and supervision are critical, where commanders present a strong vision of what it is they expect from the rank and file, and so that that their visions are aligned and they believe in their supervisors, instead of believing that their supervisors are pandering to politicians through press releases. The supervisory levels in the police hierarchy have to “keep their nose to the grindstone and keep their eye on the rule book”<sup>161</sup> and ensure they stay within policy. If there is no commitment to the program, at top level to genuine direction of

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<sup>157</sup> Interview with Dr. Wesley G. Skogan, Professor of Political Science at Northwestern University and expert on community policing. New York. 4 August 2015.

<sup>158</sup> *Id.*

<sup>159</sup> *Id.*

<sup>160</sup> *Id.*

<sup>161</sup> *Id.*



the organization and at the supervisory level to proper implementation of the program, the changes will not be effective. As Skogan puts it “sergeants are like the transition belt they link the wheels of the car to the motor. If the sergeants will not be the transition belts for policy in an effective way, the organization will never get anywhere it wants to go.”<sup>162</sup> Hence, supervision is critical in the equation for successful, effective and sustainable CP program implementation.

### **Prospects for Reform in Tunisia**

Following the revolution and responding to calls from Tunisian human rights institutions, there have been a number of reforms aimed at improving the human rights situation in Tunisia and accounting for the past. In 2012, Tunisia went through its first Universal Periodic Review (UPR) cycle, during which it accepted 110 of 125 recommendations. For example, it has ratified the International Convention for the Protection of All Persons from Enforced Disappearance; the Optional Protocol to the International Covenant on Civil and Political Rights; the Rome Statute on the International Criminal Court; and the Agreement on Privileges and Immunities of the Court Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>163</sup> On January 2017, Tunisia is up for its next UPR review. Part of its current effort is bringing Tunisian police training up to international standards of human rights law.<sup>164</sup>

Though these have been notable efforts, there have also been impediments to genuine reform. Members of the National Constituent Assembly have faced persistent pressure from police unions and as a result have mostly avoided robust regulation of the security sector in the 2014 Constitution. The exception is Article 19, which states, “The national security forces are republican; they are responsible for maintaining security and public order, ensuring the protection of individuals, institutions, and property, and ensuring the enforcement of the law while ensuring that freedoms are respected, with complete impartiality.”<sup>165</sup> Furthermore, the

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<sup>162</sup> *Id.*

<sup>163</sup> National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21. Human Rights Council Working Group on the Universal Periodic Review Thirteenth session. Geneva, 21 May-4 June 2012

<sup>164</sup> *Id.* point #43 on Universal Periodic Review makes mention of community policing.

<sup>165</sup> Article 19. The Constitution of the Republic of Tunisia. Promulgated on January 27, 2014



Tunisian Truth and Justice Commission has experienced problems with the police over access to police archives.<sup>166</sup>

There are also a number of international efforts at SSR underway. International institutional capacity building assistance is provided by the United States under its International Narcotics and Law Enforcement (INL) programming. It is currently implementing an INL program to support prison reform in Mannouba Women's Prison.<sup>167</sup> Another INL-supported program is the construction of the Ennfidha Hammamet Police Academy, which will be launched in 2019.<sup>168</sup> The US has contributed over \$100 million for this project.<sup>169</sup> In a joint announcement in November 2015, the Minister of Interior, Najem Gharsalli, and U.S. Assistant Secretary of the Bureau of INL, William R. Brownfield, stated that the training program would be able to train 1,800 recruits and provide training "in accordance with international standards and modern methods."<sup>170</sup> Brownfield stated that, "co-operation between Tunisia and the United States in the security field has shifted from a partnership based on providing equipment and organizing training sessions to a long-term partnership to develop the skills of Tunisian security forces."<sup>171</sup> Finland is also involved in a capacity-building project within the Tunisian police and National Guard, in a joint project between the MOI and the Police College of Finland.<sup>172</sup>

Political parties remain divided on issues of SSR. The Islamist Enehada is criticized because it ostensibly granted too much freedom of expression to Islamic radicals in the period following the revolution. This rationale, used to defend counter-terrorism measures, is used to justify giving the police broad powers to act with impunity. "Security forces are receiving uncritical

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<sup>166</sup> "Sihem Ben Sedrine : L'IVD ne peut dévoiler la vérité tant qu'elle n'a pas accès aux archives de la police politique." Mosaic-FM. 9 June 2015.

<sup>167</sup> "U.S. Assistant Secretary of State for Narcotics Control Bureau Visit to Tunisia." US Department of State. Embassy of the United States. Tunisia. 12 November 2015.

<sup>168</sup> Tunis Afrique Presse. "Tunisia: Largest Police Academy in Tunisia to be Launched in 2019." 12 November, 2015.

<sup>169</sup> Office of the Press Secretary. "Fact Sheet: Enduring U.S. Tunisian Relations." The White House. 21 May 2015

<sup>170</sup> Tunis Afrique Presse. "Tunisia: Largest Police Academy in Tunisia to be Launched in 2019." 12 November, 2015

<sup>171</sup> *Id.*

<sup>172</sup> "Tunisia Ministry of the Interior - Police College of Finland, Capacity-building within the Tunisian Police and National Guard". Ministry of Foreign Affairs of Finland. 5 May 2014.

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support from the anti-Islamist segments of the political elite,”<sup>173</sup> which may be problematic in terms of how these groups will actually support SSR efforts in the future.

## **VII. Recommendations**

### **1. Creating an alternate space for Tunisia’s youth**

One of the problem areas in Tunisian society is the lack of services geared towards its youth population. Public policy therefore, should focus efforts on the establishment of programs to address the root causes of discontent, most prominently experienced by this sector of the population. The result is a vacuum created by social and economic exclusion, which is endemic in the Tunisian context. It is therefore important to promote a space within which youth can channel their creative energy, realize their aspirations for life, and feel secure whilst developing a healthy sense of identity. Efforts should also be focused on addressing the shortage of cultural initiatives, such as film and music festivals in which young people can participate. Programs assist with keeping youth off the streets and create alternatives to congregating in cafés, which are hotspots for terrorist recruitment in Tunisia. Afterschool programs should also be established for those attending school. In fact, the evidence proven by a number of studies on afterschool programs demonstrate its crime prevention benefits. In turn, the programs benefit police by reducing the strain on both police officers and law enforcement resources. Moreover, after school programs serve as effective jail diversion mechanisms thereby addressing Tunisia’s problem of jail overcrowding.

### **2. Addressing the weak mental health services infrastructure**

The dearth in mental health capacity contributes to crime and disorder in Tunisia. A joint effort between policymakers, mental health professionals, law enforcement and the community is crucial in order to bridge this gap. The formation of partnerships is extremely critical in this process. One such partnership is the implementation of a CIT-style response

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<sup>173</sup> Salah, Omar Belhaj. “The increased role of Tunisia’s security apparatus is generating fears of a potential return of the police state.” Carnegie Endowment for International Peace. 16 September 2014

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program for police to respond to incidents involving the mentally ill. Involvement in the CIT program should represent various stakeholders, including the civil society, law enforcement and communities. Since one of the problems behind the lack of action is the stigma that exists in all facets of society, raising awareness of mental illness is important so that both the police and the community can work as partners towards alternatives, especially where this population contributes to crime. As noted, the implementation of such a program can be executed in a cost effective way, as it functions to enhance the officer's regularly assigned duties. The cost of the program is also justified by the way in which it contributes to the outcome of such a proactive policing strategy: This will again, result in reducing the strain on police officers and resources. And as with other proactive policing strategies, developing crisis response infrastructure to address particular problems results in positive outcomes such as reducing the high number of detainees and the decrease in crime and disorder in society.

### **3. Developing and implementing the Tunisian de-radicalization program**

The current climate of high insecurity in Tunisia calls for a robust counter-terrorism policing effort. In order to address the problem of radicalization in the country, the establishment and implementation of a comprehensive risk reduction mechanism in the form of a de-radicalization program tailored to the Tunisian context, would be beneficial. The program would be based on the best practices of programs implemented in other countries such as the German model, as well as incorporate specific features, tailored to the Tunisian context. This strategy involves the formation of partnerships between police and NGOs. Counselors trained in risk assessment tools, such as VERA 2, would assist police with counter intelligence. However, for this program to be effective, stakeholders must secure the trust of the community. Moreover, since the program entails a similar approach to CP, the Tunisian CP pilot program can work alongside this initiative.

The implementation of the Tunisian de-radicalization program will serve to respond to addressing the root causes of terrorism, which in turn may reduce the problem of radicalization. Currently, there is a grassroots effort in the form of the de-radicalization program, Rescue Association of Tunisians Trapped Abroad (RATTA). This NGO is small, but well known for their efforts on de-radicalization and family counseling. The organization recently estimated through its work on the issue, that approximately 400-500 fights have

inconspicuously returned to Tunisia.<sup>174</sup> This grassroots effort should be expanded into a more solid engagement and mainstreamed into existing social and economic programs.

#### **4. Counter-terrorism capacity building**

Counter-terrorism planning should focus on building policing capacity in this realm. Specifically, an emphasis should be placed on the training of police on proper response. In order to ensure effective police response and a decrease on reliance on coercive and aggressive policing tactics, it is essential to increase adequate resources. To that end, investment for better policing equipment as well as increasing intelligence capabilities is crucial. Security forces properly equipped to respond to security threats are less likely to rely on coercive and aggressive policing tactics. Moreover, the problem of inadequate equipment in police work tends to result in heightened stress among officers. This in turn has been correlated with increased use of force.

**5. The reinvigoration of civil society efforts:** Civil society in Tunisia plays a key role in galvanizing social change as it did in the events of the 2011 Revolution. In the aftermath, civil society continued its work when it rallied to ensure that the demands of the Revolution are reflected in the new constitution. However, as result of the recent clampdown on expression in the context of counter-terrorism, civil society fervor has waned. In order to ensure the existence of democracy, civil society efforts need to regain its 2011 momentum.

#### **6. Community involvement in community policing:**

Finally, for CP programs to be successful, community involvement is critical. In past cases of CP implementation, citizens tended to refrain from availing of such programs. Increased citizen engagement ensures not only CP program success; it also promotes police integrity because the participation of community members ensures officer accountability. The engagement of law enforcement with the community it polices, serves to enhance the effectiveness of police work. The continued exchange between law enforcement and community, where there is mutual participation on issues as they emerge, and this collaboration contributes towards the overarching objective of strengthening the rule of law.

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<sup>174</sup> Souli, Sarah. "Tunisia: Why foreign fighters abandon ISIL." Aljazeera. 3 March 2016.

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## VIII. Conclusions

In recent months as ISIL has been carrying out numerous terrorist acts in rapid succession, policymakers in administrations around the world debate how to tackle this growing threat. Although Tunisia has successfully completed a number of reforms with international assistance to its security sector and other areas of government, the problem of coercive and aggressive policing remains. Though the existing operational structure has uncovered and suppressed a number of terrorist plots, the recent actions of security forces remain incompatible with an effective, democratic police force. A robust and effective security sector is needed to counter the multiple problems Tunisia faces. This can only be accomplished through thorough commitment to true institutional change. The Tunisian community policing program shows great promise to act as this medium of change.

The primary means by which Tunisia has begun to reform its security sector has been tough community policing, which aims to bring together different stakeholders in both government and society in order to ensure that dialogue exists, that voices are heard, and that the policies that ultimately emerge reflect consensus. Such a consensus, though it inevitably involves substantial compromises, ensures that all stakeholders feel a sense of ownership of ultimate policy adopted.

The other means by which Tunisia has attempted to reform its police force is by adopting the crisis intervention team model. Many social problems stem from mental health issues and inadequate response to them. The Memphis model ensures that the needs of the mentally ill are being met while society is being protected. Heavy-handed methods of detention and imprisonment are abandoned in favor of immediate counseling and support, notably at the site of the crisis itself through the use of specially trained police officers. The ranks of the radical Islamic movement are filled with many unstable individuals. Providing prevention and intervention, before and during the process of radicalization, are necessary to prevent its completion. In other words, enlightened policies towards the mentally ill are essential components of an overall process of political stabilization and democratic consolidation.

Building and expanding partnerships between security forces and society, based on the emerging needs, does not occur over night. Trust takes a long time to develop. Building effective partnerships requires the government to take into consideration the needs of all stakeholders, including as an initial threshold, the need of societal groups to trust the police

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and to even be willing to participate efforts at dialogue. This in turn requires the needs of the police to be met, notably by providing mechanisms by which incentives to take bribes, participate in corruption, and act with impunity against citizens are reduced. The police themselves feel persecuted, as if they are immediately identified with the abuses of the former regime.

Nonetheless there is reason to be hopeful about the future of security forces in Tunisia. CP Models already exist around the world and are being adopted in Tunisia. Tunisia has received substantial international support to engage in this type of institutional capacity-building. Though domestic terrorism remains a threat, many of the different stakeholders recognize that there is greater danger in aggressive policing methods. Tunisia may be at a crossroads, but the roads that are currently crossing each other include a number of positive concepts, the value of which have been recognized.

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