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The Fight Against Covid-19 in Morocco, Algeria and Tunisia: Courses of Action, Paths for Reflection

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Introduction

The current decade of transition in Central Maghreb (Morocco, Algeria and Tunisia) is culminating in an exceptional test of resilience and the performance of national institutions, as countries in the region, like others around the world, find themselves facing a pandemic that is straining already weak and overcrowded health systems in the midst of volatile political landscapes.

Indeed, the pandemic has halted protest movements in Morocco and Algeria that were demanding accountable governments and initiating a process of change with COVID-19-related restrictions causing them to lose steam. On the other hand, Tunisia's newly approved coalition government found itself facing an unprecedented challenge.

In addition to this political instability and to the cost of the drought the three countries have already been facing this year, the economic repercussions of the virus are now being felt from the drop in foreign income (the result of a pause in tourism and trade with Europe as well as the expected drop in remittances) and the drastic collapse in the price of oil and gas. The virus combines "both a negative supply shock and a negative demand shock," since containment measures are hitting workers' movement as well as demand for the aforementioned goods and services.

To better understand the extent of the pandemic in Central Maghreb, one shall turn to the *coronavirus Worldometer*, which estimates that while Algeria is an epicenter of the coronavirus in Africa, Morocco ranks third on the African continent in terms of the number of positive cases. Furthermore, in a globalized world, the outbreak in the region was mainly associated with travel and trade, heightening the risk, especially because nations with especially high coronavirus death tolls (Italy and Spain) are their northern neighbors.

The first confirmed case of COVID-19 in Central Maghreb was recorded in Algeria on February 25, 2020. Since then, the number of cases has increased sharply.

In response to the pandemic, countries in the region were relatively proactive and decisive in their initial responses. Early on, they established gradual containment measures, including closure of the borders except for the transport of goods and medical equipment or repatriation operations, restriction of movement, prohibition of public gatherings, curfews and general lockdowns. Morocco was the first to suspend international flights (on March 13), initially restricting travel to and from Spain, Algeria and France, but then rapidly extending the measure to cover all countries.

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Furthermore, the three countries have adopted innovative measures in response to the outbreak. Tunisia, for instance, started using robots[1] to patrol the streets and provide remote diagnosis. Algeria is adopting a holistic approach to security with the creation of a National Health Security Agency. Morocco, meanwhile, is encouraging and ramping up domestic mask production.

As has been the case in many other regions, this crisis has also revealed to North African politicians the fragility of public services and the mistake that was made by marginalizing vital sectors deemed unprofitable, such as health and education. Indeed, despite recent increases to health sector budgets,[2] the sector lags behind others like defense and the interior, where increases in budget lines have been even more significant.[3] These spending priorities have undoubtedly impacted COVID-19 preparedness and response with regard to both infrastructure and personnel. As a matter of fact, beyond the challenges posed by the pandemic worldwide, Morocco, Algeria and Tunisia face additional difficulties impeding their capacity to respond properly and in a timely manner, primarily that of medical brain drain. Research has assessed the medical brain drain rate in Tunisia at 22%, while Algeria is registering "a higher rate than its neighbors in three fields: psychiatrists, ophthalmologists and radiologists." In the same vein, the World Health Organization has classified Morocco as "experiencing a serious shortage in medical and paramedical staff."

This report aims at investigating how the pandemic has shaped the adjustments made in Central Maghreb countries regarding governance and political institutions, while also reflecting on potential opportunities that they may present.

The Political Implications of the Pandemic
Pausing the Political Momentum
The three countries have experienced, to a similar extent, shifts in priorities and a derailing of the political agenda while also witnessing a loss of political momentum.

In Tunisia, the pandemic has redefined legislative priorities, with the application process for the Constitutional Court impacted. The application deadline was pushed to April 19. Also, a bill regarding transparency and ethics in political life was rejected because the timing was deemed inappropriate due to the general situation in the country, while other 'more 'pressing issues' have been pushed up the emergency ladder with a request for urgent examination.[4]

In Algeria, the Hirak (the Algerian protest movement) has observed a truce since the outbreak of the pandemic. The outbreak also resulted in the postponing of the discussion of draft constitutional amendments initiated by the newly elected president Abdelmadjid Tebboune.

Morocco, on the other hand, which was in the process of revising its development model, had to re-evaluate its priorities. The work of the commission tasked with the delivery (in June) of the report on the new development model was overshadowed by the fight against COVID-19. In accordance with the health directives

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[1] This was done despite drones being banned. While that sends mixed signals, it also points to the possibility of revising laws to make interventions faster and more efficient, such as by using robots to cover more ground and reduce exposure.
[2] In 2020, Morocco's Ministry of Health (MoH)recorded a budget increase of 14.4% t compared to that of 2019. Similarly, the Tunisian MoH recorded an increase of 9.6% compared to the previous year. Algeria recorded an increase of 2.33% for its health budget compared to 2019.
[3] For instance, in Morocco, the defense budget was increased by almost 30% for 2020. Tunisia increased the budget allocated to the Ministry of Defense by 31.24% compared to the previous year. In Algeria, the Ministry of the Interior and Local Government recorded an increase of 3.25% compared to the 2019 budget.
[4] On April 4, the Tunisian Parliament voted in favor of authorizing the prime minister to issue decree-laws of a legislative character for a period of two months to counter the spread of the coronavirus and to ensure the normal functioning of vital facilities.

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of authorities, field consultations have been suspended —facing the pandemic was deemed the most urgent challenge and issues of lesser importance were put on hold.

Surveying the Responses: Effective Yet Controversial

Policy responses to the coronavirus pandemic in Central Maghreb have been rather similar with only few differences. This might be attributed to regional similarities in the general context, societal fabric and economies.

Overall, Morocco, Algeria and Tunisia have responded in a preventive and proactive manner, and they have managed, to a certain extent, to slow the progression of COVID-19 and avoid exceeding the capacity of their health systems. This can be explained first by the time lag that followed particularly bad outbreaks of the virus in the northern neighboring countries. The lag provided an opportunity to monitor the pandemic's spread and evaluate potential policy responses in countries that carry higher risk of social and economic implosion, namely Morocco, Algeria and Tunisia.

In this context, it is fundamental that governments' responses to the pandemic ensure full respect for the rule of law and human rights. It is indeed such respect that will enable governments to bounce back from the virus and ensure long-term recovery. Surveying the three governments' responses shows the risk of poor governance that could fuel future instability in the region. However, if well managed, the crisis could result in a more stable and balanced relationship between citizens and the state.

Rule of Law Challenged

Central Maghrebi countries have been criticized for challenging the rule of law while responding to the pandemic, since governments have opted to regulate the interventions by way of express legislation subject to few controls.

Morocco and Tunisia have both opted for express legislation by way of decree-laws. These exceptional measures have been criticized for initiating a power imbalance with executive encroachment.

Indeed, Morocco has declared a "Health State of Emergency" that grants the government the power to "take any urgent measure of an economic, financial, social or environmental nature, which would contribute, in a direct way, to facing the negative effects of the health emergency,"[5] for a period of 28 days. Reportedly, the pandemic has relegated the government to the background, while bringing the king to the fore. The king's leadership over the management of the pandemic has been noted throughout the crisis.

Following Morocco's lead, Tunisia's head of government was authorized to issue decree-laws for the purpose of countering the spread of the COVID-19, for a period not to exceed two months. Following the consolidation of the prime minister's powers, the Tunisian Anti-Corruption Authority alleged that not being consulted regarding the recent decrees issued by the prime minister constituted a violation of the constitution.

Moreover, despite the limitation to issue decree-laws of legislative character related to the fight against COVID-19, the head of government was criticized by civil society for issuing a decree-law on the registration of the Unique Citizen Identifier (UCI), which has no obvious link to the ongoing crisis. The government, meanwhile, argued that the UCI would facilitate crisis management going forward, especially with regard to aid distribution.

In Algeria, in these exceptional circumstances, the Magistrates' Club has warned that if sanctions are politicized—tightening the executive's grip on the judiciary—then the independence of judges and the judiciary will be at risk, further demonstrating the need to define boundaries under the new government.

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[5] Article 5 of the above-mentioned decree-law.

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Transparency and Public Trust in Institutions Impacted
Public trust in the institutions managing the pandemic has been problematic at various times.

In Algeria, for instance, at the beginning of the crisis, the Hirak protesters were highly skeptical of the government's decision to prohibit demonstrations. Analysts have attributed this skepticism to years of distrust between the government and the people, who thought the move was a "dirty political trick to scare people and to break the movement."[6] It was only thanks to calls from intellectuals, artists and civil society that protesters eventually decided to call off their weekly anti-government demonstrations.

Also, the cacophony characterizing responses to COVID-19 has further deepened the crisis of trust between Algerians and their government. This was evidenced by the reversal of the decision to partially relax COVID-19-related measures on April 24. Many Algerians reportedly doubt the veracity of the official numbers of contaminations and fatalities due to the new coronavirus.

In Tunisia, however, the political barometers of Sigma Conseil[7] and the daily newspaper *Al Maghreb* have revealed that Health Minister Abdellatif Mekki and Prime Minister Elyes Fakhfakh have gained in popularity during the coronavirus crisis.

In Morocco, where the king launched an image repair campaign with increased media visibility, the royal leadership has gained in popularity during the crisis, as evidenced by a survey conducted by the Moroccan Institute for Policy Analyses in which 77% of the surveyed population declared being satisfied by the measures taken by the government to counter the spread of the coronavirus.

Efficiency and Sound Financial Management

Impaired Sound Financial Management and Transparency
Sound management of public funds is crucial in normal times, but it becomes even more important in times of crisis. Guaranteeing value for money while minimizing fraud is important in order to regain public trust in government institutions, while mismanagement can result in dissatisfaction and push people to take to the streets again, despite lockdown measures.[8]

Tunisia was the first to announce the creation of a voluntary fund, known as the 1818 Fund, to contribute to fighting the coronavirus outbreak. It has raised about 67 million dollars thus far.[9] A supervisory committee was created within the Ministry of Health in order to regularly monitor and update on the good governance of the completed and planned purchases. The committee publishes updates on its work and the total donations, but these updates are neither regular nor exhaustive. Furthermore, questions of transparency in donations and governance in the mobilization of resources in the exceptional situation that the country is going through are under scrutiny before the Finance Committee of the Tunisian Parliament. This is especially because the decision to create the 1818 Fund has not been published yet by the minister of finance, and therefore neither deputies nor citizens are aware of the total contributions, their nature, the spending plan or details of its execution. Tunisian activists and watchdog organizations[10] have highlighted that the exceptional situation of the country does not in any way justify the ambiguity and uncertainty in the management of state funds and

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[6] Dalia Ghanem in Virtual roundtable "Coronavirus and the Maghreb: Challenges to stability and reform" organized by Real Instituto Elcano. 7 May 2020.
[7] Private marketing and media office
[8] This is evidenced by Algerians resuming protests in several cities during Eid Al Fitr, defying the ban on demonstrations during the coronavirus pandemic.
[9] As of 8 May 2020. See https://covid-19.tn/
[10] Virtual roundtable on "Governing the management of financial contributions: The 1818 Fund" organized by I Watch organization. 8 May 2020.

donations or the evasion of public procurement processes.[11] It is noteworthy that one of the citizen-led initiatives in this regard was the creation of a monitoring platform called "Hay Floussek" (Here Is Your Money), to inform citizens on resources and management of the 1818 Fund.

Moreover, Tunisia announced the deduction of a working day's salary (April) as a contribution to the state budget. This measure was met with reactions that varied from indifference to opposition, especially because the deduction was made on the basis of gross income. Few, however, have agreed with this measure.

In a similar manner, Morocco announced the creation of the Coronavirus Management and Response Fund. Since its establishment, and according to the last update, the fund is valued at more than three billion dollars. The large amount might be explained by a surge in solidarity on one hand, and by promises of tax relief to companies and to private individuals on the other. However, while citizen engagement is critical in such a crisis, there is a lack of information sharing and communication regarding the fund's resources and management, as reported by Moroccan journalists and newspapers.

Algeria, on the other hand, adopted a different approach. Rather than establish a centralized fund, two separate funds were created to counter the pandemic. A postal and bank account was made available to receive donations for the government. There is no tracking or updating on the status of the donations received in either account.

Nonoptimal Efficiency
The pandemic has highlighted deep inequalities and signaled the need for urgent fiscal and financial measures to alleviate the hardship of this situation on marginalized groups.

In response, Tunisia and Morocco announced cash transfer programs.[12] These social assistance measures posed many challenges, as they are often temporary and difficult to design and implement, evidenced by the fact that in Tunisia, the Ministry of Social Affairs has revealed that 4,000 state employees who were not supposed to, have applied for and received grants dedicated to low-income families.

In Tunisia, the government decision to distribute social assistance, and its poor implementation, resulted in a disaster. Images of crowds made up of those most affected by the pandemic—gathered in front of post offices without masks or respect for social distancing—have revealed the unequal cost of lockdown measures.

Morocco, meanwhile, was spared from such scenes, thanks to the use of new means of technology. Digitalization has enabled the government not only to communicate with citizens quickly and easily, but also ensured that there was no unnecessary risk of exposure to the virus while withdrawing aid. To cash their payments, beneficiaries received an SMS with a code and the payment institution they should visit to withdraw the aid money. Morocco managed to deploy mobile agencies to meet the needs of citizens even in the most remote areas.

In Algeria, where public finances are suffering severely from the fall in oil prices, there were proposals to fund a similar aid program, but so far no comparable scheme has been established.

Idling Accountability and Oversight Mechanisms
As the crisis unfolded into a pandemic, the need for oversight mechanisms to be fully functioning in such special circumstances was clear. These public health crises often pose a serious challenge to checks on

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[11] Donations are considered public funds and hence subject to public procurement procedures and consultations. Any process must therefore be published automatically both in the TUNEPS system and the National Procurements Observatory.
[12] Tunisia announced a 200 TD ($70) assistance payment to vulnerable families and households. Morocco advanced a similar package disbursing payments varying from 800 to 1,200 DH ($78 to $122) for families affected by the lockdown.

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executives exercising extraordinary powers, since parliaments are not fully functioning, and priorities are reset, limiting the questioning and scrutiny that takes place.

With the right to assembly severely limited, the role of civil society is also greatly curtailed, meaning that governments can often easily push through measures with less likelihood of protest.

More importantly, with idling institutions in the three countries, oversight mechanisms are struggling to adapt to the reality on the ground.

Tunisia's parliament, for instance, carried on its legislative, monitoring and electoral roles, whether in relation to the health crisis or other areas. It decided to reduce the number of deputies, employees and parliamentary assistants present,[13] and also decided to start plenary sessions without the needed quorum and to approve remote voting. It is noteworthy that the first parliamentarian experience with remote voting in Tunisia lasted more than seven hours,[14] and ended with the postponement of the vote to the next day (despite the urgency of the law in question).

The pandemic has cast a shadow over the Moroccan Parliament as well. The parliament inaugurated its spring legislative session with the limited presence of deputies to the plenary sessions, due to the exceptional circumstances imposed by the declared state of health emergency imposed on March 19 to combat the spread of the new coronavirus.

The Algerian Parliament, on the other hand, decided to suspend all its plenary sessions and the work of the sectoral committees, starting in mid-March, due to the coronavirus. No parliamentary activity has been held since then, not even under the Health Committee, which is supposed to follow the developments of the crisis, except for a single meeting with Health Minister Abdel-Rahman bin Bouzid.

Threats to Human Rights
Countries of Central North Africa have, to a certain extent, experienced comparable downfalls of the measures adopted.

Firstly, in Tunisia, despite overall citizen compliance to the measures put in place, there are worrying signs of police abuse and harassment of journalists and bloggers, as reported by the investigative blog Nawaat. Criticism addressed to the government's (mis)handling of the COVID-19 crisis faced criminal charges for "insulting state officials," "causing disturbances to the public" and defamation.

Also worrying is the risk that in Algeria the pandemic is posing a serious threat to freedoms and liberties. Protests following the March 17 public gathering ban were reportedly met with police brutality and misconduct, as security forces used indiscriminate and excessive force. Human rights organizations have also raised concerns about speedy trials that violated a Justice Ministry decree imposing a temporary halt on court hearings from March 17 until March 31 to combat the spread of the coronavirus.

Similar concerns were raised in Morocco. For example, the Ministry of Culture, Youth and Sports' decision to suspend all hard copies of newspapers was read as a move towards curbing freedom of expression. Human rights organizations also warned that a newly adopted law by the Council of Ministers aimed at fighting fake news and cybercrime could be misused to crack down on freedom of expression in the kingdom. Additionally, arrests against citizens for "spreading fake news about the virus" have been recorded. Furthermore, there have

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[13] The Tunisian parliament limited the number of assistants to one per block. It also limited the number of MPs present at the assembly and prohibited visitors.
[14] It was later replaced by voting via apps to remedy the disruption caused previously.

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been reports of police abuses and law enforcement resorting to violence against citizens who failed to respect the measures imposed due to the exceptional circumstances.

Room for More Inclusiveness

Initial observations related to gender in the crisis responses in the three countries indicate that leadership on the matter remained male-dominant (army and security officials and/or medical staff). In Morocco, for instance, the royal leadership has relied on regalian ministries, technocrats and the military. Similarly, in Algeria, the COVID-19 task force is composed of only male scientists and politicians.

Tunisia, however, adopted a rather inclusive approach, involving both male and female health experts. Along with the minister of health, the crisis communication team included experts (individuals with special knowledge related to the current crisis).

Beyond gender issues, success of lockdown measures is also dependent on how sensitive and responsive they are to social realities and people's needs. The ability to conform to social distancing turned out to be a privilege to which some segments of society were deprived.

COVID-19 has disproportionately impacted the most vulnerable and under-represented groups, such as migrants and displaced communities, which are doubly vulnerable to both transmission and the secondary effects of the measures taken to curb the virus' transmission. These groups are likely to experience heightened risk of exposure due to limited access to meaningful methods of prevention and health and sanitation facilities. Additionally, they often reside in overcrowded and densely populated locations such as camps and camp-like settings, increasing the risk of exposure and reducing the capacity to implement mitigation measures such as social distancing.

In Tunisia, most sub-Saharan migrants are working in the informal sector, and, due to the exceptional circumstances, they have lost their sources of income and are suffering from a lack of information. Migrants placed in the El Ouardia Reception and Orientation Centre are living in deplorable conditions, and the risk of exposure is greater in detention centers, since effective monitoring cannot be imposed and preventive measures such as social distancing and health barriers are uncommon. This situation is increasingly worrisome with the arrival of new residents. The poor living conditions have pushed residents of the center to sleep outside the dormitories in protest.

On the positive side regarding the protection of vulnerable foreigners in the country, a handful of measures were implemented by the Tunisian government including the extension of residence permits, so that undocumented migrants can move around without fear of being arrested, and rent relief for the months of March and April.[15] In-kind and cash grants have also been distributed to migrants, irrespective of their legal status.

Even though refugees and migrants residing in Morocco are included in the national watch and response plan against COVID-19, restrictions on movement continue to generate secondary socio-economic impacts. These repercussions heighten their pre-existing vulnerabilities, especially because they cannot work, beg or pay rent under the current lockdown.

In Algeria, migrants found themselves trapped as borders closed. Now, with confinement measures, insufficient health insurance and limited financial resources—and lacking the means or will to return to their countries—they are scrambling to gather charity in order to survive. Local NGOs report that, out of fear of

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[15] The mayor of the city of La Marsa announced that the municipality will take on the rental costs and expenses of 900 African migrants who are residing in La Marsa until the end of the exceptional measures taken within the framework of the fight against the coronavirus.

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expulsion, stigmatization and discrimination, migrants are refraining from reporting symptoms of the coronavirus. It is worth noting that refoulement operations have stopped since the start of the pandemic.

Furthermore, there are fears that the coronavirus will be particularly hard on Sahrawi refugees displaced in the five camps established near Tindouf, Algeria (Laayoune, Smara, Ausserd, Boujdour and Dakhla), where life is already precarious. The camps lack the minimum hygiene conditions for virus prevention (access to clean safe water, sanitation and waste management). The alarming health situation and potential measures to be taken were the subject of a parliamentary question addressed to the European Commission by members of the European Parliament following reports of two deaths at the beginning of March in the camps. There are also reports of outbreaks near the Tindouf refugee camps,[16] further exacerbating inhabitant vulnerabilities. Adding to their vulnerability are food shortages associated with the COVID-19 travel restrictions and lockdown measures that compromised the transport of supplies and the functioning of open-air markets that serve most people, resulting in price increases and food insecurity.

Conclusion: In the Midst of Chaos, There Is Also Opportunity

As the crisis has evolved into a global pandemic, principles of accountability, public trust and respect for the rule of law as well as continuity of service in the COVID-19 response remain flawed in Central North Africa. This extraordinary threat had shown the need to act immediately and proactively, while also highlighting the following:

- Full respect of the constitutional framework must be ensured, given that emergencies pose challenges to constitutionalism as they often demand (or are used to justify) extraordinary measures that overstep pre-existing legal boundaries;
- This crisis can provide a learning opportunity regarding oversight and accountability mechanisms that can be put in place for future crisis mitigation plans, to ensure full functioning of institutions in unusual circumstances;
- Building trust between government and citizens, including through clear communication and transparency regarding the management of public funds, potentially through digital platforms or apps, is crucial to ensuring public participation and compliance;
- Deployment of fiscal policies and resources should be carried out in an efficient manner to limit the damage caused by the crisis. Legislating in advance is recommended to avoid the discretionary and faulty measures that can result when policies are enacted suddenly;
- Governments in Tunisia, Algeria and Morocco have securitized a health issue and are taking advantage of the pandemic to reclaim the public space through security interventions and legal maneuvers as part of their crisis response. While some restrictions to human rights may be necessary in the fight against the pandemic, ensuring that such restrictions do not become repressive tools is crucial for the success of the measures themselves. Analysts have warned about the potential return of repression when governments feel overwhelmed and impose more restrictions on people's freedoms and basic rights;
- Guidelines for police and military use of force in a state of emergency should be defined and monitored for compliance. Law enforcement measures should be guided by the principles of legality, necessity, proportion, precaution and non-discrimination;
- The COVID-19 pandemic has revealed inadequate public policy priorities and budget choices. Reviewing government priorities based on critical importance of the sectors is necessary;
- In post-COVID-19 recovery plans, policymakers should spare no effort in providing safety nets for the most vulnerable and mitigating inequalities. The stakes are particularly high because mismanagement of the crisis could add to already visible signs of social discontent, caused by chronic issues of

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[16] The Sahrawi refugee camps in Tindouf, Algeria are a series of refugee camps set up in Algeria's Tindouf Province in 1975–76 for Sahrawi refugees fleeing from Moroccan forces who advanced through Western Sahara during the Western Sahara War.

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socioeconomic injustice and lack of development. A new social contract based on informed and strategic public policy is needed, especially since countries in the region are losing revenue, and it is important to evolve from rent allocation and distribution to promoting institution building and reforming the relationship between states and their citizenries.

On a more positive note, the crisis has uncovered opportunities that should be embraced and built upon, such as the great potential for innovation in the region exemplified by students, engineers and entrepreneurs who have manufactured equipment and other needed material locally. There are opportunities for change, starting with digitalization of parliamentary voting, which can, and will, inform institution performance in the future.

Moreover, as the Maghreb Union celebrates its 31st anniversary, this ongoing crisis could present an opportunity to revive the sub-regional system, build up regional collaboration in areas of health surveillance and control, and bolster health information and communication systems and strategies to prevent and control the transmission of diseases. The union could provide a space for exchange of best practices and lessons learned, to build a common front and articulate joint responses and strategies for facing a common, transboundary enemy, so that countries emerge from this virus emboldened and united around a common health care policy.

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