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Human rights and freedom of the press in Tunisia and evaluation of the World Summit on the Information Society held in Tunis

Greens/EFA motion for a resolution

Tabled by ***Hélène Flautre, Raül Romeva i Rueda and David Hammerstein Mintz***

on behalf of the Verts/ALE Group

The European Parliament,

 having regard to Article 2 of the Euro-Mediterranean Association Agreement between the European Union and Tunisia,

 having regard to its resolution of 23 June 2005 on the information society,

 having regard to its previous resolutions on the human rights situation in Tunisia, in particular that of 29 September 2005,

 having regard to the Commission communication of May 2003 on reinvigorating European Union actions on human rights and democratisation with Mediterranean partners,

 having regard to the Commission communication of March 2003 entitled 'Wider Europe Neighbourhood: a new framework for relations with our Eastern and Southern neighbours',

 having regard to the Commission communication of April 2005 entitled 'Tenth anniversary of the Euro-Mediterranean Partnership: a work programme to meet the challenges of the next five years',

 having regard to the Council Guidelines on the protection of human rights defenders, adopted in June 2004,

 having regard to the resolutions adopted by the EMPA in Cairo on 15 March 2005 and Rabat on 21 November 2005,

 having regard to the Barcelona Summit of 28 and 29 November 2005 attended by the Heads of State of the European Union and the Mediterranean partner countries,

 having regard to the statement of 13 September 2005 by the Presidency of the European Union on the obstacles placed in the path of the activities of the Tunisian Human Rights League (LTDH), the representations made following the banning of the LTDH Congress and the serious violations observed at the World Summit on the Information Society,

 having regard to the conclusions of the World Summit on the Information Society, held in Tunis from 16 to 18 November 2005,

 having regard to Rule 103(2) of its Rules of Procedure,

A. whereas Tunisia was the first Mediterranean country to sign an association agreement with the European Union and whereas Article 2 of this agreement stipulates that respect for democratic principles and fundamental rights guide the parties' domestic and international policies,

B. whereas the European Union's neighbourhood policy is based on mutually recognised attachment to common values, such as democracy, the rule of law, good governance and respect for human rights,

C. whereas, in this connection, Tunisia and the European Union have jointly established an plan of action setting the strengthening of reforms guaranteeing democracy and the rule of law, and, in particular, the promotion of freedom of expression, opinion, association and assembly as priority actions,

D. whereas the general deterioration in the situation of rights and freedoms in Tunisia gives cause for very serious concern; welcoming, in this connection, the steps taken by the Council to remind Tunisia of its commitments regarding respect for human rights and democratic principles,

E. deploring the conditions in which the World Summit on the Information Society was held from 16 to 18 November 2005 as regards respect for human rights and democracy; condemning, in this connection, the physical attacks on human rights defenders and Tunisian and European journalists, in particular the French journalist from the 'Libération' daily, who was stabbed by four individuals on 11 November 2005,

F. whereas, during the Summit, the Tunisian authorities frequently obstructed freedom of expression and association, with no consideration for the international and extraterritorial nature of the event, and deploring, in this connection, the fact that official meetings of the coalition for the Citizen's Summit were systematically prohibited by the police and that the human rights workshop organised by the European Commission, in the presence of the official European Parliament delegation, was severely disrupted,

G. whereas a group of seven leading Tunisian figures went on hunger strike one month before the Summit to protest against all the obstacles placed in the way of Tunisian civil society and, in particular, human rights defenders, lawyers, magistrates and journalists,

H. whereas stringent checks are kept by the cyber-police on the free movement of information in Tunisia and whereas access to web sites relating to human rights or with a political content are regularly, and in some cases systematically, blocked,

I. whereas the Summit's final declaration, entitled the 'Tunis Commitment', reaffirms 'that democracy, sustainable development, and respect for human rights and fundamental freedoms as well as good governance at all levels are interdependent and mutually reinforcing',

J. noting, therefore, the contradiction between the Summit's final declaration and the host country's total disregard for this commitment,

K. whereas the WSIS process continues after the Tunis Summit and opens up a new stage with the conclusions of the second phase,

L. whereas the basic principles and goals of the WSIS remain to build the information society on the basis of human rights and fundamental freedoms, to combat the digital divide and find the resources to be allocated to the plan of action to promote development, to seek to establish an Internet governance that is

more balanced, pluralistic, representative of the various countries and respectful of cultural diversity, and to meet the new technological challenges (spam, data protection, etc.),

M. having regard to its attachment to giving practical effect to the plan of action, making the corresponding financial resources available and enabling civil society, including local authorities, businesses and NGOs, to participate in the information society,

1. Recalls that Tunisia and the European Union have been linked since 1998 by a Euro-Mediterranean Association Agreement, Article 2 of which contains a human rights clause, which constitutes an essential element of the agreement;

2. Deplores the obvious deterioration in the situation of freedoms and human rights in Tunisia and calls on the Tunisian authorities strictly to adhere to their international commitments with regard to respect for human rights and democracy;

3. Calls, therefore, on the Council and the Commission to hold as soon as possible an Association Council meeting focusing, as a matter of priority, on the human rights situation in Tunisia in order to draw appropriate conclusions from the serious and repeated violations of the association agreement's human rights clause; calls, in this connection, on the Council to establish with the partner country a specific timetable laying down the measures to be taken to guarantee full respect for fundamental freedoms and, in particular, freedom of information and association;

4. Calls on the Tunisian authorities to authorise the LTDH and the Tunisian journalists' union (SJT) to hold their congress and to release the European funds allocated to the LTDH, the AFTURD and Santé Sud; calls at the same time on the Tunisian authorities fully to cooperate with the Commission in order rapidly to implement the judicial modernisation project financed by the MEDA 2004-2006 programme which should, as a matter of priority, strengthen guarantees relating to the independence of the judiciary; calls, to this end, on the Tunisian authorities to guarantee the rights of the Tunisian magistrates' association (AMT) and of the bar and to release all political prisoners and prisoners of conscience;

5. Calls for the EU-Tunisia Human Rights Subcommittee to be set up and convened as soon as possible in order to discuss the human rights situation and, in particular, individual cases;

6. Welcomes the fact that the European Union, speaking with one voice, was able to express a strong position in the Tunis discussions, also playing a leading role through its proposals and, in particular, in the progress made on Internet governance and the implementation of the plan of action; welcomes also the fact that Parliament was involved throughout the process and wishes this method to continue to be applied in the future;

7. Notes with satisfaction the decision to continue the process following the agreement on Internet governance and the affirmation of ICANN's independence; welcomes the choice of enhanced cooperation between governments on the principle of equal treatment between states and the creation of a forum on Internet governance; stresses that these advances are in line with Parliament's concern to build a balanced form of Internet governance;

8. Urges the Tunisian authorities, in accordance with the undertakings given in the EU-Tunisia plan of action, to grant the United Nations Special Representative on Human Rights Defenders, the Special Rapporteur on Torture and the Special Rapporteur on the Independence of Judges and Lawyers access to their territory;

9. Urges the Council and the Commission to undertake to fully inform Parliament of representations made and decisions taken at the forthcoming EU-Tunisia Association Council meeting; urges the Council and

the Commission, in that same spirit, to make public the representations made, in particular in relation to human rights defenders;

10. Calls on the Council, the Commission and the relevant United Nations bodies to draw the necessary lessons from this Summit, to consider a new procedure for selecting the host country and to seek to ensure that civil society is represented in the forum on Internet governance;

11. Instructs its President to forward this resolution to the Council and Commission, the governments and parliaments of the Member States, the United Nations Commission on Human Rights and the Tunisian Government.

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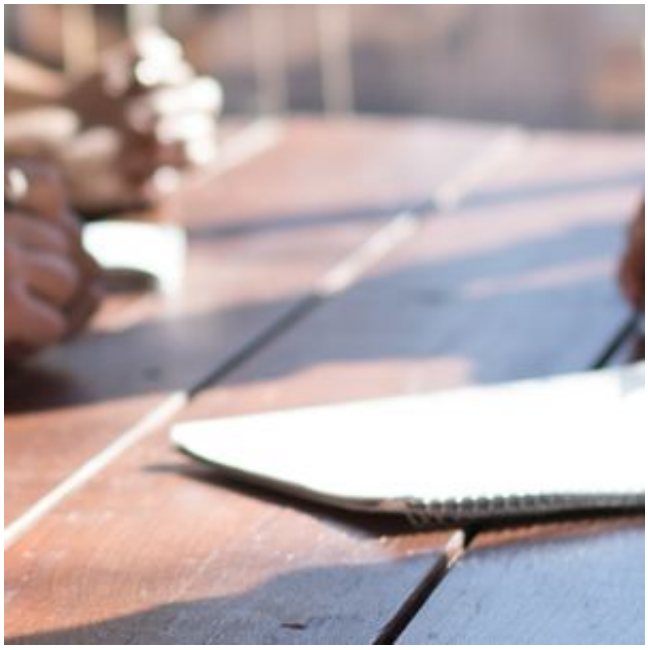
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