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Human rights situation in Tunisia

Motion for a resolution

The European Parliament,

 having regard to its earlier resolutions on the human rights situation in Tunisia, in particular those adopted on 29 September 2005 and 15 December 2005,

 having regard to the Euro-Mediterranean Association Agreement between the European Union and Tunisia which entered into force on 1 March 1998,

 having regard to the Commission communication of May 2003 entitled 'Reinvigorating EU actions on human rights and democratisation with Mediterranean partners',

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

 having regard to the Commission communication of 12 May 2004 on European Neighbourhood Policy and its EU-Tunisia action plan, which entered into force on 4 July 2005,

 having regard to the Council guidelines on human rights defenders which were adopted in June 2004,

 having regard to its report on the human rights and democracy clause in European Union agreements, adopted on 14 February 2006,

 having regard to the approaches made by the Presidencies of the European Union in connection with human rights in Tunisia between September 2005 and May 2006,

 having regard to Tunisia's assumption of the Presidency of the Euro-Mediterranean Parliamentary Assembly (EMPA) on 1 April 2006,

 having regard to the meeting of 7 June 2006 of the EMPA Committee on Political Affairs, Security and Human Rights,

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

A. whereas, in accordance with Article 2 of the EU-Tunisia Association Agreement and the Tunisia action plan under the European Neighbourhood Policy, human rights form an essential component of European relations with Tunisia,

B. whereas, under the action plan, Tunisia has committed itself to promoting democracy and respect for fundamental freedoms in accordance with international standards and whereas meeting these commitments is essential to the development of relations between the European Union and Tunisia,

C. whereas during the debate of 13 December 2005 on human rights in Tunisia the President-in-Office of the Council and the Commission drew attention to serious restrictions of fundamental freedoms, in particular freedom of expression and association and of the independence of the judiciary in Tunisia,

D. whereas on the above date the Commission made three requests to the Tunisian authorities, namely to release immediately the European funds allocated to civil society projects, to implement the judicial system reform programme and to establish a human rights subcommittee, and whereas, in this connection, the only progress achieved by the Commission has been the conclusion of a financing agreement for the reform of the legal system,

E. whereas, in this connection, the law establishing a Higher Institute for Lawyers, as provided for under the agreement, was adopted by the Tunisian Parliament without any account being taken of the outcome of the consultations with the Lawyers' Association, and whereas this will give the government control over the training and selection of Tunisian lawyers in the future; whereas Tunisian lawyers working for the independence of the judiciary have been systematically harassed and whereas the lawyer Mr Abbou has been detained for more than one year now; noting with interest that, in spite of several requests for a visit, the UN Special Rapporteur on the Independence of Judges and Lawyers has still not received an invitation from the Tunisian Government,

F. concerned at the ban on the Congress of the Tunisian League of Human Rights (LTDH), scheduled for 27 and 28 May 2006, and the use of force and violence against human rights defenders and international observers; recalling in this connection that LTDH, the first-ever Arab and African human rights league, is a cornerstone of independent civil society in Tunisia,

G. whereas the situation concerning rights and freedoms in Tunisia has become particularly alarming and the limitations of the steps taken to date by the Council and Commission have become apparent; recalling in this connection the European Union's undertaking to apply the guidelines on protecting human rights activists and the Commission's undertaking to reassess at the start of 2006, together with the Member States, the human rights situation in Tunisia and, in the absence of progress, to decide whether additional measures should be taken,

H. whereas Tunisia has held the Presidency of the Euro-Mediterranean Parliamentary Assembly (EMPA) since 1 April 2006 and that gives the country major responsibility in promoting democracy and human rights under the Euro-Mediterranean Partnership,

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 that constitutes an essential component of that agreement;

2. Deplores the deterioration of freedoms and human rights in Tunisia and calls on the Tunisian authorities to strictly meet their country's international commitments concerning human rights and democracy;

3. Calls on the European Union Presidency to make a public statement on the ban on holding the LTDH congress and on the violence against Tunisian human rights defenders, lawyers and magistrates;

4. Reiterates its call on the Council and the Commission to convene a meeting of the Association Council in order to discuss the human rights situation in Tunisia; calls also for the adoption of a strict reform timetable in connection with implementation of the Action Plan adopted by Tunisia and the European

Union;

5. Calls on the Council and the Commission in this connection to make all necessary approaches promptly to the Tunisian authorities to ensure that European Union funds allocated for civil society projects are released, that an end is put to all acts of violence and intimidation against human rights defenders, the LTDH, magistrates and lawyers, that the lawyer Mr Abbou is released, and that the law establishing the training institute for lawyers be suspended and revised;

6. Calls on the Commission to revise, as a matter of great urgency, the plan to support the reform of the judicial system in order to guarantee the independence of the judiciary and freedom of action for lawyers and magistrates; calls also on the Tunisian authorities to agree to the visit of the United Nations Special Rapporteur on the Independence of Judges and Lawyers;

7. Calls for a human rights subcommittee, as provided for in the Action Plan, to be set up and meet in order to monitor and evaluate the implementation of reforms in Tunisia focusing on promoting freedom of association and expression, establishing an independent judiciary, and full cooperation with the special mechanisms of the United Nations;

8. Is of the opinion that the implementation of all these reforms should be regarded as a priority of the partnership between the EU and Tunisia and must be a fundamental component in the development of relations between them; considers in this connection that, should this programme not be complied with, the Council and Commission should draw all necessary conclusions in connection with Articles 2 and 90 of the Association Agreement;

9. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Tunisia.

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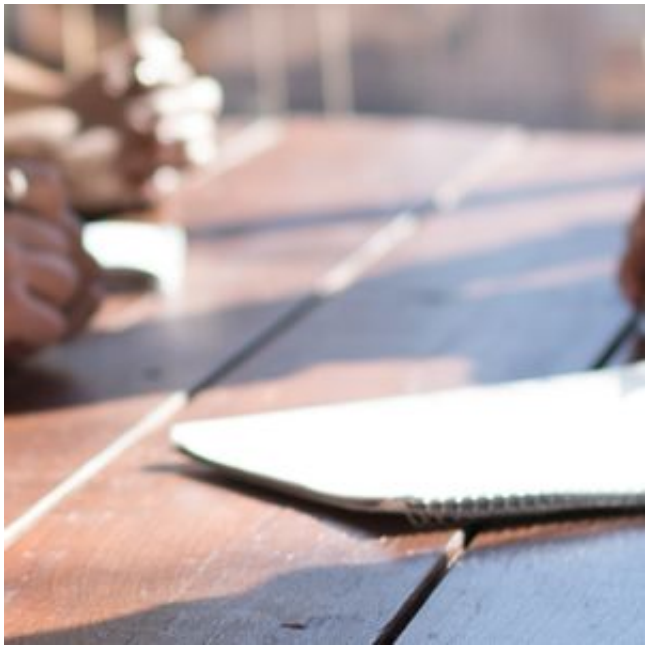
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