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Situation in Tunisia

Greens/EFA motion for a resolution

The European Parliament,

- 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 Communication of the Commission on the European Neighbourhood Policy of 12 May 2004 and the EU-Tunisia action plan, which entered into force on 4 July 2005,
- having regard to its report on the human rights and democracy clause in European Union agreements, adopted on 16 February 2006,
- having regard to the Council Guidelines on ensuring the protection of human rights defenders, adopted in June 2004 and updated in December 2008,
- having regard to the report on Tunisia of 10 April 2008 by the Universal Periodic Review Working Group of the United Nations Human Rights Council,
- having regard to the conclusions of the General Affairs and External Relations Council (GAERC) of 8 and 9 December 2008 on the building up of bilateral relations between the EU and its European partners,
- having regard to the European Union statement following the Eighth Meeting of the EU-Tunisia

- having regard to the Progress Report on Tunisia of 12 May 2010,
 - having regard to the Report on EU policies in favour of human rights defenders, adopted on 14 May 2010,
 - having regard to its previous resolutions on the human rights situation in Tunisia and its resolutions of 29 September 2005, 15 December 2005 and 15 June 2006 in particular,
 - having regard to the joint statements of the High Representative of the EU, Catherine Ashton, and the Commissioner for Enlargement and Neighbourhood Policy, Stefan Füle, on the 10 and 17 January 2011,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas the act of desperation in which Mohammed Bouazizi set fire to himself on 17 December 2010 in Sidi Bouzid sparked off a popular uprising calling for profound political change in Tunisia,
- B. whereas the peaceful protest movement spread throughout Tunisia and was violently repressed by the police, leaving over one hundred dead, and whereas the use of firearms against protesters, the summary executions, the arbitrary arrests, acts of torture in detention centres and forced disappearances should, in particular, be stressed,
- C. whereas President Ben Ali left the country on 14 January 2011 and his successor was installed in accordance with Article 57 of the Tunisian Constitution and the key role played by the army, both in terms of their protection of protesters and the population and their support for change, is noted,
- D. whereas militia loyal to former President Ben Ali continue to sow terror in the population and commit many acts of violence, means they are still a real danger to the whole population,
- E. whereas relations between the European Union and Tunisia have been governed since 17 July 1995 by an association agreement that includes a human rights clause and since 4 July 2005 by an action plan that is based, under the European neighbourhood policy, on a mutually recognised commitment to shared values

including democracy, the rule of law, good governance and respect for human rights in accordance with Articles 8 and 21 of the Treaty on European Union (TEU),

- F. whereas the European Union is unable to develop a genuine foreign policy that is consistent and effective vis-à-vis its partners; whereas particular note is made of the weakness of the EU-Tunisia cooperation mechanisms and the need for human rights clauses in association agreements to be systematically backed up by a mechanism implementing said clause is once more stressed,
- G. whereas the ongoing review of the neighbourhood policy must therefore systematically take into account the values and principles set out in Article 21 TEU, allow for greater vigilance concerning observance of these values, make provision for clear and precise assessment mechanisms capable of backing up genuine reforms in the field of respect for and promotion of human rights and democracy and sustainable economic, social and environmental development, and must make the granting of advanced status subject to a conditionality clause,
1. Expresses its solidarity with the Tunisian people who, driven by legitimate democratic aspirations, have brought their country to an historic turning point by putting an end to 23 years of dictatorship; salutes their courage and determination during these four weeks of peaceful protests and stresses the important role played by women; extends its condolences to the families of the victims;
 2. Welcomes and strongly supports the democratic transition process in Tunisia and calls for the formation of an transitional government open to the different components of civil society and which is trusted by the population; considers questionable the fact that figures who are symbolic of Ben Ali's regime remain in high-ranking ministerial posts, notably within the Ministry of the Interior;
 3. Welcomes the initial decisions taken to release political prisoners and prisoners of conscience, abolish the Ministry of Information, guarantee freedom of speech and recognise all the opposition parties, and that non-governmental organisations may now register;
 4. Welcomes the creation of three national commissions looking into events post-17 December 2010, ending corruption and the reform of institutions and laws; considers that their work is an integral part of the process of reshaping and democratising the country and hopes that their recommendations will be considered in the forthcoming legislative and institutional reforms;
 5. Considers it crucial that independent figures from civil society may sit on these commissions, that the commissions have genuine investigative powers, can count on the cooperation of all government services and are endowed with the budgetary and human resources they need to function effectively; considers that these commissions must be able to benefit from the expertise and support of the High Commissioner for

Human Rights and from pertinent mechanisms at the United Nations;

6. Emphasises the importance of creating the conditions necessary for holding free and transparent legislative and presidential elections, with international observers present and within a reasonable time span that allows for the creation of a genuine democratic space in accordance with international standards;
7. Stresses the importance of supporting the emergence of an independent judiciary and of setting up a transitional justice process;
8. Calls on the Council, the European External Action Service and the Commission to support fully the ongoing democratic transition process through political and financial assistance to civil society and for the reforms needed to make the country democratic, notably in terms of freedom of expression and conscience, freedom of the press, freedom of association and assembly, and an independent judiciary;
9. Calls for the action plan to be reoriented towards a programme supporting the democratic transition, notably by strengthening civil society programmes in all the current financial instruments and, if necessary, through humanitarian aid; calls in this respect for Community funds earmarked for Tunisia to be increased; stresses the importance of supporting organisations working to promote women's rights and calls for a conference on women and democratic transition to be arranged under the aegis of Catherine Ashton;
10. Asks the European External Action Service and the Commission to take all measures necessary in order to support fully the establishment and work of the three national commissions;
11. Supports the joint proposal from the High Representative of the EU, Catherine Ashton, and the Commissioner for Enlargement and Neighbourhood Policy, Stefan Füle, to furnish immediate assistance with elections and enjoins them not to restrict this to the election period, but to take into account the ongoing need to provide the democratisation process with support; urges the EU to play a proactive role in this regard;
12. Insists that all negotiations started with the previous regime shall be suspended while awaiting free and democratic elections;
13. Calls on the European Union to pass sanctions targeting those persons who have fraudulently seized wealth belonging to Tunisia, notably by a visa ban, and calls on Member States who have not yet done so to freeze the assets of the Ben Ali families and their relations and to ensure that 'misappropriated' goods are returned to Tunisia;

14. Asks the representatives of the EU and of the Member States to ensure that all components of the democratic transition are involved in their diplomatic talks; calls therefore for the representatives of the EU and of the Member States in office in Tunis to be able to embody the new political order and to enjoy the support and confidence of the agents for change; calls for the EU to appoint a special envoyé to Tunisia for this purpose;
15. Urges the European Union to draw lessons from events in Tunisia and to revise its democracy and human rights support policy to give civil society a central role therein, while envisaging the creation of an implementation mechanism for the human rights clause; insists that the review of the neighbourhood policy must henceforth prioritise effective implementation of the objectives laid down in Article 21 of the Treaty and that the criteria for its assessment shall be the independence of the judiciary, respect for fundamental freedoms, pluralism and freedom of the press and the fight against corruption;
16. Calls for the setting up of an interinstitutional taskforce, that shall include Parliament, tasked with redefining the priority actions to be supported over the forthcoming months and reorienting, in line with needs, funds from the various financial instruments for external aid deployed up until now in Tunisia;
17. Instructs its President to forward this resolution to the Council, the European External Action Service and the Commission, to the governments and parliaments of the Member States, to Tunisia's transitional government, to all agents of change and to the United Nations High Commissioner for Human Rights.

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Barbara Lochbihler

Member

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