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## Strengthening co-operation with the Maghreb countries

### Report

Committee on Political Affairs and Democracy

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### *Summary*

The report deals with Algeria, Tunisia and Morocco. These Maghreb countries have shown the will to reinforce collaboration with the Council of Europe. Over the last few years, these countries have made progress and have carried out numerous reforms with regard to democracy, the rule of law and human rights. Moreover, they have firmly committed themselves to inter-religious and inter-cultural dialogue.

Even though the situation varies from one country to another, nevertheless the report highlights common problems such as attacks on public and political freedoms, the absence of an independent justice system and the persistence of Islamic extremism.

The report also gives account of the different types of co-operation with the Council of Europe which already exist, particularly with the Venice Commission, and calls for such collaborations to be strengthened.

Finally, the report looks at the possibility of further collaboration with the Maghreb countries and proposes possible action plans that could be implemented by the Parliamentary Assembly, the Committee of Ministers, the Secretary General and member countries.



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## A. Draft resolution

1. The Parliamentary Assembly refers to [Resolution 1506 \(2006\)](#) on the external relations of the Council of Europe and reiterates its commitment to promote democracy, the rule of law and respect for human rights beyond the current borders of its member states, in neighbouring countries and, in particular, in the southern Mediterranean through dialogue and co-operation.
2. In this context, the Assembly sets particular store by strengthening co-operation and exchanges with the Maghreb countries, which it regards as one of the pillars of stability in the Euro-Mediterranean region and as key partners.
3. However, the three Maghreb countries are still governed by authoritarian regimes with a single party or a dominant party and no real political pluralism. The regimes therefore restrict public freedoms. In this connection, the Assembly is concerned about the state of freedom of expression and the media in the three countries. Certain issues may not be discussed and some journalists face prosecution. The Assembly urges Algeria, Morocco and Tunisia to guarantee full freedom of expression.
4. The Assembly notes and regrets the infringements of political freedoms in Algeria and Tunisia as regards the registration of political parties, the proceedings brought against opposition activists and the police surveillance they are subjected to. The Assembly also notes the low turnout at elections in these countries, where voter abstention sometimes exceeds 60%; during the visit of the rapporteur to Tunisia, the Assembly paid particular attention to the reasons for the October 2007 hunger strike by Maya Jribi and Néjib Chebbi, the two leaders of the PDP (Democratic Progressive Party), an opposition party.
5. The Assembly also notes that radical Islam has not disappeared from the three countries and is a fertile breeding ground for terrorism which is still latent, considering the number of attacks recorded there in recent months and years. The action taken against radical terrorism and fundamentalism is, however, strong and well organised. The situation is said to be “under control”, although that would not always appear to be verified.
6. However, Islam is the three countries’ religion and moderate Islam is dominant. Interesting discussions are therefore under way, in particular in Tunisia, about the place and even the integration of moderate Islam in politics and the democratic system along the lines of the Christian Democrat model in Europe.
7. At the same time, the Assembly welcomes the moratorium on the death penalty decreed by the three countries and their ratification of the United Nations International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights.
8. The Assembly notes with interest that Algeria and Morocco have begun a process of discussing human rights in their countries. Aware that respect for democracy and human rights will lead to greater political stability, they have set up bodies for protecting and discussing human rights, namely the National Advisory Committee on the Promotion and Protection of Human Rights in Algeria and the Advisory Council on Human Rights in Morocco.
9. The Assembly also notes that the three Maghreb countries, Algeria, Morocco and Tunisia, have made clear progress in terms of promoting gender equality. As witnessed by the Code on Personal Status promulgated by Habib Bourguiba in Tunisia (1956), the Moudawana, or Family Code in Morocco (2004) and the large number of women in senior positions in Algerian society, substantial progress has been made. Education is a priority in all three.
10. However, the economic situation in the three countries still varies greatly. While Tunisia has a high level of economic development and a middle class making up around 70% of the population, the natural resources in Algeria – oil and gas – do not seem to be producing visible effects in terms of development and investment. At the same time, in Algeria and Tunisia, the unemployment rate remains high (15.7% and 14%), while it is lower in Morocco (7.7%). That is a breeding ground for terrorism. Unemployment also feeds emigration and causes other problems in the host countries. Moreover, corruption is widespread and endemic.
11. In addition, the Assembly regrets the fact that the conflict in the Western Sahara has not been resolved. Since 1976, it has hampered bilateral relations between Algeria and Morocco and the prospects for union and action in the Maghreb. It is a clear stumbling block to stronger co-operation between the three countries.
12. The Assembly also notes that the governments and the opposition in the three countries are all in favour of rapidly strengthening ties with Europe and the Council of Europe. Since the Barcelona process, there have been high expectations which have been disappointed. Closer ties between the two shores of the Mediterranean are desired and are a source of hope.

13. In this context, the Assembly reaffirms the importance it attaches to strengthening the co-operation with the Maghreb countries, as a pillar of stability in the Euro-Mediterranean region. Many issues such as terrorism, dialogue between religions and cultures, economic development and immigration require comprehensive responses, both north and south of the Mediterranean.

14. Since 2007, Algeria and Morocco have been members of the European Commission for Democracy through Law (Venice Commission) and the three countries have already joined several Council of Europe partial agreements and conventions. In addition, Algeria, Morocco and Tunisia co-operate with the Council of Europe on certain issues such as the environment, education and gender equality.

15. The Assembly notes that the Maghreb countries are heavily involved in intercultural and interfaith dialogue, which is one of the Assembly's priorities, as demonstrated, for instance, by the dialogue between civilisations supported by the President of the Republic of Tunisia and the participation of Algeria's Supreme Islamic Council (HCI) and the Foundation of the Three Cultures (Morocco) in many colloquies on the subject.

16. The Assembly also believes that it is necessary to strengthen this co-operation so as to enable the Maghreb countries to build on the Council of Europe's experience and know-how in consolidating the rule of law. The co-operation must be based on resolute commitment on their part and must be reflected in real progress towards a democracy embodying the rule of law and respect for human rights.

17. With a view to mutual exchanges and preferential partnership, the Assembly therefore calls on the authorities of Algeria, Morocco and Tunisia to:

17.1. consider becoming parties to the relevant Council of Europe legal instruments which are open to non-member states;

17.2. draw greater benefit from the experience of the Venice Commission;

17.3. establish relations and consider co-operating with other Council of Europe bodies, in particular the European Centre for Global Interdependence and Solidarity (North-South Centre).

18. The Assembly encourages the parliaments of Algeria, Morocco and Tunisia to:

18.1. play a leading role in promoting dialogue and co-operation between the relevant authorities and institutions in Algeria, Morocco and Tunisia and the Council of Europe's various institutional bodies and leaders;

18.2. move forward still further with political reforms in their countries with a view to strengthening democracy, promoting the rule of law and ensuring respect for human rights and to review, in co-operation with the Venice Commission and in accordance with Council of Europe standards, their legislation concerning:

18.2.1. the conduct of elections;

18.2.2. the establishment and activities of political parties;

18.2.3. media freedom and independence;

18.2.4. freedom of assembly and association;

18.2.5. independence of the judiciary;

18.2.6. local self-government;

18.2.7. the fight against corruption;

18.3. pass legislation necessary for completely abolishing the death penalty in their countries;

18.4. guarantee freedom of thought and of religion for all population groups in their diversity.

19. For its part, the Assembly is determined to step up co-operation with the parliaments of the three Maghreb countries by regularly inviting parliamentary delegations to take part in plenary sessions of the Assembly and the work of its committees.

20. It asks the Bureau and the Committee on Rules of Procedure and Immunities to take account of this report on the Maghreb countries and to include it in the general discussion under way on the future structures and external relations of the Assembly with a view to determining the place of these three countries in the special relations to be established with the countries on the southern shore of the Mediterranean.

## B. Draft recommendation

1. The Parliamentary Assembly refers to the Resolution ... (2008) on strengthening co-operation with the Maghreb countries, which may rightly be regarded as pillars in the stability of the southern shore of the Mediterranean.
2. The Assembly recommends that the Committee of Ministers:
  - 2.1. establish political dialogue with the authorities responsible for the institutions and, in particular, the respective parliaments of the three Maghreb countries, Algeria, Morocco and Tunisia, in accordance with [Resolution 1506 \(2006\)](#) on the external relations of the Council of Europe and with the Assembly's commitment to support and promote democracy, the rule of law and respect for human rights beyond the current borders of its member states, in neighbouring countries and, in particular, in the southern Mediterranean;
  - 2.2. provide assistance to help these states on the road to democracy, the rule of law and human rights, in particular with the support of the European Commission for Democracy through Law (Venice Commission), which already includes Algeria and Morocco, and encourage Tunisia to join the latter;
  - 2.3. encourage Algeria, Morocco and Tunisia to establish other agreements with specific Council of Europe bodies, in particular the European Centre for Global Inter-dependence and Solidarity (North-South Centre);
  - 2.4. take part in and facilitate all debates in the Assembly concerning dialogue between religions and cultures so as to improve knowledge and understanding of the issues and problems currently facing societies;
  - 2.5. consider, in the near future, more innovative and closer types of co-operation such as "associate partners", "partners for democracy" or "observer members";
  - 2.6. inform the Assembly, within a year of receipt of this recommendation, of the progress made by the three states and any follow-up to the proposals for partnership with the Council of Europe.

## C. Explanatory memorandum, by Mrs Josette Durrieu

### 1. Enduring links with Europe

#### 1.1. A long shared history

1. The Maghreb designates a group of three countries, Morocco, Algeria and Tunisia, also called the "little" or "central" Maghreb as opposed to the Greater Maghreb which comprises the three aforementioned countries plus Mauritania and Libya, and to the Mashrek which designates the Levant, a region lying between Egypt and Iraq. In Arabic, Maghreb means "West".
2. The Maghreb has a long shared history with the continent of Europe. From ancient times, the Mediterranean Sea, *Mare Nostrum*, was a sea within a world stretching from the borders of Scotland to Nubia. Carthage then traded with Rome, before they fought. Under the Roman Empire, the Maghreb countries became Roman provinces that went by the names of Numidia (Algeria), Mauritania (Morocco) and Africa (Tunisia and Libya). They formed parts of a whole which also included Gaul, Armenia, Macedonia and Dacia.
3. The Islamisation of this part of the world between the 7th and 8th centuries did not greatly alter relations with Europe, which remained very strong and were marked by well-developed trade links, particularly with the Italian city-states (Pisa, Genoa, Venice) or marred by savage warfare (Normans, *Reconquista*) as well as propagating the wisdom of the Ancient Greeks. Spain was then the emblematic scene of the encounter between the Maghreb, converted to Islam, and Christian Europe, from the battle of Las Navas de Tolosa (1212) to the philosophy of Averroës.
4. From the 19th century onwards, the history of relations between Europe and the Maghreb were those of colonisation. The Maghreb, the cradle of glorious civilisations, was relegated to the position of protectorates (run by France and Spain in Morocco from 1912 to 1956 and by France in Tunisia from 1881 to 1956) and colonies (Algeria, 1830), mainly under the sway of France. Their populations were considered inferior, and suffered much humiliation and exploitation. At the same time a network of services such as schools and hospitals and infrastructure such as roads, ports and airports was set up, primarily to serve people from mainland France. Although a shared but imposed language – namely French – created a link between the people, and although Muslims, Jews and Christians cohabited without clashing, colonisation is still a dark chapter in the history and the relations of these countries and their enslaved people. Independence was declared by Morocco and Tunisia in 1956 and in Algeria only in 1962 after a six-year "war" with France (from 1956 to 1962), known as the war of "pacification", which ended with the Evian Agreements of 5 July 1962.
5. The links between the Council of Europe and the Maghreb have kept alive this shared history. As the Political Affairs Committee's Rapporteur on the External Relations of the Council of Europe recalled in June 2006: "from a cultural, historical, and economical point of view, they form the nearest neighbourhood to Europe. Even though this sub-group itself is far from being homogenous, almost all of these states claim a special relationship with Europe and a good number declare readiness to align themselves with European political traditions, while some have started reforms going in this direction ... This should be considered as a challenge and also as an opportunity for the Council of Europe, whose expertise in this field is widely recognised by the EU as a reference. I believe that the Council of Europe should seriously engage in promoting its values and offering its democratic know-how to Mediterranean countries, by way of partnership and not of competition."<sup>1</sup>

#### 1.2. Presentation of the three Maghreb countries

6. Algeria is the biggest of the three Maghreb countries with an area of 2 381 741 square kilometres and population of 33 million. After colonisation by France in 1830 and the war with it between 1956 and 1962, it has been independent since the Evian Agreements signed with France on 5 July 1962. The People's Democratic Republic of Algeria is under a presidential regime. For a long time, power was exercised exclusively by a single party, the FLN (National Liberation Front), under President Ahmed Ben Bella (1962-65) then by the army, in the person of the former Minister of Defence, Houari Boumédiène (1965-78). Under President Chadli Bendjedid (1979-92), the country suffered a major economic crisis, which rapidly turned into a political crisis with the rise of the Islamist movement, the FIS (Islamic Salvation Front). The FIS's victory in the legislative elections of 1991, the cancellation of the results of these elections and the assassination of

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1. Report, "External relations of the Council of Europe", Political Affairs Committee, rapporteur: Mr Adrian Severin, Romania, Socialist Group (Doc. 10956, 12 June 2006).

President Boudiaf in June 1992 threw Algeria into chaos. The army and the government found themselves fighting a range of Islamist armed groups including the GIA (Armed Islamic Group), which carried out numerous massacres. The election as president of General and former Minister of Defence Liamine Zeroual, in 1994, marked a new stage in the fight against the Islamists. The “decade of blood” that claimed over 100 000 lives ended in 1999 with the election as president of Abdelaziz Bouteflika, who began a process of reconciliation.

7. Blessed with rich deposits of gas (the world's fifth largest producer), oil (an OPEP member, producing 1.4 million barrels a day, worth over US\$50 billion), iron, gold, zinc and uranium, Algeria is one of the richest countries on the African continent in terms of GDP (US\$60 billion), and healthy economic growth (4.8% not including petroleum products) has enabled it to pay back its rescheduled debt ahead of time. The unemployment rate of 15.7% nevertheless remains comparatively high, affecting women and young people in particular. A form of acute social deprivation seems to exist and endure somewhat unaccountably. Where does the country's wealth all go? And why is there so little investment?

8. Islam is the state religion (under Article 2 of the constitution). The population is 99% Sunni, but the state guarantees freedom of worship for all. Finally, the Algerian Government has long pursued an extensive Arabisation movement especially in the linguistic sphere, to the detriment of French and of regional languages such as the Berber languages (Kabyle among them) or Darija (Algerian Arabic). The most obvious sign of this cultural effervescence is that in 2007 Algiers was designated the cultural capital of the Arab world.

9. Morocco covers an area of 710 850 square kilometres<sup>2</sup> and has over 30 million inhabitants. It was a French protectorate between 1912 and 1956, when it became independent and Mohammed V came to the throne. In 1961 Hassan II succeeded his father and went on to reign over the Sharifi kingdom for thirty-eight years. His reign was marked by the strengthening of Morocco's territorial integrity and the violent repression of various opponents during what are now commonly referred to as Morocco's “Years of Lead”. In the early 1990s, the Moroccan monarchy began to adopt a more liberal stance and made certain constitutional reforms. Since 1999, the country has been ruled by Mohammed VI.

10. Morocco is the only Maghreb country to be a constitutional monarchy. Its ruler Mohammed VI, “Amir alMu'minin” (Commander of the Faithful), is directly descended from the Prophet Mahomet. The country's economy relies on tourism, NICT and telecommunications, which are its mainstays (GNP of US\$39 billion), and Morocco has the lowest unemployment rate of the three countries (7.7%).

11. Strongly involved in poverty alleviation, Morocco has devoted numerous efforts to employment, economic development, education, housing, the Family Code and government reform. But its priorities of course continue to lie in combating terrorism and illegal immigration. Sunni Islam is the state religion but religious pluralism still exists in Morocco, which has the largest Jewish community of any Arab country.

12. Tunisia is the eastern most country of the Maghreb and also the smallest (163 610 square kilometres for over 10 million inhabitants). Having been a French protectorate since 1881, it became independent (like Morocco) in 1956. The Tunisian Republic is a presidential regime, which was run from 1957 onwards by Habib Bourguiba, who had led the struggle for independence. As president, he endeavoured to modernise Tunisia, concentrating on education, secularism and equality between women and men. From the early 1980s onwards his declining state of health, his nepotism and the increasing cost of essential commodities led to a number of revolts and rising Islamism. As a result of this crisis, Habib Bourguiba was eventually deposed in 1987 by his prime minister, Zine el-Abidine Ben Ali, who became president.

13. Economically, the country is quite close to European countries with a diversified market economy (GNP of US\$22 billion). Unemployment, however, is fairly high (14%). The middle classes account for over 70% of the population and hold the country together economically and politically. Finally, it should be noted that Tunisia is the first Mediterranean country to have concluded a free trade agreement with the European Union (17 July 1995), which came into force on 1 March 1998.

14. Tunisian society is a leader in the Arab world. Although it has a 99% Muslim (Sunni) population, different religions have always coexisted peacefully in this country which, in Djerba especially, has a large Jewish community. The status of women is fully respected and their integration into the various realms of society is the pride of the country. Linguistically uniform, Tunisia has devoted the lion's share of its budget to education. Some 99% of six year olds are at school and the country has developed programmes to teach French and English from the earliest age. The large student population (at just under 300 000) does, however, pose the problem of mass entry to the employment market.

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2. Including the population of Western Sahara.

### **1.3. The current political situation**

15. In Algeria, President Bouteflika was re-elected for a second five-year term in 2004 with 83% of votes. Since 24 May 2006 the government leader has been Abdelaziz Belkhadem, former foreign affairs minister and former Secretary General of the FLN (National Liberation Front), the main party in the National People's Assembly.

16. The general elections on 18 May 2007 were won by the Presidential Alliance (249 out of 389 seats) made up of the country's three principal parties: the National Liberation Front (FLN, nationalist) with 136 seats, the National Rally for Democracy (RND, liberal) with 61 seats and the Movement for the Society of Peace (MSP, Islamist) with 52 seats, but featured a high level of abstention (36% turnout). Meanwhile Algeria, which believed itself rid of terrorism, was struck by several attacks blamed on groups close to al-Qaeda. The attacks were aimed at the centres of power – the government building in Algiers (11 April 2007, 33 dead), President Bouteflika at Batna (6 September 2007, 22 dead) and the armed forces at Lakhdaria (11 July 2007, 10 dead) and Dellys (8 September, 30 dead). At Algiers and other cities in the country on Sunday 9 September 2007, tens of thousands marched in protest at the upsurge of violence.

17. In Morocco, King Mohammed VI in the last few years has initiated reform programmes in the areas of democracy and human rights (adoption of a new Family Code, proceedings of the Equity and Reconciliation Commission on the crimes committed during the "Years of Lead" under Hassan II in particular). In November 2006, Morocco, which continues to co-operate with the United Nations over the Western Sahara, expressed approval of the territory's eventual autonomy.

18. The general elections on 7 September 2007 were marked by very low turnout (37%) and the victory of one of the five parties in power, Istiqlal, with 52 seats. The PJD (Justice and Development Party), an Islamic party which had been the overwhelming favourite, came second with 46 seats and has questioned the transparency of the elections. The new government led by Abbas El Fassi, appointed on 19 September 2007, will have to tackle the social problems and continue the fight against terrorism, which remains the authorities' main anxiety. After the Casablanca bombings on 16 May 2003 (33 dead), Morocco committed enormous resources to forestall further attacks.

19. In Tunisia, President Ben Ali, who succeeded Habib Bourguiba (1957-87) in 1987, was comfortably re-elected in 2004 after amending the constitution, which had restricted to three the number of presidential terms but now sets only an age limit of 75, and he now governs with the help of Mohammed Ghannouchi, who has been prime minister since 1999. Despite a law guaranteeing political representation of the opposition in the Chamber of Deputies, legislative and executive powers remain essentially in the hands of the president. On 7 November 2007, the president, who is 71, celebrated twenty years in power and it is now looking increasingly likely that he will be re-elected in 2009. Lastly, Tunisia also had to contend with the fundamentalist threat when Islamic extremists staged a revolt south of Tunis in January 2007 but were neutralised by the armed forces.

## **2. Social problems and human rights**

### **2.1. Immigration and human trafficking**

20. Immigration is one of the chief concerns of the 21st century. Its management affects all continents and all societies. The Maghreb countries are particularly affected by migration flows. For a long time, European countries have sought part of their labour force in the Maghreb. Today, there are some 1.5 million immigrants from these countries in France, about 600 000 in Spain and over 300 000 in Italy.

21. While Europe tends to see the Maghreb as a source of migration flows, it ought not to forget that the Maghreb represents a zone of intense intra-African immigration in the building and civil engineering sectors and in industry. Tunisia and Morocco encounter the same problems relating to immigration from Sub-Saharan Africa as do the European countries on the Mediterranean coast. It should also be noted that all three countries, but Algeria in particular, have a high number of skilled Chinese immigrants.

22. The tragic events in the Spanish enclaves of Morocco (Ceuta and Melilla) and the various shipwrecks of vessels sailing from the coasts of the Maghreb have highlighted the serious problem of immigration from the African countries to Europe. On 10 and 11 July 2006 a conference on migration and development was held in Rabat, attended by 57 states including 30 European countries, to discuss this sensitive issue. The conference ended in the adoption of an action plan providing for intensification of co-operation between the two sides of the Mediterranean on management of migration, prevention of illegal immigration, intended prioritisation of

codevelopment and training. The ministers for foreign affairs of the various states moreover proclaimed in their final political declaration, "We commit ourselves to encourage and deepen the political and operational dialogue between the European Union and Africa on migration and development".

23. In their political declaration the ministers for foreign affairs also reaffirmed their resolve to combat trafficking in human beings, exclusion and racism, and undertook to foster peace and stability, movement of workers and persons generally, and a better migrant integration policy, all of which are themes propounded by the Council of Europe and its Parliamentary Assembly. The latter has furthermore restated this concern on numerous occasions, notably in 2006 when it proclaimed that "On the basis of the principles contained in the international human rights instruments relevant to irregular migrants, the Assembly invites the governments of member states of the Council of Europe to guarantee the minimum civil and political and social and economic rights outlined in this resolution."<sup>3</sup>

## 2.2. Corruption

24. Corruption is particularly widespread in the three Maghreb countries. According to the 2006 Corruption Perceptions Index, at world level Tunisia ranks 51st, Morocco 79th and Algeria 84th.<sup>4</sup> It is a problem everywhere, both in the public service sector and in all the sectors of the business world.

## 2.3. Terrorism

25. Just like the European countries, very hard hit in recent years, in London, Madrid and Istanbul, the countries of the Maghreb have paid dearly in their struggle against terrorism. To varying degrees but always with bloodshed, the Maghreb has been struck by terrorism. In Djerba (Tunisia) on 11 April 2002, the explosion of a tanker truck in front of a synagogue caused the deaths of 21 people, including several European tourists. In Morocco, after the outrages perpetrated in Casablanca on 16 May 2003 by a Salafia Jihadia group killing 33, the terrorist menace still remains at a high level, as evidenced by the police operations carried out in Casablanca on 10 April 2007, leading to the suicide of the kamikazes and to the abortive attack in Meknès on 13 August 2007. Algeria already bore the full brunt of Islamic terrorism between 1989 and 1999, when hardly a day passed without another massacre targeting the civilian population, but neither has it been spared the new wave of terrorism following on from 11 September 2001. On 11 April 2007 two car bomb attacks, one of them near the government building in Algiers, killed 33 people, on 6 September an attack aimed at the president killed another 22 and on 11 July a bomb attack on the Lakhdaria barracks killed 10 soldiers. Lastly, on 20 September, the number two of al-Qaeda, Ayman al-Zawahiri, called on Muslims to "cleanse" the Maghreb of the French and Spanish. His appeal was followed, on 21 September, by a suicide bomb attack east of Algiers that injured nine, including two French people and an Italian.

26. Confronted like many Council of Europe member states by cells with al-Qaeda affinities or affiliation, whether the Algerian GSPC (Salafist Group for Preaching and Combat) which has become AQMI (al-Qaeda in Islamic Maghreb) having claimed responsibility for the Algiers bombings and suspected of plotting an attack on the Strasbourg Christmas market, or the Moroccan Islamic Combatant Group (GICM), the presumed culprit for the bombings in Casablanca in 2003 and Madrid in 2004, the Maghreb countries have intensified their reaction to these threats. Thus they share the concerns of many Council of Europe member countries. Accordingly, the Parliamentary Assembly has reaffirmed its desire for closer co-operation on this issue by stating: "The global nature of the terrorist threat makes total cohesion and solidarity within the international community, unwavering political determination and full and effective co-operation between Council of Europe member states essential. The security of Europeans in the face of terrorism is indivisible."<sup>5</sup>

27. The existence of and response to Islamic extremism are taboo subjects in official pronouncements. The people we talked to in both Algeria and Tunisia were adamant that the threat had come from outside (Saudi Arabia and Libya), was not latent in their own societies and had been eradicated. However, the persistent social deprivation in Algerian society and Tunisians' involvement in a large number of bomb attacks (in Madrid on 11 March 2004, for example) and in terrorist organisations such as Fatah al-Islam would suggest the contrary.

3. Report, "Human rights of irregular migrants", Committee on Migration, Refugees and Population, rapporteur: Mr Ed van Thijn, Netherlands, Socialist Group (Doc. 10924, 4 May 2006).

4. Classification made by the NGO Transparency International.

5. Report, "Challenge of terrorism in Council of Europe member states", Political Affairs Committee, rapporteur: Mr Konstantin Kosachev, Russian Federation, European Democrat Group (Doc. 10312, 5 October 2004).

## **2.4. Human rights and public freedoms**

28. There are other concerns shared by the Maghreb countries and the Council of Europe member states, particularly over problems common to all of the countries of the Mediterranean Basin (political reform, intercultural and interfaith dialogue, etc.). Thus the Mediterranean Sea has never ceased to be a European sea. Environment, economic and agricultural policy, intercultural and interfaith dialogue, the place of women in society, peace and democratic stability are all matters of common interest to the Maghreb and the Council of Europe member states. In the past Algerian, Moroccan and Tunisian parliamentarians were often invited to meetings organised by the Parliamentary Assembly on these specific issues. There is a need to establish new relations and intensify dialogue.

## **3. Offering the Maghreb countries the Council of Europe's support and the benefit of its experience**

### **3.1. In the areas of democracy and human rights**

29. It should firstly be pointed out that the deficiencies and breaches of democracy and human rights are specific to each state while having common features as regards political pluralism, independence of justice, freedom of the press and fighting corruption, for example. The Council of Europe's experience would enable it both to raise its profile in this part of the Mediterranean region and above all to fulfil to perfection its mission of promoting democracy and human rights as universal values.

#### **3.1.1. Democracy and rule of law**

30. The situation regarding democracy and rule of law is still characterised by many problems in the Maghreb. Political pluralism varies according to countries. It is virtually non-existent in Tunisia despite a semblance of constitutional guarantees (a law assigns a minimum of 20% of seats to the opposition in the Chamber of Deputies), and power belongs to the president who, by abolishing the restriction on the number of his terms, has paved the way for life presidency. The president's party, the RCD (Constitutional Democratic Union), has 2.3 million activists, according to the leadership's figures, out of a total population of just under 10 million. Another indication of underdeveloped political pluralism was the recent hunger strike, in protest at the decision not to renew the lease on the offices of her party and its newspaper, by the Secretary General of the PDP (Democratic Progressive Party), Ms Maya Jribi, whom I met at her home. In Morocco and Algeria political pluralism remains tentative. It is claimed that there is a multiparty system but power still lies in the hands of the ruling coalitions (namely the FLN or RND in Algeria and the Istiqlal or USFP in Morocco).

31. In none of the three countries is the judiciary independent. Very often the rights of the defence are flouted (extraction of admissions under torture, questioning of the accused without the presence of counsel, medical examinations unknown, etc.). In Algeria, as the leaders themselves admit, people are more concerned about social justice than democratic freedoms. And this is supposed to be enough. But extreme poverty prevails.

#### **3.1.2. Human rights and fundamental freedoms**

32. Human rights and fundamental freedoms are not adequately secured in the Maghreb countries and have tended to deteriorate in recent years. In October 2005, seven political figures from civil society went on a hunger strike in Tunisia to protest against the repeated human rights violations. Many opponents of the government, even moderate ones, are under constant police surveillance, as also are human rights advocates.

33. Faced with terrorism, the Maghreb countries have adopted markedly security-oriented policies to deal with these threats, often in contempt of human rights. Torture, rights of the defence ignored, arbitrary terms of detention and extradition without the consent of the accused are the chief ills of these anti-terrorist measures. While Morocco appears to have hosted secret CIA detention centres,<sup>6</sup> Amnesty International has recorded multiple violations by the Algerian Department of Intelligence and Security (DRS) or by the Tunisian authorities towards citizens arrested on the nation's soil or transferred from abroad against their will.<sup>7</sup> These ultra-security policies intended to combat terrorism have also been used against any type of "enemy" (businessmen, political prisoners, Western Saharan militants, etc.).

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6. See report "Alleged secret detentions and unlawful inter-state transfers of detainees involving Council of Europe member states", Committee on Legal Affairs and Human Rights, rapporteur: Mr Dick Marty, Switzerland, Alliance of Liberals and Democrats ([Doc. 10957](#), 12 June 2006).

34. Freedom of expression, particularly freedom of the press and the media, remains a disturbing problem in this part of the world. In Algeria, the champions of human rights and their organisations have to contend with legislation which either prevents their working and keeping watch, or has them prosecuted for “breach of state security”. For instance, in February 2006, the amnesty laws passed made it a criminal offence to raise any criticism of the security forces during the “decade of blood” (1992-2000). Interestingly, the army keeps well out of sight. According to some commentators, however, it is the real holder of power in Algeria. In Morocco, freedom of association is tolerated but stringently controlled by the interior ministry. In Tunisia, the situation is scarcely any better. Human Rights Watch (HRW), in its last annual report, said: “Authorities have refused legal recognition to every truly independent human rights organisation that has applied over the past decade. They then use the pretext of an organisation’s ‘illegal’ status to hamper its activities”.<sup>8</sup> On 15 June 2006 the European Parliament moreover adopted a resolution deploring the crackdown on human rights defenders in Tunisia. The fact is – as the Tunisian political authorities themselves admit – that democracy, as an issue, ranks after the economy, social issues, education, religion and security.

35. As regards freedom of the press, Tunisia is the country with the most restricted press in the Maghreb. Criticism of the regime operated by President Ben Ali – around whom there is a genuine personality cult – is disallowed on pain of prosecution. Despite the constitutional guarantee of freedom of the press in Tunisia, it remains strictly controlled by the political authorities. In Algeria, numerous journalists have been prosecuted for defamation and despite the pardon granted them in July 2006 by President Bouteflika, many of them are still under threat of proceedings. In Morocco, interference with the freedom of the press occurs but is more discreet. According to the Committee for the Protection of Journalists (CPJ), in a report made public on 3 July 2007 and entitled “a skin-deep Morocco”, this interference is more by way of perverting justice against the media, or allocating advertising contracts to media in the light of the criticisms made by them. The Moroccan press, long recognised as one of the Arab world’s most critical, has numerous encroachments on its freedom to contend with. Criticism on certain subjects, such as the monarch’s person, is banned and there are court proceedings against several journalists, notably Ahmed Benchemsi, director of the magazine *Tel Quel*, for “disrespect to the King’s person”. Moreover, the Moroccan *El Watan* weekly’s journalist Mostapha Hurmatallah has been sentenced to eight months’ imprisonment without remission for publishing “official documents”.

### 3.2. Current reforms to be supported

36. The Maghreb countries have begun to remedy these infringements of democracy and human rights. Morocco and Algeria, and to a lesser extent Tunisia, have embarked on major reforms to enter the arena of human rights and democracy. To continue their progress on the path of respect for human rights, these countries will most certainly need the support of the Council of Europe.

37. In many respects, the state of democracy and human rights in the Maghreb is reminiscent of the situation in the 1990s in many of the east European countries which have now joined our Organisation. The three countries have long since decreed a moratorium on capital punishment. Even though sentences have still been passed in recent years, the latest executions date back to 1991 in Tunisia and 1993 in Morocco and Algeria. On 17 October 2006 Algeria even had before the National People’s Assembly a law to abolish the death penalty, but it was finally rejected. We should point out, with regret, that Japan and the United States which have observer status to the Council of Europe, continue to apply the death penalty, and that the Russian Federation, a member of the Council of Europe, declared a moratorium in 1996 but has not yet proceeded with abolition. The strengthening of co-operation between the Council of Europe and the Maghreb countries would definitely bring them towards abolition.

38. Moreover, the three Maghreb countries (Tunisia, 1969; Morocco, 1979; Algeria, 1989) have ratified many international conventions securing human rights, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR). Morocco and Tunisia have set up official human rights protection agencies. In Morocco, the Consultative Council for Human Rights (CCDH), created in 1990 and reorganised in 2001, allows inquiry into cases of human rights violations and review of the compliance of Moroccan legislation with the international standards on human rights. However, it cannot be petitioned by ordinary Moroccan citizens, unlike the *Diwan al Madalim*, a kind of ombudsman interceding in disputes between the administration and the public in the context of “primacy of law and equity”. In Tunisia in 2003 the Higher Committee for Human Rights and Fundamental Freedoms was set up to investigate the various breaches of human rights and especially the situation in prisons. In 2001 Algeria set up

7. “Amnesty International Report 2007 – The state of the world’s human rights”.

8. Human Rights Watch, “World Report (Tunisia) 2007”.

a national advisory committee on human rights protection and promotion. When I met its chairperson, Farouk Ksentini, he said that a great deal had been done and a great deal remained to be done in matters of democracy and human rights. He thought that political stability could be achieved only through democracy and human rights.

39. Algeria and Morocco have also looked into the injuries of their respective pasts in an effort to set them at rest. The situation here has similarities with certain Council of Europe member states, in particular the Balkans. In so doing, the two Maghreb countries wished to commence a process of national reconciliation. Algeria's President Bouteflika submitted a Charter for National Peace and Reconciliation to the people at referendum. The charter approved by the people on 29 September 2005, which came into force on 2 March 2006, seeks the release of many prisoners not implicated in the rapes, mass murders or bombings in public places, and compensation for victims' families. In Morocco, King Mohammed VI instituted the Equity and Reconciliation Commission (IER) in January 2004 in order to shed light on the "Years of Lead" in Morocco, coinciding with the reign of Hassan II (1961-99) marked by serious violations of human rights and persecution of political opponents. This body, which published its report in November 2005, has acknowledged the repression and heard many victims though without bringing any culprits to justice.

40. Regarding the problem of equality between women and men, Morocco and Tunisia are working for greater gender equality. Tunisia remains the Arab country where women are best integrated in society, thanks to the 1957 Code of Personal Status. It was estimated in a report by the Commission of the European Communities that in 2002 "women made up more than a quarter of the active working population, and more than 5 000 women held leading positions in enterprises".<sup>9</sup> Morocco has also made progress on this issue. The kingdom adopted in 2004 a new Code of Personal Status (*Moudawana*) reducing many inequalities between women and men, particularly in matters of marriage, divorce, property and inheritance.

41. Finally, the Maghreb countries are showing their determination to forge ahead in pursuit of democracy and human rights in such varied spheres as freedom of religion, which is recognised and honoured in all three countries, and fighting against corruption. Despite corruption classifications which are still inadequate, Tunisia (51st), Morocco (79th) and Algeria (84th) are far ahead of certain Council of Europe member states such as Serbia (90th), Armenia (93rd), Albania (111th), the Russian Federation (121st) and Azerbaijan (130th).

### **3.3. Western Sahara, a conflict in need of settlement**

42. The Western Sahara question remains a problem that has vitiated relations between Algeria and Morocco for over thirty years, the border between the two countries having remained closed for ten years. This non-autonomous territory of almost 266 000 square kilometres is claimed simultaneously by Morocco and the Polisario Front, a separatist movement supported by Algeria. Once again, the concepts of territorial integrity and peoples' right of self-determination are invoked by the contenders. Official talks resumed under the aegis of the United Nations between Morocco and the Polisario Front in June 2007. Whereas Morocco wishes to hold a referendum on possible autonomy for the territory, the Polisario Front accepts the principle of a referendum on condition that it concerns self-determination with a view to independence. For its part, Tunisia is keen to maintain neutrality on the issue. The Western Sahara thus continues to strain the two countries' bilateral relations and is hampering development of the Arab Maghreb Union (AMU). Neither the King of Morocco, Mohammed VI, nor the President of the Algerian Republic, Mr Bouteflika, has made an official journey to the neighbouring country. In July 2006 on the occasion of the conference on migration and development bringing together European and African countries, Algeria boycotted the gathering after being accused by Morocco of laxity with regard to immigration.

43. The experience of the Council of Europe and the Parliamentary Assembly in some conflicts, for example the Nagorno-Karabakh conflict, in harmony with the UN approach, would probably benefit the parties involved in this conflict and would position the Council of Europe's role in a continent where it is little-known or absent. The Political Affairs Committee's rapporteur on this question already considered in 2004 that "The Parliamentary Assembly of the Council of Europe has the experience to facilitate the resolution of this conflict. ... If the outcome of the referendum points towards independence, the Council of Europe could help the new state to establish democratic standards, especially through the signing of conventions open to non-member states. If the referendum results in integration into Morocco or autonomy, the Assembly has at its disposal the report on the positive experiences of autonomous regions as a source of inspiration for conflict resolution in Europe, which can provide some useful avenues of approach for Morocco."<sup>10</sup>

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9. European Neighbourhood Policy, report on Tunisia (2004), COM(2004)373 final.

10. Report, "Situation in Western Sahara", Political Affairs Committee, rapporteur: Mr Gabino Puche, Spain, Group of the European People's Party (Doc. 10346, 20 October 2004).

## 4. Current different types of co-operation

### 4.1. Co-operation with Europe

44. The European institutions and the European Union especially were very quick to appreciate the necessity of intensifying their collaboration with the Maghreb countries and of bringing the southern shores of the Mediterranean into Europe's sphere of influence. The 3rd Summit of Heads of State and Government of the Council of Europe (May 2005), and the numerous reports on it by the Council of Europe Parliamentary Assembly, have constantly reiterated the need for this intensification.

#### 4.1.1. Barcelona Process, Association Agreement (AA), MEDA

45. Since the April 1976 co-operation agreements between the EEC and Algeria, Morocco and Tunisia, relations between the northern and southern shores of the Mediterranean have steadily developed. The Maghreb is already co-operating with the European Union in the framework of the Barcelona Process, initiated in 1995 and setting up a Euro-Mediterranean partnership between the 15 European Union countries and 12 countries of the region including the three Maghreb countries. This partnership, intended to be a middle way between accession and development assistance, has focused on peace-building, establishing a free trade area over the long term, and intercultural dialogue. Thus in 1998 (Tunisia), 2000 (Morocco) and 2005 (Algeria), Association Agreements (AA) strengthening the European Union's economic ties with the Maghreb were signed. The Maghreb has also joined the MEDA programme offering measures of financial and technical backing to the reform of the economic and social structures, and particularly enhancement of democratic stability. The various people I talked to in Algeria and Tunisia deplored the inertia of the Barcelona Process and expressed the view that the EU's eastward expansion had been done at their expense. And now, they await concrete undertakings from the continent of Europe which will bear of their new interest.

#### 4.1.2. Euro-Mediterranean Parliamentary Assembly (EMPA)

46. Within this Euro-Mediterranean partnership, the three Maghreb countries have tried joint parliamentary co-operation. Set up by the ministerial conference in Naples in December 2003, this consultative body of Euro-Mediterranean partnership sees to the monitoring of the association agreements, adopts resolutions, and can make recommendations to the ministerial conference. It is composed, in equal proportions, of representatives of parliaments of the European Union and the Mediterranean countries. In 2005 the first Euro-Mediterranean Parliamentary Assembly met, and was chaired from March 2006 to March 2007 by Mr Fouad Mebazaa, President of the Tunisian Parliament since 1997. Co-operation in the EMPA stands as a fine example of success for a parliamentary partnership between the EU (27 states) and the Maghreb, which could be followed by an interparliamentary partnership with the Council of Europe (47 states).

#### 4.1.3. European Neighbourhood Policy (ENP)

47. In the EU framework, however, the most emblematic initiative in this co-operation of course remains the inclusion of Algeria, Tunisia and Morocco in the European Neighbourhood Policy (ENP). The policy, launched in 2004, has set itself the objective of averting the formation of further dividing lines between the EU and its immediate neighbourhood. Accordingly, the European Union has hastened to associate all its neighbours and especially the Maghreb with this approach. The ENP does not foreshadow accession, but endeavours to provide the EU's neighbourhood with the means of bolstering democratic stability, the market economy and security. The EU adopted several action plans on that account with Tunisia and Morocco in 2005, Algeria still being subject to a report. These action plans feature the strengthening of co-operation in combating terrorism and in social and transport policy, and furthering the actions so far conducted in the fields of human rights and liberalisation of trade.

48. The Council of Europe has defined its own role in the European Neighbourhood Policy, particularly in relation to the Maghreb countries. In the Council of Europe Parliamentary Assembly's report on this question,<sup>11</sup> it is pointed out that "The Council of Europe could make an essential contribution to the ENP's objectives by developing special relations with the Mediterranean countries – non-members of the Council of

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11. Report, "The Council of Europe and the European Neighbourhood Policy of the European Union", Political Affairs Committee, rapporteur: Mr Luc Van den Brande, Belgium, Group of the European People's Party (Doc. 10696, 3 October 2005).

Europe – which would allow the Organisation to fill the void in leading the struggle to achieve democratic and economic reforms on the African and Asian continents.” Thus, without causing overlap of responsibilities, the Council of Europe would find scope here for strengthening its co-operation with the Maghreb.

49. Lastly, the European Parliament maintains relations with the Maghreb countries. Within its Committee on Foreign Affairs it has a delegation for relations with the Maghreb countries. In addition, the European Parliament co-operates with the Maghreb in the EU-ACP (Africa, Caribbean, Pacific) Joint Parliamentary Assembly. The so-called Luxembourg Agreement of 25 June 2005 enshrined this EU-ACP partnership. So co-operation between the EU and the Maghreb is definitely a success. Although the co-operation in this context is geared mainly to economic issues, questions of rule of law and democracy are not forgotten, but are not dealt with according to their real dimension. The Council of Europe would therefore be well advised to involve itself to defend its fundamental values while avoiding competition with the EU.

#### **4.2. Co-operation with international and European human rights institutions**

50. The three Maghreb states are recognised on the international scene as important partners. All three have been repeatedly elected members (not permanent) of the Security Council. Morocco (1992-93), Tunisia (2000-01) and Algeria (2004-05) have shown their determination to perform a crucial role in international relations.

##### **4.2.1. UN Commission on Human Rights**

51. The Maghreb, present in the higher agencies of the United Nations, has also shown great diligence in the UN bodies responsible for defending human rights. For instance, the three countries have been actively involved of late in the Commission on Human Rights. Morocco and Tunisia even sat on it together (1998-2000) before being replaced by Algeria (2001-03).

##### **4.2.2. UN Human Rights Council**

52. The three Maghreb states followed up their undertakings on human rights by joining upon its creation the 47 founding members of the Human Rights Council formed in 2006 for a term of one year.

##### **4.2.3. European Instrument for Democracy and Human Rights (EIDHR)**

53. The EIDHR was created in 1994 by the European Parliament to promote human rights, democracy and conflict prevention in states through the agency of NGOs and international organisations. Morocco, Algeria and Tunisia were each eligible in 2006 under the EIDHR projects on promoting both a culture of human rights and a democratic process.

### **5. Co-operation with the Council of Europe**

#### **5.1. First initiatives**

54. The Council of Europe's co-operation with the Maghreb countries, reaffirmed at the 3rd Summit of Heads of State and Government of the Council of Europe in Warsaw (2005), is carried out by indirect means, particularly through consultative bodies, discussion forums or joint programmes. That is why the present report concentrates on advocating the enhancement of this co-operation and institutionalises it, if it is requested.

55. On environmental, agricultural policy and water management issues, the Maghreb countries are strongly present alongside the Council of Europe member states. This collaboration was given tangible form in the Euro-Mediterranean Conference on Agriculture, held in Strasbourg on 28 and 29 September 2006.

56. In the education field, the Council of Europe and its Directorate of Youth and Sport, co-operating with the European Commission, has run human rights training courses with the Maghreb in the context of the “Youth Partnership”; these were held in Fez, Morocco, from 13 to 22 May 2007.

57. On equal opportunities for women and men, the three countries work with the relevant Assembly committee and in partnership with the Council of Europe North-South Centre. This co-operation, aimed at encouraging Algeria, Morocco and Tunisia to adopt measures fully upholding gender equality, was realised for the first time in the parliamentary seminar on respect for the principle of equality between women and men in

civil law, including family codes, in October 2006. Some other joint programmes have been carried out on women immigrant's integration, equality in civil law, or on domestic violence against women. This last issue gave rise to an important information and awareness-raising campaign.

58. Finally, in the cultural sphere, the Council of Europe and the Parliamentary Assembly have on several occasions involved themselves in promoting intercultural and interfaith dialogue in the Mediterranean basin as a whole. For example, a meeting on intercultural dialogue and stereotypes disseminated by the media with regard to Euro-Mediterranean relations will be held by the North-South Centre in Tunis in the first half of 2008. Both the President of Algeria's High Islamic Council and Tunisia's Grand Mufti have expressed support for greater participation in interfaith dialogue so as to raise awareness of Islam and its philosophy. Tunisia, leading the way in this, established a university chair on the question in 2001, the Ben Ali Chair for Inter-civilisation Dialogue. There have also been various cultural projects to teach the younger generations about national heritage.

59. In the area of combating drug addiction, the three Maghreb countries are members of the Mediterranean Network for Co-operation on Drugs and Addictions (MedNET), which was set up in 2006 by the Council of Europe's Pompidou Group (multidisciplinary co-operation forum to prevent drug abuse and illicit trafficking in drugs) to foster co-operation, exchange and two-way knowledge transfer on drugs including alcohol and tobacco between North African and European countries (North-South and South-North) but also among North African countries (South-South). The most recent meeting of the network was held in Algiers on 25 June 2007.

60. Morocco and Algeria took this co-operation forward when in 2007 they joined the Venice Commission, a Council of Europe advisory body, to ensure that their constitutional provisions would evolve towards constitutional standards in keeping with democracy and the rule of law. With Kyrgyzstan, the Republic of Korea and Chile, Morocco and Algeria have thus joined the Venice Commission's member states, but not those of the Council of Europe.

## **5.2. Reinforcement possibilities**

61. First of all, it is advisable not to envisage a brutal but a progressive reinforcement of co-operation between the Council of Europe and the Maghreb countries and to have the possibility of allowing each state to choose the degree of closeness of its co-operation with the Council of Europe.

### *5.2.1. Observer status, "associate partners" or "partners for democracy"*

62. For the countries that want it, observer status with the Council of Europe could be the most consummate form of co-operation with the Organisation. The following states enjoy this status at present: the Holy See (1970), the United States (1995), Canada (1996), Japan (1996) and Mexico (1999).

63. Furthermore, in accordance with paragraph 1 of Statutory Resolution (93) 26 of the Committee of Ministers, the national parliaments of Council of Europe non-member states may thus acquire observer status with the Parliamentary Assembly and so Israel, Canada and Mexico, as holders of this status, can be authorised by the President of the Assembly to speak and to attend meetings of the various Parliamentary Assembly committees. The Algerian authorities could be interested and ready to consider observer status. Tunisia also seems interested.

64. The Council of Europe Parliamentary Assembly has long mooted a possible reform to observer status to allow the Organisation to receive new partners beyond its natural boundaries. [Recommendation 1724](#) on the Council of Europe and the European Neighbourhood Policy of the European Union (2005) and [Resolution 1506](#) on the external relations of the Council of Europe (2006), moreover, look to the strengthening of co-operation with the countries of the southern Mediterranean and central Asia.

65. In addition, a new status midway between observer and special guest status could come into being to associate more lastingly the states that signify their desire for co-operation with the Council of Europe but do not yet fully comply with the Organisation's principles. The idea was put forward in an earlier report<sup>12</sup> on the external relations of the Council of Europe. This referred to "associate partners" or "partners for democracy". At all events the idea is still relevant and could be put into effect with Maghreb countries not interested in being given observer status.

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12. See [Doc. 10956](#), Severin report, op. cit.

### 5.2.2. *Special guest status*

66. Special guest status allows the first stage of more advanced collaboration to be set in motion. Since 1989 this status, which concerns the legislative assemblies of Council of Europe non-member countries, has enabled guests to meet the members of the various committees, to follow current work, and to give their opinion on proceedings of relevance to them. However, this status applies only to states with potential to become members of the Council of Europe while waiting for them to achieve full compliance with the values upheld by the Council of Europe in the field of human rights and democracy. The Council of Europe currently has 47 member countries. This status is only of interest to European non-member countries like Belarus.

### 5.2.3. *Parliamentary co-operation*

67. This form of co-operation may also be contemplated and, for the Council of Europe and its Parliamentary Assembly, would involve strengthening its links with the national parliaments of the three Maghreb countries. Moreover, when visiting the Council of Europe, Mrs Nouzha Chekrouni, Minister Delegate to the Minister for Foreign Affairs and Co-operation of Morocco in charge of Moroccans living abroad, expressed the desire “to explore all possible avenues for a horizontal and vertical partnership between parliamentarians”.<sup>13</sup>In one of my previous reports, I have already mentioned the possibility of the Council of Europe’s co-operating more closely with Morocco. My former colleague David Atkinson fully shared my view about Algeria in stating that “both parties could only benefit from it, and it would be an important step towards security and co-operation in the Mediterranean region”.<sup>14</sup>The possibility of co-operation has also been greeted with considerable enthusiasm in Algeria.

68. The Parliament of Kazakhstan in April 2004 signed a co-operation agreement with the Council of Europe Parliamentary Assembly. This working agreement has strengthened links between the national parliament and the Council of Europe Parliamentary Assembly.

69. This type of association can also take on a more global character by associating not individual states but, collectively, the three countries banded together in the Arab Maghreb Union (AMU), a regional grouping created in 1989 and comprising Algeria, Morocco, Tunisia, Libya and Mauritania. Co-operation between our Parliamentary Assembly and the Consultative Chamber of the AMU could thus be considered.

70. The Parliamentary Assembly has already embarked on interparliamentary co-operation, which it has furthered with other international parliamentary assemblies such as the European Parliament, the Western European Union, the OSCE Parliamentary Assembly, the Inter-Parliamentary Union, Benelux, the Nordic Council, the Parliamentary Assembly for Black Sea Economic Co-operation (PABSEC) and the Commonwealth of Independent States (CIS).

71. Such co-operation could take the form of a parliamentary delegation at Assembly proceedings, particularly the sessions (as early as January 2008), joint meetings of relevant committees, conferences, hearings and so on dealing with questions such as inter-faith and intercultural dialogue, education and the economy.

72. At the institutional level, it could take the form of assistance in administrative staff training, participation in study visits or internships, and all forms of discussion.

### 5.2.4. *Intergovernmental co-operation*

73. Besides being members of some of the Council of Europe’s enlarged partial agreements, such as the one on the Venice Commission (joined by Algeria and Morocco in 2007) and the European and Mediterranean Major Hazards Agreement (EUR-OPA), which is a forum for co-operation between European and southern Mediterranean countries on major natural and technological hazards (joined by Algeria in 1991 and Morocco in 1995), the Maghreb countries are observer members of the European Pharmacopoeia Commission and have ratified certain Council of Europe conventions such as the Convention on the Conservation of European Wildlife and Natural Habitats (Tunisia in 1996 and Morocco in 2001) and the Anti-Doping Convention (Tunisia in 2004).

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13. Address to the Council of Europe Parliamentary Assembly, 27 June 2006.

14. Report, “Situation in Algeria”, Political Affairs Committee, rapporteur: Mr David Atkinson, United Kingdom, EDG (Doc. 7997, 27 January 1998).

74. Further progress could be made in this intergovernmental co-operation if the Maghreb countries were to join the North-South Centre, a body whose task is to provide a framework for European co-operation intended to raise public awareness about issues of global interdependence and promote mutual aid policies in keeping with the Council of Europe's aims and principles. Joining this body would be seen as a clear sign of a desire to revitalise the natural dialogue between the two shores of the Mediterranean.

## 6. Benefits that these countries bring to the Council of Europe

75. Enhancement of co-operation between the Council of Europe and the Maghreb would lead to mutual enrichment. It would send out to the whole world a signal of tolerance and openness, far beyond Europe's geographical borders. It would thus confirm the Council of Europe in its role co-ordinating activities in favour of the universal values of law, justice and solidarity. But above all, by working more closely with the Muslim countries, it would be a telling contradiction to the threat of a clash of civilisations and to those who too often erroneously place the West in opposition to the Muslim world. Co-operating more actively with the Maghreb countries would afford the Council of Europe a better knowledge of the problems that affect the Muslim countries and inevitably the European states.

76. Enhancement of co-operation between the Council of Europe and the Maghreb would also enable member states with large Maghrebi communities (France, Spain, Italy, Netherlands, Germany) to forge more fundamental links with these communities, including them in a clearly European perspective and addressing, possibly in a new way, all the issues relating to immigration and integration.

77. The Maghreb is accustomed to processes of co-operation with the European institutions but above all it is an obvious bridge to the Middle East and an open window on Africa, which is in such great need of democracy and human rights. My visits to the Algerian media convinced me of this desire of mutual open-mindedness and the need for discussion and information.

78. As Chairperson of the Sub-Committee on the Middle East, I am particularly alert to the upheavals of every kind that beset this region. I am fundamentally convinced that by strengthening co-operation with the Maghreb countries, the Council of Europe can build a bridge to the Middle East and increase our Assembly's presence in this sorely troubled part of the world. While not siding, our collaboration with the member countries of the Arab League and the Islamic Conference Organisation can only enhance our presence in the Middle East and the understanding of its problems.

79. Africa has so far remained conspicuously absent from Council of Europe external relations (no African country is an observer), and it is unfortunate that the universal appeal of its values does not find a greater response in that continent at a time when it is ravaged by new tragedies like Darfur. Stronger co-operation between the Council of Europe and the Maghreb must be perceived as a sign of interest and a powerful boost to our Organisation's values in the whole of the African continent and in an ever more globalised world.

## 7. Conclusions

80. The Maghreb countries have long had a common history with Europe, and keep up sustained regular co-operation with our continent's institutions. Both the Council of Europe and these countries would have everything to gain by undertaking more intensive co-operation. There is a determination in the Maghreb to go further in promoting human rights and democracy, a determination long considered dangerous to power in this region of the world and today rightly perceived as a factor of stability.

81. The Council of Europe and its Parliamentary Assembly should bear in mind the fact that there is a great opportunity to unlock the doors of democracy and human rights for this region of the world that wishes to join our Organisation and Europe. At a time when the idea of a "Mediterranean Union" is afoot, a body which would indubitably seize upon the Council of Europe's cherished themes, the Council might regret not having looked towards the southern Mediterranean, described as the most uneven frontier in the world by the former President of the European Parliament, Joseph Borrell.

Reporting committee: Political Affairs Committee. Reference to committee: Reference No. 3330 of 16 March 2007.

Draft resolution and draft recommendation unanimously adopted by the committee on 11 December 2007.

Members of the committee: Mr Abdülkadir Ateş (Chairperson), Mr Konstantin **Kosachev** (Vice-Chairperson), Mr Zsolt Németh (Vice-Chairperson), Mr Giorgi Bokeria (Vice-Chairperson), Mr Miloš **Aligrudić**, Mr Claudio Azzolini, Mr Denis Badré, Mr Radu Mircea **Berceanu**, Mr Andris Bērziņš, Mr Alexandër **Biberaj**, Mrs Guðfinna

Bjarnadóttir, Ms Raisa Bohatryova, Mr Predrag Bošković, Mr Luc **Van den Brande**, Mr Lorenzo Cesa, Mr Mauro Chiaruzzi, Ms Elvira **Cortajarena**, Ms Anna **Čurdová**, Mr Rick Daems, Mr Dumitru Diacov, Mr Michel Dreyfus-Schmidt, Ms Josette **Durrieu**, Mr Frank Fahey, Mr Joan Albert Farré Santuré, Mr Pietro Fassino (alternate: Mr Pietro **Marcenaro**), Mr Per-Kristian Foss, Ms Doris Frommelt, Mr Jean-Charles Gardetto, Mr Charles Goerens, Mr Andreas **Gross**, Mr Davit **Harutyunyan**, Mr Serhiy Holovaty, Mr Joachim **Hörster**, Mrs Sinikka Hurskainen, Mr Tadeusz **Iwiński**, Mr Bakir Izetbegović, Mrs Corien W.A. Jonker, Ms Darja Lavtižar-Bebler, Mr Göran **Lindblad**, Mr Younal **Loutfi**, Mr Mikhail Margelov (alternate: Mr Victor **Kolesnikov**), Mr Tomasz Markowski, Mr Dick Marty, Mr Frano Matušić, Mr Murat Mercan, Mr Mircea Mereuță, Mr Dragoljub Mićunović (alternate: Mr Željko **Ivanji**), Mr Jean-Claude **Mignon**, Ms Nadezhda Mikhailova, Mr Aydin Mirzazada, Mr João Bosco **Mota Amaral**, Ms Natalia Narochitskaya, Mrs Miroslava **Němcová**, Mr Hryhoriy Nemyrya, Mr Fritz Neugebauer, Mrs Kristiina Ojuland, Mr Theodoros Pangalos, Mr Aristotelis Pavlidis, Mr Christos Pourgourides, Mr John Prescott (alternate: Mr John **Austin**), Mr Gabino **Puche**, Mr Lluís Maria de Puig, Mr Jeffrey Pullicino Orlando, Mr Andrea Rigoni, Lord **Russell-Johnston**, Mr Oliver Sambevski, Mr Ingo Schmitt, Ms Hanne **Severinsen**, Mr Samad Seyidov, Mr Leonid **Slutsky**, Mr Rainer Steenblock, Mr Zoltán Szabó, Baroness Taylor of Bolton (alternate: Mr Denis **MacShane**), Mr Mehmet **Tekelioğlu**, Mr Mihai Tudose, Mr José Vera Jardim, Ms Birutė Vėsaitė, Mr Björn Von Sydow, Mr Harm Evert Waalkens, Mr David **Wilshire**, Mr Wolfgang Wodarg, Ms Gisela Wurm, Mr Boris Zala, Mr Krzysztof **Zaremba**.

*Ex officio*: Mr Mátyás Eörsi, Mr Tiny Kox.

NB: The names of those members present at the meeting are printed in bold.

See 6th Sitting, 23 January 2008 (adoption of the draft resolution, as amended, and the draft recommendation); and [Resolution 1598](#) and [Recommendation 1825](#).