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Strengthening co-operation with the Maghreb countries

Reply to Recommendation¹: Recommendation 1825 (2008)
Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 1825 \(2008\)](#), also in the light of [Resolution 1598 \(2008\)](#), and has forwarded it to the attention of the member states' governments. The Committee has also forwarded the recommendation to the Executive Council of the North-South Centre.
2. In accordance with a decision of the Ministers' Deputies, the Secretary General presents each year an Annual Report on External Relations of the Council of Europe. This report also contains information about relations with the Maghreb countries. The report covering the calendar year 2007 is at the Assembly's disposal. The next report will be submitted in anticipation of the Ministerial Session of the Committee of Ministers to be held on 12 May 2009. This report will also be made available to the Assembly.
3. The Committee of Ministers recalls its reply to Parliamentary Assembly [Recommendation 1753 \(2006\)](#) on the "External relations of the Council of Europe", adopted on 18 January 2007 at the 984th meeting of the Ministers' Deputies, and in particular its paragraph 2, in which the Committee stated that "Whilst acknowledging the importance of external relations for the Council of Europe, and of the contribution by the Organisation to the enhancement of universal values outside of Europe, the Committee of Ministers is nevertheless convinced that priority must be placed on the European dimension of the Organisation's mission." It is within this context and subject to specifically expressed interests of the partners that the Committee of Ministers is maintaining relations with any non-member state focusing on development of democracy, the rule of law and human rights.
4. Regarding the three countries of the Maghreb, the Committee of Ministers would like to underline in particular that:
 - a. Algeria, Morocco and Tunisia maintain regular relations with the North-South Centre as it appears in the appended opinion of its Executive Council dated 31 March 2008. There have in particular been exchanges on democracy and citizenship, on the role of women, on questions relating to migration or cultural identity in the Mediterranean area;
 - b. Tunisia has acceded to four Council of Europe treaties; Morocco has signed one and has been invited to accede to five other treaties open to non-member states; to date Algeria has not acceded to any Council of Europe treaty. Non-member states' legal undertakings under Council of Europe treaties promote fruitful interaction between third states and member states, and should progressively lead to a wider scope for co-operation;
 - c. Algeria, Morocco and Tunisia joined the Venice Commission, and can now fully co-operate with it. An example of this was the Conference on "Constitutional Interpretation" organised in co-operation with the Constitutional Court of Algeria, together with a preparatory meeting for the World Conference on Constitutional Justice (Cape Town, 22-24 January 2009). Co-operation also takes place through the Union of Arab Constitutional Courts and Councils, of which the Constitutional Councils of the Maghreb

1. adopted at the 1046th meeting of the Ministers' Deputies (21 January 2009)



countries are members. The Venice Commission has established a co-operation programme with the Union, which comprises seminars, contributions of the Arab courts to the Commission's CODICES database, as well as translations of basic texts in the field of constitutional justice;

- d. the Committee of Ministers affirmed its strong commitment to intercultural dialogue based on the promotion of human rights, democracy and the rule of law, in particular at the recent launch of the "White Paper on Intercultural Dialogue". This is the basis on which the Committee of Ministers promotes co-operation with other organisations active in intercultural dialogue, including its religious dimension, through the signature and implementation of agreements with UNESCO, the "Alliance of Civilisations" initiative, the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures, as well as other regional organisations, such as the Arab League Educational, Cultural and Scientific Organisation (ALECSO). Specific project-level co-operation is also undertaken with other organisations of which Maghreb countries are members, on the basis of Council of Europe values and standards;
 - e. in the view of the Committee of Ministers, however, conducting or participating in inter-religious dialogue does not fall within the competence of executive authorities, who are bound by the principles of the freedom of thought, conscience and religion (Article 9 of the European Convention of Human Rights) and the obligation of neutrality towards the different religious and philosophical convictions.
5. On 23 May 2008, a Joint Declaration on the reinforcement of co-operation between the Council of Europe and the International Organisation of "La Francophonie" (OIF) was signed which gives additional opportunities for Council of Europe outreach to the member states of "La Francophonie".
6. The Committee of Ministers confirms its commitment to fostering dialogue with the Maghreb countries, by offering the expertise of the Council of Europe as regards the promotion of human rights, consolidation of democracy and the rule of law, and on the basis of a firm undertaking on their part in this respect, in accordance with the Action Plan adopted at the Third Summit.

Appendix 1 – Opinion of the Executive Council of the North-South Centre on Recommendation 1825 (2008) of the Parliamentary Assembly of the Council of Europe “Strengthening co-operation with the Maghreb countries”

1. The Executive Council of the North-South Centre welcomes the interest of the Parliamentary Assembly of the Council of Europe in the co-operation between the Council of Europe and the Maghreb, and wishes to express its appreciation of Mrs Durrieu’s excellent report.
2. In the framework of its role as a bridge between the Council of Europe and the south, the North-South Centre has, for many years, developed a substantial co-operation with the countries from the southern shores of the Mediterranean, and in particular the Maghreb (see the appendix summary).
3. The Executive Council, like the Parliamentary assembly, considers that the time has come to advance further and to try to formalise the links between the North-South Centre and the Maghreb countries on the basis of the existing co-operation, on the condition that these countries express the political will to do so. The Executive Council has always considered that the composition of the North-South Centre would only be complete when one or several southern countries would become members.
4. In this perspective, the President of the Executive Council, Mr Claude Frey, paid an official visit to Morocco, from 4 to 7 February 2008. The authorities of Morocco confirmed their interest in the North-South Centre, as well as their appreciation of the existing co-operation and their wish to strengthen it. The question of the accession of Morocco to the North-South Centre was discussed in this context.
5. A similar approach will be made for Algeria and Tunisia. Mrs Durrieu’s report, and the texts adopted by the Parliamentary Assembly on that occasion, have created a political impetus which should be used for the mutual interest of the Council of Europe/North-South Centre and the countries concerned.
6. 2008 offers great opportunities in this regard. In addition to the Lisbon Forum, two important activities of the North-South Centre will be held in the Maghreb countries: Mediterranean Encounters of Tanger (Morocco) on migration and co-development, organised with the association *Espace alternatif* and with the support of the Governor of Tanger-Tetouan and the Mayor of Tanger on 25 and 26 April, and a symposium on intercultural dialogue organised by the Arab League Educational, Cultural and Scientific Organisation (ALECSO) in Tunis (Tunisia) in October.

Appendix 2 – List of activities carried out in co-operation with the Maghreb countries in recent years

In recent years, the three Maghreb countries have been directly or indirectly involved in numerous activities of the North-South Centre. Among other events, representatives of governments and of the civil society in Algeria, Morocco and Tunisia have participated in the following activities:

- Conference on “Human rights, cultural identities and social cohesion in the Mediterranean region”, organised in co-operation with the Moroccan Minister of Human Rights, Mr Aujjar (Rabat, Morocco, 20-21 October 2000);
- Regional consultation in preparation for the Africa-Europe Civil Society Forum, organised in collaboration with the national commission of human rights, with the support of the Algerian Government (Algiers, Algeria, 9-11 March 2000);
- 9th Permanent Conference of Mediterranean Audiovisual Operators (COPEAM) on “The Media in the Mediterranean as factors of dialogue and peace” (Algiers, Algeria, 8-12 June 2002);
- Conference on “Women’s rights in the Euro-Mediterranean region: Laws, religions and traditions” (Strasbourg, France, 13-14 October 2003);
- Conference on “Intercultural dialogue in the Euro-Mediterranean region” organised in co-operation with the Jordan Institute of Diplomacy and the participation of the Moroccan Minister of Human Rights (Amman, Jordan, 2 December 2003);
- Conference on “Women in the Arab world” organised in partnership with the League of Arab States (Cairo, Egypt, 6-9 June 2004);
- Round Table on “Democracy and citizenship in the Southern Mediterranean countries” organised in partnership with the Panorama Centre for Democracy (Lisbon, Portugal, 11-12 December 2004);
- International Conference on “Democracy and citizenship in the Euro-Mediterranean region” and implementation of a Euro-Mediterranean platform for democracy and citizenship (Marrakech, Morocco, 23-24 September 2005);

- Forum on “The integration of migrants in Europe: What role for NGOs” organised in partnership with the North-South dialogue and solidarity grouping and with the Messina international study and research centre (Messina, Italy, 11-12 November 2005);
- Seminar on “Women's rights in the Euro-Mediterranean region: the role of women as agents of change” in partnership with the *Instituto Studi Mediterranei* of Lugano and the Luso-American Foundation (Lisbon, Portugal, 30 June-1 July 2006);
- Seminar on the “Respect for equality between women and men in family code” co-organised by the Parliamentary Assembly (Strasbourg, France, 20 October 2006);
- Consultation on “Women and intercultural dialogue”, in the framework of the preparation of the White Paper on Intercultural Dialogue by the Council of Europe (Geneva, Switzerland, 14-15 April 2007).

In addition, since 2003, the Maghreb countries have regularly participated in the annual meetings of the Lisbon Forum, a process launched by the North-South Centre in 1994 and aimed at promoting dialogue on human rights, good governance and democracy between Europe, the South Mediterranean and Africa.