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Political transition in Tunisia

Report¹

Committee on Political Affairs and Democracy

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Summary

The report takes stock of the latest developments in Tunisia, the cradle of the Arab Spring. Even if the country is faced with a number of challenges (including economic downturn, insecurity and the emergence of Islamist fundamentalism), the reform process is on the right path and its legitimacy is now based on the results of elections of the National Constituent Assembly (NCA) held in October 2011.

The report calls on the NCA to consolidate the *acquis* of the Tunisian revolution by providing constitutional guarantees of fundamental democratic rights and freedoms, and to take advantage of the expertise and advice offered by the European Commission for Democracy through Law (Venice Commission), in which Tunisia holds full membership.

While welcoming the approval by the Committee of Ministers of the “Neighbourhood Co-operation Priorities for Tunisia for 2012-2014”, the report also encourages the NCA to pursue its own contacts with the Parliamentary Assembly on a regular basis and to request partner for democracy status.

1. Reference to committee: [Doc. 12790](#), Reference 3829 of 23 January 2012.



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A. Draft resolution²

1. In January 2011, the “Jasmine Revolution” ended the authoritarian regime in Tunisia and paved the way for democratic changes. The revolution also gave the impetus for the Arab Spring – a wave of mass protest movements which sought to promote freedom and dignity in a number of countries in North Africa and the Middle East.
2. In [Resolutions 1791 \(2007\)](#) and 1819 (2011) and [Recommendation 1972 \(2011\)](#) on the situation in Tunisia, the Parliamentary Assembly gave its backing to the democratic aspirations of the Tunisian people and affirmed its readiness to place its experience of accompanying democratic transition at the disposal of Tunisia's institutions and civil society. It called on the Committee of Ministers and the Secretary General of the Council of Europe to strive to help secure a successful transition in Tunisia.
3. A year and a half after the revolution, Tunisia is well advanced in the reform process. Tunisians now enjoy the main democratic freedoms denied to them under the former regime. However, democratic transition and the achievement of conditions allowing people to lead a dignified life – the goals that inspired the Tunisian revolution – will take time.
4. The Parliamentary Assembly took particular note of the elections to the National Constituent Assembly (NCA) held on 23 October 2011, which it observed and which it hailed as free and well organised. These elections conferred democratic legitimacy on the transition process triggered by the revolution of January 2011. The NCA's primary role is to prepare and adopt the country's new constitution within a reasonable time frame. It also fulfils legislative responsibilities. It elected the President of the Republic and passed a vote of confidence in the new provisional coalition government.
5. The Assembly congratulates the Tunisians for having been the first of the Arab Spring nations to endow itself with institutions which, albeit provisional, derive their legitimacy from a democratic and generally accepted process.
6. The Assembly hopes that the future constitution, which will shape the political and institutional system for years to come, will reflect, as far as possible, the expectations of the majority of Tunisians and enshrine the universal values of respect for human rights and fundamental freedoms, democracy and the rule of law. It encourages the elected members of the NCA and civil society to draw on the constitutional experience of the countries of Europe and to take advantage of the expertise and advice offered by the European Commission for Democracy through Law (Venice Commission), in which Tunisia holds full membership.
7. The Assembly pays tribute to the efforts of Mr Beji Caïd Essebsi's interim government and the work done by the Higher Authority for Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition, presided by Mr Yadh Ben Achour, as well as the Independent High Authority for the Elections (ISIE) chaired by Mr Kamel Jendoubi, to prepare the legal framework and material conditions for holding elections. It encourages the new transitional authorities to make full use of the intellectual potential and the skills accumulated within these bodies to advance and consolidate the reforms, including as regards the drafting of the new constitution.
8. The results of the elections held in October 2011, in which the moderate Islamic party “Ennahda” obtained the largest number of seats in the NCA, could cause fears of an Islamisation of the country and of a limitation of freedoms. The Assembly notes nonetheless that the Tunisians have learned to make use of the political freedoms they won during the revolution and are ready to defend them against any attempted restriction, and that the ruling coalition takes this into account. The country's politics are very dynamic and the various political forces and popular movements are grouping together and making themselves heard.
9. The Assembly particularly welcomes the active role played by Tunisian civil society, which it regards as a key asset for transition. It encourages civil society to remain vigilant and positively committed to the reform process.
10. The Assembly notes that Tunisia's new transitional authorities still have to face a number of challenges:
 - 10.1. The economic and social situation remains extremely difficult in Tunisia and continues to have serious implications in terms of political stability. Achieving a successful economic recovery, reversing growth in unemployment and restoring hope of a dignified life to the young people are key issues on which the success of the political transition depends.

2. Draft resolution adopted unanimously by the committee on 29 May 2012.

- 10.2. Far-reaching reforms in the areas of justice and security are necessary to restore the Tunisian people's confidence in the judiciary and the police, do justice to the victims of the former regime, eradicate insecurity and impunity and thus re-establish the authority of the State.
- 10.3. Radical elements claiming to belong to the Salafi Islamist movement are seeking to take advantage of both the newly won freedom and a degree of instability of various State authorities in order to impose on Tunisian society certain religious choices and practices based on their own interpretation of religious doctrine, which may jeopardise fundamental freedoms.
11. The Assembly, however, considers that, despite these challenges, the transition process in Tunisia is on the right path. It reiterates its full support and encourages all the country's political forces and civil actors to continue making a positive contribution to democratic transition while seeking to maintain political stability.
12. The Assembly calls on the elected members of the National Constituent Assembly to:
 - 12.1. intensify their efforts to ensure that the Tunisian people are given, as soon as possible and in any case not later than the deadlines agreed by the main forces represented within the NCA, a constitution commensurate with the revolutionary ideals and consistent with international constitutional standards and practice, *inter alia* concerning:
 - 12.1.1. guarantees of protection of human rights and fundamental freedoms;
 - 12.1.2. the abolition of the death penalty;
 - 12.1.3. international treaties' precedence over national law, and respect for the international treaties signed by Tunisia;
 - 12.1.4. the effective separation of powers, including financial and administrative autonomy of the future Tunisian Parliament;
 - 12.1.5. the authorities' transparency, periodic reappointment and accountability;
 - 12.1.6. guarantees of political pluralism;
 - 12.1.7. the effective independence and impartiality of the judiciary;
 - 12.1.8. gender equality and consolidation, and enhancement of advances in the status of women;
 - 12.1.9. the independence of the electoral body;
 - 12.2. conduct the constitutional process in consultation with civil society and political groups not represented within the NCA, so as to ensure that the future constitution meets Tunisians' expectations as far as possible;
 - 12.3. use the Venice Commission's competence and experience in these matters.
13. The Assembly expresses its satisfaction at the initial contacts established with the NCA. It encourages the NCA to pursue these contacts on a regular basis and to request partner for democracy status. For its part, it intends to promote dialogue with the NCA, to remain attentive to its practical needs in the legislative and regulatory sphere, and to provide it with assistance through a specific co-operation programme.
14. The Assembly calls on the Tunisian authorities to prepare the institutional and legislative framework for the future elections sufficiently in advance, taking account of the experience they gained from the elections held in October 2011, and in particular to:
 - 14.1. establish an independent electoral body, including by drawing on the ISIE's experience and skills;
 - 14.2. compile accurate and complete electoral rolls;
 - 14.3. train the staff of the electoral commissions;
 - 14.4. ensure that the future electoral body interacts with civil society and establishes international co-operation with other similar bodies.
15. The Assembly is willing to observe future elections in Tunisia.

16. The Assembly welcomes the approval, by the Committee of Ministers, of the “Neighbourhood Co-operation Priorities for Tunisia for the period 2012-2014”, an action plan prepared by the Secretary General of the Council of Europe, which includes a parliamentary dimension. It resolves to monitor the implementation of this co-operation programme between the Council of Europe and the Tunisian authorities.

17. The Assembly reiterates its call on the main international partners of Tunisia, particularly the European Union, to provide real support to stimulate the economy and tourism, and invites the member and observer States of the Council of Europe to encourage investments in the Tunisian economy and to support and facilitate the economic, social and political development of Tunisia.

18. The Assembly encourages the parliaments of member States of the Council of Europe and other parliamentary bodies to develop co-operation with the National Constituent Assembly of Tunisia with a view to sharing with it experiences in legislation and organisation.

B. Explanatory memorandum by Ms Brasseur, rapporteur

1. Introduction

1. Since the very beginning of the Tunisian revolution in early 2011, the Parliamentary Assembly has been paying close attention to political developments in this country, which are of major importance not only to Tunisia, but also to the entire southern Mediterranean and Middle East region, as well as for Europe as a whole. Tunisia can in fact be considered as the cradle of all the revolutions in the Arab world, now habitually referred to as “the Arab Spring”.
2. In [Resolution 1791 \(2007\)](#) and [Resolution 1819 \(2011\)](#) and [Recommendation 1972 \(2011\)](#) on the situation in Tunisia, for which I had the honour to be rapporteur, the Assembly voiced its steadfast support for the democratic aspirations of the Tunisian people. It affirmed its readiness to enable Tunisia's institutions and civil society to benefit from its experience of accompanying democratic transition and called on the Committee of Ministers and the Secretary General of the Council of Europe to strive to help secure a successful transition in Tunisia.
3. The Parliamentary Assembly observed the elections to the National Constituent Assembly (NCA) held on 23 October 2011.
4. As the transformations brought about by the revolution could not take place overnight, I deemed it important for our Assembly to be able to monitor this process over time. Therefore, in October 2011, I tabled a new motion for a resolution on political transition in Tunisia, and I was appointed rapporteur in January 2012.
5. The aim of this report is to provide information on the principal political events in Tunisia since the Parliamentary Assembly's last resolution (June 2011), to review the contacts and co-operation established between the Council of Europe and Tunisia and to put forward proposals for the future.
6. The Parliamentary Assembly should continue its close monitoring of the situation in Tunisia in the coming months and years, and this report will not be the last.

2. Political developments and challenges in Tunisia

7. From the start of the Tunisian revolution it was clear that there could be no immediate solution to the country's problems and that some time would be needed to realise the hopes of a better, dignified life that inspired the Tunisians who caused the downfall of the former regime. It was feared that the difficult economic and social situation, which continued to deteriorate, would have repercussions capable of slowing down democratic development.
8. However, despite these unfavourable conditions and a number of fairly isolated incidents of varying gravity, the political situation has remained stable on the whole.

2.1. Elections

9. The elections to the National Constituent Assembly held on 23 October 2011 constitute the key political event of the last 12 months. The manner in which the Tunisians succeeded in managing these elections and the broad acceptance of their results within Tunisian society are positive factors that distinguish Tunisia from many other countries in transition.
10. Since the fall of the Ben Ali regime, Tunisia had in fact been governed by “revolutionary legitimacy”, that is without institutions resulting from a democratic process. That situation could not last without risking a collapse of the provisional government's authority in the face of the economic difficulties and growing popular demands.
11. The organisation and conduct of the elections was entrusted to an independent body, the Independent High Authority for the Elections (ISIE) chaired by Mr Kamel Jendoubi. The legal framework was devised within the Higher Authority for Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition presided by Mr Yadh Ben Achour.
12. These two bodies did a remarkable job and should be congratulated for having organised the first genuinely transparent, free and fair elections in the country's history.

13. Tribute must also be paid to the efforts made by Mr Beji Caïd Essebsi's interim government to guarantee a stable and calm climate for the elections. As we noted in our previous report, none of the members of the interim authorities stood as a candidate in the elections or attempted to influence their outcome.

14. The elections aroused considerable interest in Tunisian society and breathed new life into the country's politics. The liberalisation of the conditions of access to the political process resulted in the launch of over 110 political parties. According to the ISIE's official figures, 828 lists of political parties, 655 lists of independent candidates and 34 lists of coalitions were registered with a view to the elections. Overall, there were 11 618 candidates for 217 seats, resulting in a truly pluralistic choice.

15. The Parliamentary Assembly was invited to observe the elections, and I had the honour of being a member of the observation mission. I also participated in the pre-electoral and post-electoral missions (14-17 September 2011 and 16-17 January 2012 respectively).

16. The Parliamentary Assembly's ad hoc committee responsible for observing the elections concluded in its report³ that the "citizens of Tunisia have achieved this rendezvous with history. For the first time, they have freely elected their National Constituent Assembly, laying the foundations of their democracy. They have thus transformed the revolutionary dynamic into a legal and legitimate institution, thereby setting an example for the entire region."

17. The observation mission's report also noted that the candidates were treated on an equal footing, including in terms of media coverage of the campaign, and that the Tunisians voted with dignity and enthusiasm.

18. The elections were admittedly not perfect: the Parliamentary Assembly delegation's report mentioned a number of deficiencies and problems that should be resolved in time for the next electoral cycle.

19. The most significant weakness was the registration of voters on the electoral rolls. According to the information in our possession, some 1.6 million people out of 6.1 million citizens entitled to vote were not registered, corresponding to more than one quarter of the electorate. The Tunisian authorities must settle the problem of the electoral rolls so as to guarantee that future elections abide by the principle of universal suffrage and that all citizens having the right to vote are able to do so.

20. However, in spite of certain deficiencies, the elections were a success, and the results were generally well accepted within society. No major complaints were lodged, although the announcement of the results left many disappointed candidates.

21. One party emerged as the clear winner: the moderate Islamist party Ennahda (Renaissance), which was established in the early 1980s and banned by the former regime, scored the highest number of votes and won 89 seats out of 217 in the NCA.

22. The remainder of the seats were shared among a dozen other parties and the independent candidates.

23. It is worth recalling that, during the preparation of the elections, the interim authorities tried to promote gender equality and sought to assure an equitable representation of women in the Constituent Assembly. One of the conditions of admissibility of the candidate list was to include the same number of candidates of both sexes and to list them alternately. Only 7% of the lists, however, had a woman in first place. As a consequence, only 59 women were elected, which represented 27% of the 217 seats of the NCA and was in decline compared to the previous legislature (30%).

2.2. Establishment of State institutions

24. In the wake of the elections, three parties – Ennahda (89 seats), the Congress for the Republic (CPR) (29 seats) and Ettakatol, or the Democratic Forum for Labour and Liberties (20 seats) – formed the "troika" coalition holding the majority in the NCA. Representatives of these parties were accordingly appointed to key positions within the new interim authorities. The chairs of the highest levels of government were divided between the three ruling parties.

25. On 22 November 2011, the NCA elected Mr Mustapha Ben Jaafar (President of Ettakatol) as its Speaker. He scored 145 votes (68%), while 32% went to the opposition candidate, Ms Maya Jribi.

3. [Doc. 12795](#), 24 November 2011, paragraph 54.

26. On 10 December 2011, the NCA adopted a “mini constitution”: a law containing 26 clauses governing the interim organisation of the public authorities in Tunisia.

27. On that basis, the NCA elected the new interim President of Tunisia on 12 December 2011. Of the 10 candidates put forward, only Mr Moncef Marzouki (CPR), the former Secretary General of the Tunisian League of Human Rights, satisfied the eligibility conditions under the “mini-constitution”. He was elected with a score of 153 votes and was sworn in the following day.

28. The troika then formed an interim government: on 14 December, President Marzouki asked Mr Hamadi Jebali, secretary general of the highest-scoring party, Ennahda, to constitute a government, which took office on 24 December 2011 following a vote of confidence by the NCA.

2.3. Organisation of the work of the NCA

29. The elected representatives sitting within the NCA belong to seven parliamentary groups, three of which form the majority.

30. After adopting its rules of procedure in January 2012, the NCA set up its working bodies: a bureau and 17 commissions.

31. Six constitutional commissions, each with 22 members, are responsible for drafting the chapters of the future constitution:

- preamble, general principles and constitutional amendments;
- constitutional bodies;
- human rights and freedoms;
- the legislative and executive powers and the relationship between them;
- the ordinary, administrative, financial and constitutional courts;
- regional and local authorities.

There are also eight legislative commissions:

- rights, freedoms and foreign relations;
- general legislation;
- finance, planning and development;
- energy and manufacturing industries;
- service industries;
- infrastructure and the environment;
- social affairs;
- education;

and three special commissions:

- rules of procedure and immunities;
- victims of the revolution and general amnesty;
- administrative reform and the fight against corruption.

32. A joint committee on co-ordination and drafting of the constitution was also set up to consolidate the work done by the six constitutional commissions.

33. During our visit to Tunisia in January 2012, we were told that the sessions of the NCA and its constitutional commissions were broadcast on television and were open to the public and to civil society representatives. I was nonetheless informed that, in practice, access to the commissions is too restricted. The commissions also invite Tunisian and international experts to provide input to their work.

34. Some uncertainty surrounds the duration of the NCA's term of office. Just before the elections an agreement was drawn up and signed by 11 main political parties, providing that the Constituent Assembly's mandate should not exceed twelve months. However, the twelfth party, the CPR, which was expected to join this agreement, withdrew at the very last minute, thereby making this provision of the agreement ineffective.

35. Currently, most of those with whom we had discussions at the levels of the NCA and the government concur that the NCA should have completed its work by no later than eighteen months after the elections and that new elections should take place in the spring of 2013. However, the text of the mini-constitution does not set a legal limit on the duration of the NCA's mandate and, consequently, nor does it institute any limit on the terms of office of the State authorities it has established (the president and the government). Some members emphasised that they regretted the cumbersome structures in place which prevented a speedy completion of work.

36. The Speaker of the NCA, Mustapha Ben Jaafar, nonetheless announced on 10 May 2012 that the new constitution should be ready by 23 October 2012 at the latest.

2.4. Reshaping the political landscape

37. Another important task that lies ahead is redrawing the political scene. The emergence of over 100 political parties in the run-up to the elections was doubtless necessary to give Tunisians a sense of being involved in shaping their country's future.

38. However, one consequence of this compartmentalisation is that a large proportion of society, those who voted for the small parties, is not represented within the NCA.

39. Furthermore, the political groups that only obtained a small number of seats have little influence on decision making.

40. It is therefore only natural that the small parties should seek to join forces. Within the NCA, the opposition groups are forming coalitions. Mergers are also taking place between parties in accordance with their political tendencies. This is to be welcomed. Even for political pluralism's sake, it seems excessive that a country with 10 million inhabitants should have over 100 parties.

2.5. Civil society

41. Tunisia has a well organised and active civil society, which plays a full part in political debate within the country. The various civil associations and organisations existed before the uprising of 2011 and are therefore well established with the public. They played a major role in mobilising the population during the revolution and continue to make themselves heard today.

42. At the same time, in view of the significant fragmentation of the country's political forces just before the elections to the NCA, a large number of key figures within the political parties and civil society were not elected. Nonetheless, they do not intend to remain silent during the constitutional process and they are seeking to transfer the debate on the future constitution from the NCA to the public arena.

43. This attitude should be welcomed, as the future constitution, which is expected to shape the country's future for the coming decades, must become a matter for all Tunisians. It is essential that the constitution guarantee the rights and freedoms that inspired the Tunisian revolution and permit the emergence of a modern, open, democratic Tunisia.

2.6. The major challenges facing Tunisian society

2.6.1. The role of Islam

44. One subject that has caused much debate both within the NCA and in civil society is the role of Islam.

45. During Ben Ali's rule, political organisations with Islamic leanings were banned and their members severely persecuted. The current head of government, Mr Jebali, served more than sixteen years in prison, including ten in solitary confinement. A number of ministers and elected members of the NCA also spent many years in prison, some after being sentenced to death.

46. The fall of the former regime allowed scope for free political expression by the various groups with Islamic tendencies, including the Ennahda party which achieved the highest score in the elections. This legitimate, but in many quarters unexpected, victory caused the proponents of secularism to fear an Islamisation of the country.

47. These concerns are not completely unfounded in the light of the activism of certain Islamist groups that are far more radical than the moderate Ennahda party, in particular the Salafi movement. The latter's supporters, for example, call for Tunisian women to be obliged to wear the full veil (niqab) and attack press and other media outlets which, in their view, fail to respect Islamic traditions.

48. In spring 2012, these groups mobilised thousands of demonstrators calling for the constitution to make reference to the Sharia as the primary source of law. The secular parties and civil society organisations in turn organised demonstrations in favour of the protection of democratic values and freedoms and the preservation of a secular State.

49. In addition, attempts are being made to exert an external influence on Tunisia's believers. It has been noted that foreign preachers with radical Islamic leanings are making increasingly frequent visits to Tunisia, where they exhort violence and practices at variance with Tunisian law and traditions.

50. According to some Tunisian experts, the funding for the Salafist movement and political Islam in Tunisia comes, at least in part, from Saudi Arabia and Qatar.

51. Faced with this phenomenon, civil society organisations have lodged a complaint against the use of mosques and holy places for political ends.

52. A number of elected members of Ennahda have come out against a separation of politics and religion and stated that the future constitution must not include provisions that contradict the Koran and Sunna.

53. Ennahda's leaders have sought to calm people down and to foster a public consensus. The party's president, Rached Ghannouchi, has underlined the need for a separation between preaching and politics and asserted that mosques are not forums for parties.

54. Ennahda's ruling body has also decided, by a large majority, not to press for the future constitution to contain an explicit reference to the Sharia as the primary source of law. The party has given its consent to reusing the wording of the first article of the Constitution of 1959 which mentioned Islam as the country's religion.

2.6.2. Security

55. Another major challenge to political stability is to put an end to insecurity. According to statistics announced by the interior minister in February 2012, during the twelve months following the revolution, some 400 national guard and police stations were attacked, 800 vehicles of different kinds were set on fire and 12 000 individuals were arrested for pillaging, acts of violence or attempted murder.

56. In addition to routine crime a new threat is emerging: the growing activism of Salafi groups. In February 2012, 12 people bearing arms were arrested at Bir Ali Ben Khalifa (in the south-east) following violent clashes with security forces. A large number of weapons were seized. According to the interior minister, these people, some of whom came from Libya, had links with extremist organisations based in that country (Al-Qaeda in the Islamic Maghreb, AQIM) and were seeking to found an Islamic emirate in Tunisia.

57. Other elements claiming Salafist ties are becoming increasingly radical and using intimidation against public figures known to have taken stances in defence of secularity and democratic freedoms. Since January 2012, a number of incidents involving assaults or threats against journalists, researchers, male and female politicians and trade unionists have been recorded. Political violence constitutes an infringement of public and individual freedoms that threatens to seriously undermine the climate in the country and to jeopardise the political process.

58. The situation is compounded by public attitudes towards law enforcement agencies, which many regard as relics of the former regime. It should be noted that a large share of the public considers that the police's behaviour has scarcely changed in the wake of the revolution: several demonstrations have been put down by the police using excess force.

59. The police are also suspected of having greater tolerance for protagonists of the Salafi movement than for trade union demonstrators and other civil society representatives. For instance, they were accused of remaining inactive when a group of students close to the fundamentalist Islamic movement blocked access to Manouba University (Tunis) for a number of days at the end of 2011-beginning of 2012 in support of female students' right to sit their exams while wearing the niqab, which is against the university's rules. In another incident at the same university in March 2012, an activist with fundamentalist tendencies removed the national flag of Tunisia and replaced it with a black flag containing Islamic slogans.

60. A far-reaching reform of the security forces is accordingly necessary to enable them to guarantee security and therefore regain the trust of the people, who doubt the police's loyalty to the political authorities.
61. One means of progressing towards a reform of the police service and a reinforcement of its authority is to eradicate impunity within the forces. The Tunisian people are not ready to forget the role played by the police in repressing the revolution: during the fighting, at least 338 lives were lost and over 2 300 people were injured.
62. A significant step has recently been taken in this direction: at the end of April 2012, the Military Tribunal in Sfax found two police officers guilty of murdering a demonstrator on 14 January 2011 and sentenced them to twenty years' imprisonment and to pay compensation to the victim's family. Other similar trials should follow.
63. Impunity is, however, a broader issue and does not end with mere underlings carrying out orders. It is true that the former head of State, Ben Ali, and the members of his inner circle were tried *in absentia*. However, the Tunisians expect other members of the former regime to be held to account for their acts. The restoration of an independent and efficient judiciary is essential to gain the confidence of Tunisians in their new State

2.6.3. Inter-ethnic tolerance

64. Despite extremist groups' attempts to undermine them, inter-ethnic tolerance and peaceful cohabitation of the different religious communities do not seem to be in jeopardy. Israeli Minister Silvan Shalom's call on all Jews living in the "Arab Spring" countries to move to Israel has for instance not been taken up by the Jewish community in Tunisia.

2.6.4. The situation of women

65. If the situation of women in Tunisia, and their position in society, seems to be better than in most other countries in the region,⁴ it is nonetheless necessary to ensure the preservation of the *acquis* in this domain. Lately, there have been worrying signs: supporters of radical Islam have sought to attack this *acquis* by proposing, for example, to introduce polygamy.

2.6.5. The media

66. Although the media freedom conquered during the revolution seems to be gaining a hold in the Tunisian people's minds, it is not safe from attacks by extremist groups and, to a certain extent, circles close to power.
67. Some members of the press have been prosecuted and arrested for publishing pictures deemed to contravene morality and tradition. Others have been assaulted by extremists.
68. Recently, a private television channel, Nessima, was fined for showing the animated film "Persepolis" in autumn 2011. After the screening of the film, which included a representation of Allah (banned by the Islamic religion), the head of the television channel received death threats and his home came under attack.
69. The authorities reasserted their support for freedom of expression, while the main opposition parties stated that they were against putting journalists on trial as it ran counter to the goals of the revolution and to the Tunisian people's aspirations regarding press freedom.
70. At the same time, the quality of the media and the positions adopted by journalists have been drawing fierce criticism from members of the majority within the NCA (in particular the Ennahda and CPR parties). They are accused in particular of denigrating the government's efforts, conveying a negative image of the majority and instigating a biased media campaign in the interests of the counter-revolution.
71. Similarly, the public television channel Al-Wataniya came under pressure from a group of protesters considered to be close to Ennahda, who accused it of being in the hands of former members of the Democratic Constitutional Rally (RCD), the pro-Ben Ali party, and called for it to be "cleansed".

4. Concerning the situation of women, reference is made to the report on equality between women and men: a condition for the success of the Arab Spring presented by Ms Fatiha Saïdi (Belgium, Socialist Group) at the April 2012 part-session of our Assembly from the Committee on Equality and Non-Discrimination ([Doc. 12893](#) and [Resolution 1873 \(2012\)](#) and [Recommendation 1996 \(2012\)](#)), as well as the hearing on Women in the Arab Spring co-organised by the Committee on Political Affairs and Democracy and the Committee on Equality and Non-Discrimination, on 24 April 2012.

72. Some Ennahda officials have raised the possibility of privatising the public channels. For instance, in an interview with Qatari and Omani media, the party's president, Mr Ghannouchi, mentioned the possibility of "taking radical measures in the news media domain including, possibly, privatising the public media".

73. In a report published to mark World Media Freedom Day, on 3 May 2012, the Tunisian journalists' union described the challenges confronting the Tunisian media. Among other matters the report mentioned the fact that many of the country's journalists have been subject to physical and verbal pressures from the police, political circles and citizens with political affiliations.

2.6.6. The economic and social situation

74. The economic crisis in Tunisia is one of the most serious threats to achievement of the transition and stability objectives.

75. Contrary to some people's euphoric expectations, the Tunisian revolution did not improve the State of the national economy. Quite the opposite, economic results for 2011 were catastrophic.

76. In 2011, foreign investment in the Tunisian economy decreased by 32%. Tourism sector revenues, the main source of foreign currency, fell by 40%.

77. The economic situation in Tunisia also suffered the repercussions of the slowdown in Europe, particularly in the eurozone, Tunisia's leading economic partner, and of instability in Libya, its second biggest partner.

78. Unemployment grew steadily during 2011, reaching over 740 000 by the year end (19% of the working population). In comparison, the May 2010 figure was 13%.

79. More than 72% of the unemployed are young people aged under 30. The unemployment rate is higher for women (28%) than for men (15%). More than 220 000 of the unemployed (30%) are higher education graduates.

80. The population group most committed to the revolution – young graduates – is accordingly the most disadvantaged. This poses a major risk in terms of their support for the transformation process.

81. The newly won political freedoms, combined with the authorities' inability to offer immediate solutions to the crisis, have led to unprecedented social unrest – strikes, sit-ins, blockades of undertakings or roads – which has in turn deterred potential investors.

82. Popular discontent with the social and economic situation sometimes assumes violent forms. In February 2012, violent protests took place in Bou Salem, during which a number of official buildings were wrecked and set on fire.

83. Immediately upon being elected, President Marzouki called for a six-month political and social truce to enable the new provisional government to implement its economic programme.

3. Co-operation with the Council of Europe

3.1. Parliamentary contacts and prospects for the future

84. As I already mentioned in the earlier reports, the Parliamentary Assembly has played a pioneering role in supporting the transition process in Tunisia and establishing contacts with the various components of Tunisian society.

85. In the absence of a parliamentary institution, these contacts initially targeted the interim authorities, specific bodies such as the "Ben Achour Authority" and the ISIE, the political parties and civil society players. This was the case in particular during the observation of the elections on 23 October 2011.

86. From the very inception of the NCA, an elected body with both constitutional and legislative responsibilities, we established contacts with it: during the post-electoral visit in January 2012 we were received by the Speaker of the NCA, Mustapha Ben Jaafar, and we had talks with representatives of the main political groups.

87. During the same visit, we raised the possibility of inviting Mr Ben Jaafar to address our Assembly and discussed possibly inviting Tunisian elected representatives to participate in a meeting of the Committee on Political Affairs and Democracy. These two proposals were well received by our contacts. The President of the Parliamentary Assembly, Mr Jean-Claude Mignon, officially confirmed them in a letter to Mr Ben Jaafar.

88. The chairperson of our committee, Mr Pietro Marcenaro, went to Tunis in April 2012 to participate in a colloquy organised by Tunisian civil society organisations. On that occasion, he had a meeting with Speaker Ben Jaafar and reiterated our invitation.

89. During the Assembly's April 2012 part-session we were able to welcome NCA representatives to a meeting with our committee, including Ms Meherzia Labidi Maïza, the First Deputy Speaker. The Tunisian delegation also held many other exchanges with representatives of both the Assembly and other sectors of the Council of Europe and participated in the hearing on the role of women in the Arab revolutions.

90. I hope that this visit will mark the start of a sustained, fruitful relationship. The Tunisian elected representatives indeed showed a strong interest in the work of the Assembly and its committees and were able to obtain information and establish contacts that will be useful for their activities within the NCA.

91. At present, the NCA's representatives can participate in our proceedings on the basis of [Resolution 1598 \(2008\)](#) on strengthening co-operation with the Maghreb countries. At the same time, it can be recalled that in [Resolution 1819 \(2011\)](#) on the situation in Tunisia, we invited the Tunisian authorities to "consider the prospects for parliamentary dialogue offered by the Partner for Democracy status recently established by the Assembly".

92. I therefore can but once again encourage our Tunisian partners to take advantage of this opening. I am confident that this will further both the consolidation of the parliamentary system in Tunisia and the country's progress towards democracy.

3.2. Programme of co-operation between the Council of Europe and the Tunisian Government

93. In January 2011, the Parliamentary Assembly encouraged the Tunisian authorities to intensify and broaden co-operation with the Council of Europe and to take advantage of its experience during the country's transition towards democracy ([Resolution 1791 \(2011\)](#), paragraph 13).

94. Six months later, in June 2011, the Assembly made a number of proposals to the Secretary General of the Council of Europe ([Resolution 1819 \(2011\)](#)), and recommendations to the Committee of Ministers ([Recommendation 1972 \(2011\)](#)), aimed at mobilising the Council of Europe's resources to offer concrete, effective assistance with the implementation of democratic reforms in Tunisia.

95. I can but welcome the fact that these initiatives are today being acted upon. In the context of Secretary General Jagland's proposals for the Council of Europe's policy towards its immediate neighbourhood, a series of action plans are being drawn up to give form to structured co-operation with neighbouring countries, including Tunisia.

96. The aim of this programme (Neighbourhood Co-operation Priorities for Tunisia for 2012-2014) is to accompany Tunisia's democratic transition and help it take up the challenges in the fields of human rights, the rule of law and democracy.

97. The prime objectives of this co-operation are to:

97.1. enable Tunisia to benefit from the Council of Europe's experience of establishing democracy through the offer of expertise, good practices, training, advice, mentoring and placements;

97.2. consolidate Tunisia's presence within Council of Europe bodies with which it has already initiated co-operation (the Venice Commission, the European Pharmacopoeia, the Pompidou Group's MedNET network) and encourage its participation in other partial agreements and mechanisms;

97.3. bring Tunisian legislation more into line with Council of Europe standards, with a view to the possible ratification of certain conventions open to non-member States.

98. The proposals set out in the document are the outcome of consultations between the Council of Europe and the Tunisian authorities, and accordingly meet the latter's tangible needs.

99. As regards human rights, the programme includes activities to strengthen gender equality, prevent and combat violence against women and children, and promote the integration of people with disabilities and social rights in the sphere of health.

100. Concerning the rule of law, it entails accompanying the constitutional reform, justice system reform and the efforts to combat corruption, economic crime and cybercrime.

101. Lastly, the projects in the field of democracy concern support for the electoral process and the reform of the country's political institutions, and promotion of democratic governance.

102. This chapter also contains a parliamentary dimension in which the Assembly will be involved.

103. I consider that the development and implementation of this co-operation must command our support. But should we stop at that? In my opinion, the Parliamentary Assembly should find an appropriate means of keeping itself informed of the implementation of this process and provide it with political backing if necessary.

4. Conclusions

104. A year and a half after the "Jasmine Revolution", which put an end to the authoritarian regime and paved the way for democratic changes in Tunisia, the country is well advanced in the reform process. Tunisians now enjoy the main democratic freedoms denied to them under the former regime. However, democratic transition and the achievement of conditions allowing people to lead a dignified life – the goals that inspired the Tunisian revolution – will take time.

105. The elections to the National Constituent Assembly held on 23 October 2011 conferred democratic legitimacy on the transition process triggered by the January 2011 revolution. The NCA, whose primary role is to prepare and adopt the country's new constitution within a reasonable time frame, also fulfils legislative responsibilities. It elected the president of the republic and passed a vote of confidence in the new provisional coalition government.

106. We must congratulate the Tunisians for having been the first of the Arab Spring nations to endow itself with institutions which, albeit provisional, derive their legitimacy from a democratic and generally accepted process.

107. The future constitution, which will shape the political and institutional system for years to come, should reflect, as far as possible, the expectations of the majority of Tunisians and enshrine the universal values of respect for human rights and fundamental freedoms, democracy and the rule of law. We encourage the elected members of the NCA and civil society to draw on the constitutional experience of the countries of Europe and to take advantage of the expertise and advice offered by the Venice Commission, in which Tunisia holds full membership.

108. The results of the elections held in October 2011, in which the moderate Islamist party Ennahda obtained the largest number of seats in the NCA, could cause fears of an Islamisation of the country and of a limitation of freedoms. However, the Tunisians have learned to make use of the political freedoms they won during the revolution and are ready to defend them against any attempted restriction. The country's politics are very dynamic, and the various political forces and popular movements are grouping together and making themselves heard.

109. The active role played by Tunisian civil society, which is a key asset for transition, should be particularly welcomed. We encourage civil society to remain vigilant and positively committed to the reform process.

110. Tunisia's new transitional authorities still have to face a number of challenges:

110.1. The economic and social situation remains difficult in Tunisia and continues to have serious implications in terms of political stability. Achieving a successful economic recovery, reversing growth in unemployment and restoring hope of a dignified life to Tunisia's young people are key issues on which the success of the political transition depends.

110.2. Far-reaching reforms in the areas of justice and security are necessary to restore the Tunisian people's confidence in the judiciary and the police, do justice to the victims of the former regime, eradicate insecurity and impunity and thus re-establish the authority of the State.

110.3. Radical elements claiming to belong to the Salafi Islamic movement are seeking to take advantage of both the newly won freedom and a degree of instability of various State authorities so as to impose on Tunisian society certain religious choices and practices based on their own interpretation of religious doctrine, which may jeopardise fundamental freedoms.

111. However, despite these challenges, the transition process in Tunisia is on the right path. We encourage all the country's political forces and civil actors to continue making a positive contribution to democratic transition while seeking to maintain political stability.