Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1598 (2008)[1]

Strengthening co-operation with the Maghreb countries

Parliamentary Assembly

1. The Parliamentary Assembly refers to Resolution 1506 (2006) on the external relations of the Council of Europe and reiterates its commitment to promoting 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 situation of 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 Democratic Progressive Party (PDP), a Tunisian 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 religion of these countries 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 political life and the democratic process 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.

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1. Assembly debate on 23 January 2008 (6th Sitting) (see Doc. 11474, report of the Political Affairs Committee, rapporteur: Mrs Durrieu). Text adopted by the Assembly on 23 January 2008 (6th Sitting).

9. The Assembly also notes that the three Maghreb countries – Algeria, Tunisia and Morocco – have made clear progress in terms of promoting gender equality. As evidenced by the Code on Personal Status promulgated by Habib Bourguiba in Tunisia (1956), by the Moudawana, or Family Code in Morocco (2004), or by the large number of women in senior positions in Algerian society, substantial progress has been made. The Assembly encourages the Maghreb countries to implement these reforms as quickly as possible throughout their territories. It is also ready and willing to take part in continued parliamentary dialogue and exchange of good practices in the area of equality, particularly with regard to gender equality in civil law. Education is a priority in these countries.

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[2] 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 cooperation 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;

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2. Morocco has been officially invited to become a member of the Venice Commission, but at the time of adoption of this resolution no accession date had yet been set.

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 inviting parliamentary delegations to attend plenary sessions of the Assembly and to be heard by the Political Affairs Committee.

20. It asks the Bureau and the Committee on Rules of Procedure, Immunities and Institutional Affairs 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.