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*Plenary sitting*

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**B9-0524/2021**

18.10.2021

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the situation in Tunisia  
(2021/2903(RSP))

**Salima Yenbou, Hannah Neumann, Mounir Satouri, Ernest Urtasun,  
Jordi Solé, Rosa D'Amato, Ignazio Corrao, Piernicola Pedicini, Francisco  
Guerreiro, Alviina Alametsä, Saskia Bricmont**  
on behalf of the Verts/ALE Group

**European Parliament resolution on the situation in Tunisia  
(2021/2903(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Tunisia,
- having regard to the statement by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Josep Borrell of 27 July 2021 and to his press statement of 10 September 2021 on Iraq, Libya and Tunisia: EU more than ever committed to supporting the countries and their people,
- having regard to the joint communication from Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 9 February 2021 on a Renewed Partnership with the Southern Neighbourhood – A new Agenda for the Mediterranean, and to the Economic and Investment Plan for the Southern Neighbourhood annexed thereto,
- having regard to the EU-Tunisia Association Agreement of 1995,
- having regard to the statement of 18 June 2021 by the UN Independent Expert on violence and discrimination based on sexual orientation and gender identity, Victor Madrigal-Borloz, entitled ‘Tunisia: UN expert praises democratic progress since Revolution, says more needed for LGBT persons’, and to his preliminary observations of the same date on his visit to Tunisia,
- having regard to the concluding observations of 24 April 2020 on the UN Human Rights Committee’s sixth periodic report on Tunisia and to the Human Rights Committee statement of 4 March 2020 entitled ‘Human Rights Committee asks Tunisia about state of emergency and torture, urges human rights protection in counter-terrorism’,
- having regard to the concluding observations of 2 September 2021 on the combined fourth to sixth periodic reports on Tunisia of the UN Committee on the Rights of the Child,
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which Tunisia ratified in 1985 and to which it withdrew its reservations in 2014,
- having regard to the National Action Plan (NAP) on Women, Peace and Security 2018-2022, adopted in 2018,
- having regard to the OECD publication of December 2020 entitled ‘Economic Monitor, Fall 2020: Rebuilding the Potential of Tunisian Firms’,
- having regard to the International Covenant on Civil and Political Rights, to which Tunisia is a party,

- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas over 10 years after the unprecedented 2011 protests which saw Zine Abdin Ben Ali step down, protests in the country continue, especially as a result of the concerning events following the concentration of powers in the hands of current President Kais Saied, who, in a televised speech on 25 July 2021, decided to dismiss Prime Minister Hichem Mechichi and his government, suspend Parliament for an extendable period of 30 days, waive the immunity of all Members of Parliament and grant himself judicial powers;
- B. whereas on 11 October 2021, President Kais Saied approved a new government selected by the newly appointed Prime Minister, Najla Bouden Romdhane; whereas, under the 2014 Constitution, both the President and the Prime Minister shared executive powers;
- C. whereas the offices of the National Authority against Corruption were forced to close on 20 August 2021 and no reasons therefor were provided; whereas the personal data of thousands of whistleblowers have been seized by the Ministry of the Interior;
- D. whereas thousands of public figures and civil society actors have allegedly been placed under a travel ban without a warrant, while dozens have been placed under house arrest and state surveillance;
- E. whereas on 22 September 2021, the President issued Presidential Decree 117 suspending the Constitution with the exception of its preamble and its first two chapters; whereas the President granted himself full legislative power to modify by decree the laws governing political parties, elections, the judiciary system, unions and associations, freedom of the press and freedom of information, the organisation of the justice department, internal security forces, human rights and freedoms, the Personal Status Code, internal security forces, customs and the state budget;
- F. whereas the EU has provided Tunisia with EUR 2 billion in direct grants to support its democratic transition, including EUR 260 million in 2020 and EUR 200 million, as of June 2021, as part of its macrofinancial assistance;
- G. whereas, in the current context, civil society groups are warning of a drift away from democracy; whereas Tunisia has a vibrant civil society, with numerous activists, community leaders, academics, artists and youth groups mobilising and calling for urgent reforms, including as regards anti-corruption;
- 1. Expresses its gravest concern at the current state of democracy and the rule of law in the country and, in particular, at the protraction of the concentration of executive, legislative and judicial powers in the hands of President Kais Saied;
- 2. Calls on the President to urgently repeal the state of exception and to immediately restore a fully fledged parliamentary democracy and the proper functioning of the executive, legislative and judicial powers, including the separation of powers; calls for the full respect of the independence of the judiciary;
- 3. Calls for the adoption of a clear roadmap detailing the next steps and timeline for Tunisia's current political transition and the end of exceptional measures, and taking

into consideration the socioeconomic plans of the newly-appointed government, the future of the current political system, including its parliament, the 2014 Constitution and the possibility of early legislative elections;

4. Urges the President to reinstate, as a matter of urgency, the full functioning of independent state regulatory bodies, including the provisional body for the review of the constitutionality of laws and the National Anti-Corruption Authority;
5. Stresses the importance of the contribution of civil society, academics, lawyers, journalists, activists and human rights defenders in a vibrant, democratic and open society; reiterates the need to establish an inclusive national dialogue with the participation of all national stakeholders, including political parties, civil society organisations and citizens;
6. Calls for the EU and its Member States to support grassroots activists and civil society actors working on reforms and anti-corruption in Tunisia, and to pursue an approach that supports bottom-up stabilisation and democratic efforts;
7. Recalls its strong support for all human rights defenders in Tunisia and their work; calls on the EU delegation and Member States' representations in the country to strengthen their support for civil society in their engagement with the Tunisian authorities, and to use all available instruments to increase their support for human rights defenders' work and, where appropriate, to facilitate the issuance of emergency visas and provide temporary shelter in the Member States;
8. Remains concerned about the respect for fundamental rights in the context of the state of emergency and calls for the urgent restoration of the rule of law in the country;
9. Takes note of the appointment of Prime Minister Najla Bouden, but remains extremely concerned about the retention of executive powers by the President via Presidential Decree 117 of 22 September 2021; calls on the President to urgently repeal said presidential decree;
10. Calls for gender equality in Tunisia to be upheld as a matter of urgency and calls, in particular, on the Tunisian authorities to put an end to discrimination in law against women in the areas of inheritance rights, child custody rights, the right to be a householder, the right to parental leave, and labour rights, particularly for domestic workers and women agricultural workers; welcomes the 2017 law on the elimination of violence against women and girls and calls for its full implementation;
11. Deplores the continued use of criminal law to unduly persecute non-normative sexual orientations and gender identities, which is at the root of endemic discrimination, and acts of physical and psychological violence, which impede access to justice for LGBTI people and lead to their exclusion from the health, education, employment and housing sectors;
12. Is concerned by the retention of the death penalty in the Tunisian legal order; while noting that no capital punishment has been carried out since the entry into force of the moratorium, deplores the fact that death sentences continue to be handed down, with 89 people currently on death row in Tunisia; calls on Tunisia to fully abolish the death

penalty;

13. Urges for reform towards the abolition of military courts in Tunisia; recalls that military courts continue to operate under the 1957 Code of Military Justice, which permits military trials of civilians for insulting the military or undermining its morale, in addition to national security-related crimes such as treason and espionage;
14. Expresses its full commitment to facilitating and supporting the rule of law, democracy and human rights in the country; calls on the Commission to continue assisting the Tunisian authorities, including through macroeconomic assistance and the COVAX initiative, provided that human rights and democratic principles are respected, in line with Article 2 of the EU-Tunisia Association Agreement; calls for improved cooperation between the EU and its Member States, on the one hand, and international donors, on the other, in order to respect financial commitments to the country, while ensuring a positive contribution to the socioeconomic situation of the people of Tunisia; calls on the Commission to relaunch its tripartite dialogue with Tunisia's civil society and the Tunisian authorities;
15. Calls on the VP/HR, the European External Action Service and the Member States to continue to pressure Tunisia's political representatives towards democratic reform, including anti-corruption measures, an independent judiciary and gender equality;
16. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, and the Government and the National Parliament of Tunisia.