



Plenary sitting

B9-0528/2021

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))

Michael Gahler, David McAllister, Željana Zovko
on behalf of the PPE Group

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

The European Parliament,

- having regard to its previous resolutions on Tunisia, in particular that of 14 September 2016 on the EU relations with Tunisia in the current regional context¹,
- having regard to its resolution of 25 February 2016 on the opening of negotiations for an EU-Tunisia Free Trade Agreement²,
- having regard to the final report of the EU Election Observation Mission on the presidential and parliamentary elections in Tunisia on 15 September and 6 October 2019,
- having regard to Association Agreement between the European Union and Tunisia, and to the various thematic meetings within its framework in 2019 and 2020,
- having regard to the International Monetary Fund Executive Board Conclusions of 26 February 2021 under the Article IV Consultation with Tunisia,
- having regard to the joint communiqué of 4 June 2021 on EU-Tunisia relations entitled ‘For a renewed partnership’,
- having regard to Tunisian President Kais Saied’s decision to invoke Article 80 of the Constitution on 25 July 2021,
- having regard to Tunisian Presidential Decree No 2021-69 of 26 July 2021, terminating the functions of the Head of Government and members of the Government,
- having regard to Tunisian Presidential Decree No 2021-80 of 29 July 2021, relating to the suspension of the powers of the Assembly of People’s Representatives,
- having regard to Tunisian Presidential Decree No 2021-109 of 24 August 2021, relating to the extension of exceptional measures relating to the suspension of the powers of the Assembly of People’s Representatives,
- having regard to the declaration by the High Representative of the Union for Foreign Affairs and Security Policy on behalf of the European Union of 27 July 2021,
- having regard to the comments by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Josep Borrell during his visit to Tunis of 10 September 2021,
- having regard to Tunisian Presidential Decree No 2021-117 of 22 September 2021,

¹ OJ C 204, 13.6.2018, p. 100.

² OJ C 35, 31.1.2018, p. 117.

relating to exceptional measures,

- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas Tunisia is a privileged partner of the EU, and continuous help and support has been a priority, with Election Observation Missions in 2011, 2014 and 2018 confirming the EU's unwavering commitment to democracy in Tunisia; whereas this year's 10th anniversary of the Tunisian Revolution marks an important moment in Tunisia's democratic development;
- B. whereas the socio-economic situation has been characterised by a difficult period of economic stagnation, related to the internal political context and exacerbated by COVID-19 pandemic and the lack of tourism, and with high levels of youth unemployment, inflation and security challenges mostly deriving from the situation of neighbouring countries, regional marginalisation and endemic corruption; whereas addressing the root causes is key to preventing further deterioration on the ground for the Tunisian people, as well as to maintaining stability and security in the country;
- C. whereas, against this backdrop, President Kais Saied invoked Article 80 of the Tunisian Constitution on 25 July 2021, which empowers him to enact exceptional measures in order to deal with an imminent danger to the state, and whereas he announced the dismissal of Prime Minister Hichem Hachichi, the suspension of the Assembly of People's Representatives for an indefinite period of time, the lifting of the parliamentary immunity of all deputies and the appointment of a new government; whereas the absence of a Constitutional Court, and the resulting inability of members of parliament to lodge an appeal against a unilateral extension by the President of the emergency situation, as established in the corresponding article of the constitution, as well as the indeterminate character of the suspension, have given rise to strong concerns about the Tunisian democratic transition and fundamental rights;
- D. whereas on 22 September 2021, the President issued Presidential Decree No 2021-117, which contains provisions affirming the self-supremacy and primacy of the decree over the constitution, thereby undermining the constitution, and concentrates all of the powers of the State in the person of President Kais Saied; whereas the constitution's provisions on rights and freedoms will only be respected and guaranteed when they do not contravene laws based on presidential decrees and the exceptional measures; whereas this concentration of powers has been vested in the president indefinitely, and whereas, in a democracy, the balance of powers and the separation of powers must prevail;
- E. whereas the initial reactions of the people in Tunisia showed acceptance and support for the President's initiative, which reveal the extent of public discontent with the serious socio-economic situation and the severe governmental dysfunction the country was facing; whereas, however, current public opinion and the political parties are divided within civil society, with rallies organised on Sundays in support of, as well as in opposition to, President Kais Saied; whereas 18 local and international NGOs have issued a joint declaration warning about the situation of democracy in Tunisia; whereas the G7 has called on Tunisia to return to a constitutional order and for parliamentary activities to be resumed;

- F. whereas civil society in Tunisia is well developed and consolidated, and national dialogue is one of the country's particular traits; whereas freedom of the press and freedom of publication are essential components of an open, free and democratic society; whereas since July, civil society has neither been included in the national dialogue nor has it been consulted in the steps taken by President Kais Saied;
- G. whereas the Tunisian economy is highly dependent on foreign investment, tourism and exports of products to the EU; whereas Tunisia's current account and fiscal deficits require solid structural reforms according to the World Bank; whereas the EU is Tunisia's largest trade partner, accounting for 57.9 % of its trade in 2020, with 70.9 % of Tunisia's exports going to the EU and 48.3 % of its imports coming from the EU; whereas the economy can only flourish if democracy is restored and security and stability are ensured;
- H. whereas the COVID-19 pandemic has exacerbated the already fragile situation in Tunisia; whereas there have been shortages of the oxygen supplies and vaccines needed for an effective response to the health crisis; whereas the EU recently released EUR 700 000 from its Epidemics Tool to give support to Tunisia in facing the COVID-19 pandemic, and whereas individual Member States have also provided Tunisia with substantial financial and humanitarian aid, including extensive supplies of medical devices and vaccine doses;
- I. whereas since 2011 the EU has invested strong and continuous efforts in support of Tunisia, providing very substantial financial assistance, with many instruments such as the European Neighbourhood Instrument, the Development Cooperation Instrument, the Instrument contributing to Stability and Peace, the European Development Fund and Macro Financial Assistance; whereas all of the above-mentioned financial instruments aim to promote democracy, the rule of law, political dialogue, reforms, and media pluralism, to eradicate poverty, and to support democratic institutions, civil society and good governance; whereas for the period from 2021 to 2027, the EU will replace the various instruments with the new Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe, and whereas consolidating, supporting and promoting democracy, the rule of law and respect for human rights is one of the main objectives of the EU's external assistance provided under the instrument;
- J. whereas the EU's commitment to stepping up its efforts to promote democracy was reiterated in the EU Action Plan on Human Rights and Democracy, adopted by the Council in November 2020;
1. Reaffirms its commitment to the partnership between the EU and Tunisia, and to Tunisia's democratic process; reiterates that respect for the rule of law, the constitution and the legislative framework must be preserved, and that a properly functioning and legitimate parliament is needed, as it constitutes the institution which represents the people; deplores, therefore, the indefinite suspension of the Tunisian Parliament since 24 August 2021 by President Saied, and calls for the resumption of parliamentary activity as soon as possible, with adherence to all democratic standards; calls on the Members of the Tunisian Parliament to assume their responsibilities, as bestowed by the people, within a functional parliament, to work towards the economic development of

the country and to prevent an outbreak of violence and division;

2. Takes note of the demand of at least 73 Members of the Tunisian Parliament for the resumption of parliamentary sessions; strongly underlines that the Parliament is an essential institution of democracy and necessary for any constitutional reform; highlights that the absence of a Constitutional Court in Tunisia permits a far-reaching interpretation and application of Article 80 of the Constitution and prevents the Members of Parliament from lodging an appeal in order to obtain a legal judgment concerning its suspension and the additional measures taken by the President on the basis of Article 80;
3. Reiterates the call of the VP/HR for the restoration of institutional stability as soon as possible, and, in particular, for respect for fundamental rights and abstention from all forms of violence;
4. Notes the nomination of Najla Bouden Ramadhan as Prime Minister on 29 September 2021 and the designation of the Cabinet of Ministers on 11 October; welcomes the appointment of women as ministers;
5. Calls on the Tunisian authorities to respect the constitution and to ensure that the fundamental rights of all citizens are respected; recalls the inalienable character of fundamental and human rights, and their unconditional supremacy, and calls for the re-establishment of the constitution as primary law; calls on the authorities to avoid the legal uncertainty created when imposing travel bans and house arrests; considers the trials of civilians held by military courts as highly problematic and calls for an end to such trials;
6. Insists that any changes to the constitution and the political system can only take place within the boundaries of the constitution; is concerned that Presidential Decree No 2021-117 has established the indefinite concentration of powers in the president's hands; takes notes of the criticism by the Tunisian League for the Defence of Human Rights and other civil society organisations of the concentration of powers in the hands of the president; underlines that in a democracy, the balance of powers and the separation of powers must prevail;
7. Highlights the urgent need to overcome the socio-economic crisis the country is facing with structural reforms and policies, and welcomes the prioritisation of economic recovery and the fight against corruption in Prime Minister Bouden's programme; calls on all stakeholders to resume an effective and inclusive national dialogue in order to put an end to the extraordinary measures, return to the political process and reinforce democratic institutions, as well as the process of structural reforms and socio-economic recovery; reaffirms the EU's unwavering commitment to support Tunisia in overcoming the financial and economic crisis which has been exacerbated by the COVID-19 pandemic, as well as on its path towards further democratic consolidation; calls on the Commission and European External Action Service to step up their dialogue with the Tunisian authorities, economic entities and Tunisian civil society;
8. Underlines that a common understanding of the rule of law, democracy and human rights is the primary foundation of a strong EU-Tunisia partnership; stresses the need for stable and functional institutions in order to make progress with the necessary

structural reforms needed to obtain an International Monetary Fund bailout loan;

9. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the President of Tunisia, the Government of Tunisia and the Tunisian Parliament.