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## **“Neighbourhood Co-operation Priorities for Tunisia 2012-2014”**

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## **I. INTRODUCTION**

### **Council of Europe policy with regard to its immediate neighbours**

At its 121st session on 11 May 2011 in Istanbul, the Committee of Ministers took note of the Secretary General's proposals concerning Council of Europe (CoE) policy with regard to its immediate neighbours, and invited him to draw up action plans for the implementation of this policy, for approval by the Committee of Ministers.

The CoE policy with regard to its immediate neighbours is organised around the following three objectives:

- to facilitate the political transition to democracy;
- to help promote good governance on the basis of the relevant CoE standards and mechanisms;
- to reinforce and broaden the regional work of the CoE in combating transfrontier and global threats.

To that end, a general framework for co-operation with countries which are its immediate neighbours has been put in place, providing in particular for:

- dialogues for co-operation with neighbouring countries;
- priorities for co-operation with neighbouring countries.

Co-operation tools include advice, observation of elections, parliamentary co-operation, participation in the relevant CoE structures, activities and accession to CoE conventions applicable in the sphere of good governance and the rule of law, as well as partial agreements.

This co-operation, which is entirely governed by the CoE's principles and standards ("benchmarks"), is particularly designed to meet the requirements of the countries concerned. Thus, areas of co-operation with these countries which are neighbours of the CoE, are decided in accordance with the specific needs expressed by each country, with reference to the shared values of human rights, the rule of law and democracy.

### **CoE - Tunisia relations**

Tunisia is a constitutional republic.

In early 2011 the Tunisian revolution paved the way for the "Arab spring". The first historic step towards democracy was the election of the National Constituent Assembly on 23 October 2011. International observers, notably those of the CoE Parliamentary Assembly (PACE) and the European Parliament, concluded that the election process had been fair and transparent, that polling had taken place calmly and non-violently and that the Tunisian people had expressed their wishes freely and with dignity. The judicial system had managed to deal effectively with the limited number of irregularities. The democratic outcome of the elections is confirmed by the fact that the 217 seats in the National Constituent Assembly are shared among 11 political parties and 16 independent lists.

At its first meeting, on 22 November 2011, the National Constituent Assembly elected its president. On 12 December it elected Moncef Marzouki President of Tunisia, replacing interim President Fouad Mebazaa. On 14 December Hamadi Jebali was appointed Head of the Tunisian government.

The “Arab Spring” revealed the full relevance of the CoE’s policy towards its neighbouring regions, since developments in Tunisia and other countries raise the fundamental issues of human rights, the rule of law and democracy which lie at the heart of the CoE’s mandate. It is in this context that Tunisia has manifested its interest in strengthening co-operation with the CoE by identifying priority lines of co-operation and setting-up joint activity programmes.

The CoE policy in relation to its neighbours does indeed offer a suitable framework in which to place at the disposal of countries in the southern Mediterranean region, and particularly Tunisia, the experience and expertise acquired by the CoE in assisting emerging democracies. To this end, as part of the dialogue for co-operation with neighbouring countries, several high-level meetings were held between February and December 2011: the visit to Tunis by the Secretary General of the CoE together with the Chair of the Committee of Ministers, the Secretary General’s meetings with the Minister-Delegate to the Prime Minister of Tunisia in Strasbourg, with the State Secretary from the Tunisian Ministry of Foreign Affairs in Bled (Slovenia) and with the Tunisian Minister for Foreign Affairs in New York, all of these meetings having given renewed impetus to relations between Tunisia and the CoE. In the framework of this dialogue the two parties confirmed their mutual desire to deepen, broaden and structure co-operation between Tunisia and the CoE.

A delegation of senior CoE officials visited Tunisia in October 2011 in order to identify, in conjunction with the Tunisian authorities concerned, possible areas of co-operation. In addition, specific discussions were held in November and December 2011 on the feasibility of a project to establish a School of Political Studies in Tunisia as well as the country’s possible accession to the North-South Centre in Lisbon.

### **Institutional co-operation**

The CoE has been co-operating with Tunisia for many years in a wide-range of areas. Tunisia, which acceded to the Venice Commission in 2010, took advantage of this to prepare for the October 2011 elections, thanks particularly to several training activities for electoral, media and justice personnel. The country has also had observer status with the European Pharmacopoeia since 1987 and has participated in the Pompidou Group’s Mediterranean Network (MedNET) since 2006.

Tunisia is a contracting party to the [Convention on the Conservation of European Wildlife and Natural Habitats](#) (Bern Convention), the [European Agreement concerning Programme Exchanges by means of Television Films](#), the [Anti-Doping Convention](#) and its [Additional Protocol](#). In the past Tunisia has sought accession to several CoE conventions and continues to show interest in acceding to certain legal instruments.

As regards the PACE, Tunisian parliamentary delegations have been regularly invited to Strasbourg since the adoption of [Resolution 1598 \(2008\)](#) on strengthening co-operation with the Maghreb countries. In [Resolution 1791](#) of 27 January 2011, the PACE welcomed the democratic choice of the Tunisian society, and offered the CoE’s political support and assistance in its transition. During his visit to Tunisia (January 2011), the President of the PACE explained the possibilities opened up by the “PACE partner for democracy” status. The PACE Presidential Committee travelled to Tunisia in April 2011.

In [Resolution 1819](#) and [Recommendation 1972](#), adopted on 21 June 2011, the Assembly listed a number of fields for co-operation between the CoE and Tunisia, notably during the period following the election of the National Constituent Assembly.

Preliminary contacts between the Tunisian authorities and the secretariat of the Partial Agreement on the CoE Development Bank (CEB) took place early 2012 to explore the possible involvement of the CEB in developing projects in Tunisia. This fact-finding phase could lead to later contacts with the CEB.

## II. FRAMEWORK FOR FUTURE CO-OPERATION

### Main objectives

This document is a flexible, dynamic strategic tool setting out a detailed framework for co-operation between Tunisia and the CoE for the period 2012-2014.

It is intended to assist the process of democratic transition in Tunisia and help the country tackle challenges relating to human rights, the rule of law and democracy.

The main objectives assigned to this co-operation may be summarised as follows:

- for Tunisia to benefit from the CoE's experience in establishing democracy, notably by providing expertise, good practice, training, advice, elections observation, sponsorship, internships etc.;
- to consolidate Tunisia's presence in the CoE structures with which it has already established co-operation (Venice Commission, European Pharmacopoeia, Pompidou Group MedNet network) and to encourage its participation in other partial agreements and mechanisms;
- to bring Tunisian legislation into line with CoE standards, with a view to the possible ratification of a certain number of the Organisation's conventions open to non-member States, in conformity with the procedures described in the relevant conventions.

The main spheres of action presented in this paper have been identified on the basis of the national priorities established by the Tunisian authorities, within the CoE's areas of expertise. The co-operation framework also takes into account the activities of other organisations and certain partner States. The work of the CoE in the region will be designed above all to foster synergies among all those involved in order to avoid duplication.

The presentation of the co-operation activities covered here follows the **structure** of the CoE's programme of activities, with its three pillars: (I) human rights (II) the rule of law and (III) democracy.

### Implementation

A variety of methods are employed in order to target co-operation and match activities to the nature of the needs and of the beneficiaries. These methods entail:

- Helping the authorities to assess the existing legal and institutional framework and identity needs;
- Helping the authorities to draw up legislative texts, general and sectoral policies on the basis of the assessments made and of European and international standards;

- Sharing experience and exchanging good practice through the organisation of round tables and expert working groups (national and regional);
- Associating and involving the largest possible number of suitable participants in the discussion and implementation of recommendations, action and programmes through the organisation of conferences and seminars;
- Transferring knowledge and skills on specific subjects by way of training (including teacher training and courses);
- Generating awareness among key participants and the public.

Some projects and programmes might be given a regional dimension in order to promote co-operation between countries on the southern shore of the Mediterranean. This regional approach is already pursued in the context of the Pompidou Group's MedNet network and the work of the North-South Centre in Lisbon.

Joint technical committees will be set up to decide on the detail of co-operation programmes and the activities to be implemented.

In close collaboration with the Tunisian authorities, the Secretary General of the CoE is examining the possibility of establishing a local operational presence in Tunis to oversee the implementation of activities in conjunction with the national and international partners active in the field.

**The follow-up to the implementation** of co-operation with Tunisia will be the responsibility of the Committee of Ministers of the CoE and notably its Rapporteur Group on External Relations (GR-EXT). The GR-EXT will be regularly updated by the Secretariat on the progress of the programmes and projects. For this purpose the Office of the Director General of Programmes will prepare a mid-term stocktaking report and a final assessment report.

Follow-up and evaluation of the co-operation programme's implementation will be jointly carried out by the CoE and the Tunisian authorities while meeting the requirements and conditions set by the various donors.

### **The European Union, a key partner**

The CoE and the European Union (EU) work closely together in the southern Mediterranean region in the framework of the Joint Programme [Strengthening democratic reform in the southern Neighbourhood](#). This programme could be amplified by bilateral support from the EU Delegation in Tunis.

A pilot committee representing the Tunisian authorities, the CoE and the EU will support, monitor and evaluate the implementation of the projects described in this paper and backed by the EU.

### **Funding**

Apart from the CoE's contribution (expertise, advice, co-ordination), the Organisation's co-operation with neighbouring regions will be funded by extra-budgetary resources such as the above-mentioned joint programme with the EU, for a total of € 4,800,000 over a three year period (January 2012 to December 2014). The priorities referred to in this paper will also be implemented through voluntary contributions from other national and international partners and donors.

## 1. HUMAN RIGHTS

### **Protection and promotion of human rights**

#### **1.1. Gender equality**

Tunisia, which is a pioneer in promoting the status of women in the Arab world, has a legal arsenal for the protection of women's rights. It is the first country in the region to have lifted all the specific reservations set out in the [United Nations Convention on the Elimination of all forms of Discrimination against Women](#), and one of the only two countries in the region to have adopted the optional protocol concerning individual complaints. It is of the utmost importance that, at this time of change, marked improvements in respect of women's rights be preserved. For Tunisia, the next step will be to ensure that all the domestic law provisions are harmonized with international standards and that they serve to curb discrimination against women.

**Overall objective:** to consolidate and promote the rights of women and reduce inequalities.

#### **Expected results:**

- national legislation and practice are better harmonised with international treaties and conventions already ratified;
- institutional capacities are strengthened in this sphere through tangible actions to: (a) promote gender mainstreaming in national legislation and policies; (b) update/introduce new tools into the work of the Observatory on the Status of Women such as to improve methods of observing Tunisian society; (c) establish an institutional network (initially at national level, then Euro-Mediterranean as appropriate) to organise exchanges;
- the capacity of the various institutional players involved and of civil society is strengthened through tangible actions aimed at: (a) giving independence to young female youth leaders by means of relevant training; (b) promoting women's participation in public life, especially politics and decision-making processes;
- greater awareness in the field of women's rights and participation in particular through seminars.

**Partners:** Ministry of Women's Affairs; Centre for Research, Study, Documentation and Information on Women (CREDIF); Observatory on the Status of Women; civil society; CoE Conference of INGOs and North-South Centre Network (organisations of youth partners, representatives of women in civil society, media, local and regional organisations, MPs and government bodies).

#### **1.2. Preventing violence against women**

The Tunisian authorities and the CoE will work together to bring Tunisian legislation closer to the relevant international standards, in particular, the [CoE Convention on preventing and combating violence against women](#).

**Overall objective:** to combat violence against women and domestic violence.



**Expected results:**

- the legislation is better harmonised with the CoE Convention on preventing and combating violence against women;
- institutional capacities are strengthened through practical actions aimed at: (a) drawing up an action plan in conjunction with various players (governments and civil society) in order to support the national strategy for prevention of violent behaviour within the family and society; (b) collection of relevant statistics by the Observatory on the Status of Women;
- the capacities of the professionals concerned are strengthened through training programmes, including relevant CREDIF programmes (training of trainers);
- greater awareness of violence against women through seminars for Tunisian officials and law enforcement personnel.

**Partners:** Ministry of Women's Affairs; Ministry of Public Health; Ministry of the Interior; Ministry of Justice and Ministry of Religious Affairs; National Commission on "Women and Development"; CREDIF; civil society; media; Observatory on the Status of Women.

**1.3. Protecting children against violence**

Tunisia has been a contracting party to the [United Nations Convention on the Rights of the Child](#) since 1992. The CoE has the appropriate expertise to offer its assistance with regard to protecting children against violence, based on a series of its conventions.

**Overall objective:** to support preventive action to combat violence against children and strengthen the ability of professionals to identify children who are victims of abuse, violence and trafficking, and to protect and help them.

**Expected results:**

- legislation and practice are better harmonised with the [CoE Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#);
- institutional capacities are strengthened through practical action designed to identify cases of violence against children and to intervene in a pluri-disciplinary manner;
- the capacities of professionals (inspectorates, educators, psychologists and social workers) are strengthened in the field of violence against children and the right of the child, including in identifying the victims of violence;
- greater awareness-raising among children about sexual abuse and corporal punishment through child education programmes, especially for those in situations of vulnerability, production of educational materials and support to civil society initiatives.

**Partners:** Ministry of Justice; Ministry of Women's Affairs; Ministry of the Interior; Ministry of Education; Ministry of Social Affairs; Ministry of Public Health; civil society; North-South Centre.

#### 1.4. Integration of disabled persons

Tunisia was among the first states to ratify the [United Nations Convention on the Rights of Persons with Disabilities](#) and its [Optional Protocol](#) in 2008.

**Overall objective:** to promote the rights of disabled persons and improve their quality of life, in accordance with the [United Nations Convention on the Rights of Persons with Disabilities](#) and taking into consideration the CoE Action Plan for disabled persons 2006-2015.

**Expected results:**

- assessment of Tunisia's legislation, policies and practice in order to identify any shortcomings and areas where improvement is needed;
- preparation of a national strategy and a national action plan;
- the capacities of national key players are strengthened, notably through trainings.

**Partners:** Ministry of Social Affairs; Ministry of Education; Ministry of Human Rights and the Transitional Justice System.

#### Guaranteeing social rights and promoting health

##### 1.5. Drug abuse and illicit trafficking (Pompidou Group)

Since 1999, Tunisia has regularly taken part in the Pompidou Group seminars. In 2009 it joined the MedNet network. Based on its existing Mediterranean network that operates in Tunisia, the Pompidou Group concentrates its efforts along two main lines: first, 'filling the gap' between the existing legal provisions and the realities in term of law enforcement, treatment and prevention facilities, and secondly, providing technical assistance in setting up the required drugs monitoring mechanisms in close co-operation with the countries concerned. These mechanisms will help lay the grounds for public policies on drugs and drug addiction.

**Overall objective:** to improve the public health sector in Tunisia by stepping up the fight against drug abuse and trafficking by implementing measures to reduce both the supply and demand.

**Expected results:**

- assessment of the drugs legislation in relation to the drug users' needs for treatment;
- establishment of a framework for the introduction of a national data collection system on drug supply and demand, which will help in the setting-up of a national drugs and drug addict observatory;
- professional skills are strengthened by supporting the creation of a master's degree in addictology at the Tunis Faculty of Medicine;
- improvement of the drug addiction prevention strategy based on the MedSPAD survey.

**Partners:** Ministry of Public Health; Ministry of Justice; Ministry of Education; Ministry of the Interior; Ministry of Higher Education; Ministry of Youth and Sport; Ministry of Social Affairs; MedNet network in Tunis; faculties of medicine, faculties in relation to health, law and sociology; treatment centres for addicts; civil society (European Observatory of Drugs and Drug Addiction).

## 1.6. Combating the counterfeiting of medical products

As an observer with the European Pharmacopoeia, Tunisia has established excellent co-operation with the CoE over a number of years in the field of harmonisation and co-ordination of standardisation, regulation and quality control of medicines. Continuing co-operation with Tunisia in this field could possibly pave the way for the swift accession of Tunisia to the [CoE Convention on the counterfeiting of medical products and similar crimes involving threats to public health](#).

**Overall objective:** to prepare for Tunisia's accession to the CoE Convention on the counterfeiting of medical products and similar crimes involving threats to public health.

**Expected results:** consolidation of the system for registering medicines and quality control of imported medicines through substantial support for the National Medicines Control Laboratory (LNCM), the Pharmacy and Medicines Directorate (DPM) and the Pharmaceutical Inspectorate (DIP), which form the backbone of the national medicines control system.

**Partners:** Ministry of Public Health; Ministry of Trade and Industry.

## 1.7. Promotion of public health

In [Resolution no. 1831\(2011\)](#) the PACE "calls on the CoE Development Bank to examine the possibility of helping emerging democracies in the Arab world in Europe's neighbourhood and civil society in the countries concerned to the fullest extent possible and on the basis of specific arrangements."

In order to give tangible effect to this gesture of solidarity, the Tunisian authorities propose that financial co-operation be set in this framework to assist in the refurbishment and equipping of a public hospital in a disadvantaged region of the country.

**Overall objective:** to strengthen the public health services for the inhabitants of the most disadvantaged regions.

**Partners:** Ministry of Public Health; local authorities.

## 2. RULE OF LAW

### Justice

#### 2.1. Independence and efficiency of the justice system

Following the parliamentary elections held to appoint the National Constituent Assembly, the drafting of the new Tunisian Constitution will be supplemented by the drafting of statutory and sub-statutory legislation, as well as the design of strategies and state policies in the field of justice. The capacity of the Tunisian High Institute of Magistrates and the institutions in charge of the independence of the justice system should be strengthened, while the legal framework and justice sector policies should be assessed and possibly improved. The efficiency of justice needs to be scrutinised, and Tunisian judicial authorities and legal practitioners should be given additional means for the implementation of legislation and policies.

**Overall objective:** to enhance the independence and efficiency of judiciary by improving court performance, by facilitating judicial reform and by improving the legislation pertinent to the judicial system.

**Expected results:**

- enhancement of the efficiency and quality of the judicial system;
- reform of the judiciary facilitated by (1) dissemination of the relevant international standards applicable; (2) preparation and submission to the Tunisian authorities of a needs assessment of the judicial sector, including recommendations aimed at improving the independence, professionalism, accessibility and transparency of the judicial system;
- the capacities of legal authorities and professionals to implement the new legislation and sectoral policies are strengthened;
- technical assistance is provided in the field of transitional justice according to needs and in the shortest possible time.

**Partners:** Ministry of Justice, Ministry of Human Rights and the Transitional System of Justice; Ministry of the Interior; High Institute of Magistrates; bar associations; National Constituent Assembly; and then Parliament (once elected).

**2.2. Prisons and police**

**Overall objective:** To improve the legislative and institutional framework and human resources of police and penitentiary based on the relevant European and international standards and on CoE expertise.

**Expected Results:**

- Assessments of the legislative framework in this area are carried, and recommendations are made on how to better harmonise it with CoE and other international standards;
- An assessment of the institutional framework is carried out, and recommendations are made for a better harmonisation of prison and law enforcement national policies and strategies with CoE and other international standards;
- A comprehensive national strategy on development of the penitentiary system and the law enforcement is developed and presented to the national authorities with a view to its adoption and implementation;
- Capacities of the police, penitentiary service and other agencies dealing with law enforcement in guaranteeing full observance of fundamental rights are improved;
- Capacities of the police to intervene in cases of public demonstrations (riot control) and public manifestations (crowd management) without inflicting violation of human rights are reinforced.

**Partners:** Ministry of Justice, Ministry of Interior, enforcement agencies, penitentiary services.

**Common standards and policies****2.3. European Commission for Democracy through Law (Venice Commission)**

In its transition towards democracy, priorities for Tunisia are the constitutional process, the electoral process and the functioning of political institutions.

The first step for the country is to adopt a Constitution laying down the rules that must govern the State at the highest level, in accordance with international standards. Once the Constitution is ready, an electoral code will need to be drafted, as well as other statutory and sub-statutory legislation. The legislation in force will also need to be aligned with European and international standards. Democratic elections will have to be ensured, starting from those scheduled for early 2013, for which the Venice Commission can provide electoral assistance.

Tunisia being a member of the Venice Commission, its authorities have direct access its constitutional and legislative expertise, especially in the fields of human rights (freedom of assembly, association and expression) and judicial independence. In this context the authorities can benefit from events allowing for exchange of experience.

Furthermore, should the Constituent Assembly decide to set up a Constitutional Court, the Venice Commission could assist in the drafting of the relevant constitutional and legislative provisions. Once the court established, it could also provide assistance to it, including in its integration into regional and global networks of constitutional courts.

This activity could comprise a regional dimension, aimed at promoting co-operation between the countries of the region.

**Overall objective:** to further develop democracy and the rule of law in Tunisia by developing stable and democratic legal framework and practices, on the basis of European and international standards.

**Expected results:**

- contribute to thematic discussions, in the framework of the process of reform and the drafting of the Constitution and other major legislation;
- strengthening the influence of the Constitutional Court (if set up under the new Constitution) relative to other state authorities, in particular by establishing dialogue with the Venice Commission and other courts in the region.

**Partners:** National Constituent Assembly, (later) Parliament; competent ministries; Constitutional Court (if set up).

**2.4. The information society and Internet governance; freedom of expression; independence of the media**

**Overall objective:** to promote freedom of expression and independence of the media based on the relevant CoE standards and expertise.

**Expected results:**

- a legal and social environment more conducive to the work of journalists and the media is developed, which provides broader safeguards for freedom of expression, independence of the media and public access to information;
- the capacities of the judicial and enforcement authorities, as well as government officials are strengthened, with regard to freedom of expression and media standards in a democratic society;

- the capacities of journalists and senior editors/editorial boards of broadcasting print and online media to engage in responsible journalism, including fair and balanced coverage of elections are strengthened;
- the public service media review, and if necessary, re-define their remit as required in a democratic society and review their governance arrangements with a view to ensuring independence, transparency, accountability and responsiveness to their various stakeholders;
- public awareness of freedom of expression and the media standards required for people's effective democratic participation and for political, social, and economic accountability.

**Partners:** public authorities specialised NGOs, professional associations, civil society, media.

### **Threats to the rule of law**

#### **2.5. Preventing and combating corruption and money laundering**

The process of democratic transition in Tunisia requires lasting reforms in the fight against corruption and money laundering, on the basis of international standards. Tunisia is a contracting party to the [United Nations Convention against Corruption, Resolution 1791](#) (2011) of the PACE on “the situation in Tunisia” calls on the Tunisian authorities, among other things, to “take resolute steps to curb corruption and nepotism, to investigate abuses of power committed by the former ruling elites, and to implement urgent social and economic reforms with a view to creating normal and equitable conditions for all those involved in the economy”.

Furthermore, in [Resolution 1819](#) (2011), on “the situation in Tunisia”, the PACE “calls upon the transition authorities and the future Tunisian authorities to put in place an effective anti-corruption mechanism.” It encourages the Tunisian authorities to step up and broaden co-operation with the CoE and to accede to the relevant legal instruments. The [Convention on Cybercrime](#), the [European Convention on Mutual Assistance in Criminal Matters](#) and the [Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism](#) are open to non-member states.

In the context of co-operation with the CoE, representatives of the competent bodies in Tunisia who express interest in doing so could be invited to take part in one of the plenary meetings of Group of States against Corruption (GRECO) for the purpose of exchanging views and sharing information.

Co-operation between Tunisia and the CoE in the fight against corruption and money laundering could also have a regional component, which appears increasingly necessary and would serve to promote co-operation among the States in the region as well as between them and the CoE member States.

**Overall objective:** to promote good governance by preventing and combating corruption and money laundering on the basis of the relevant European and international standards and of the relevant CoE instruments.

**Expected results:**

- A programme of work is drawn up in conjunction with the Tunisian authorities, setting out the priority action areas for reform with regard to prevention and combating corruption, money laundering and the financing of terrorism.

This programme is the outcome of a stocktaking exercise carried out in these fields using monitoring methodologies and mechanisms (GRECO and MONEYVAL) and appropriate questionnaires in accordance with the CoE and international standards and practices. This stocktaking exercise includes practical recommendations concerning the legislation in force, the institutional framework and sectoral risks. If appropriate, this assessment could include recommendations on the introduction of governance progress indicators in these fields, or the partnerships needed for effective action.

- Policy advice is formulated to key stakeholder institutions on establishing national anti-corruption and anti money-laundering policies / strategies / action plans. Assistance is also given for the preparation of perception surveys as a follow-up to the measures taken.
- The capacities of the various civil servants, law enforcement officials and the judiciary are strengthened in matters of preventing, prosecuting and adjudication of corruption, money laundering and the financing of terrorism offenses.
- Resources (tools, networks) are used to develop co-operation between financial intelligence units (FIUs) in support to the exchange of information concerning European and international instruments, particularly those related to Anti-Money Laundering and Counter-Terrorism Financing (AML/CTF) and especially the Financial Action Task Force (FATF) recommendations and Tunisian legislation on money laundering and the financing of terrorism.

**Partners:** Ministry of Justice, Ministry of Governance and the Fight against Corruption, Ministry of the Interior, other public bodies active in this field.

**2.6. Action to reconstitute unlawfully acquired assets and property**

**Overall objective:** On the basis of a formal request from the Tunisian authorities to this effect, the CoE could carry out an advice and support mission to Tunisia in order to decide what approaches might be adopted with regard to the restitution of assets and property held abroad by the former President and members of his entourage.

**Expected result:** An assessment report drawn up on the restitution of unlawfully acquired assets and property held abroad. This needs assessment report summarises the legal and procedural framework of the CoE's member states which is of relevance to the Tunisian authorities, and examines the Tunisian legal framework with particular reference to rules of evidence, the status of confiscation orders and other technical aspects which may be of paramount importance to the confidence of the Tunisian authorities' partners.

## **2.7. Fighting cybercrime**

Tunisia has established a Computer Emergency Response Team. However, it does not yet have cybercrime legislation that is fully in line with international standards such as the Budapest Convention on Cybercrime.

Other CoE treaties in this field, such as the Convention for the protection of individuals with regard to automatic processing of personal data, could assist Tunisia in its efforts to fight cybercrime. In 2004, Tunisia adopted data protection legislation based on European Union standards and established a data protection agency, “L'instance Nationale de Protection des Données à Caractère Personnel”.

**Overall objective:** To help Tunisia implement international standards on cybercrime.

### **Expected results:**

- assessments of the legal framework be carried out in order to bring Tunisian legislation more in line with the standards of the Convention on cybercrime;
- the capacities of the judicial and law enforcement services are strengthened in the field of cybercrime and electronic evidence;
- the capacities of the Tunisian authorities to co-operate at international level in the field of cybercrime are strengthened;
- establishment of an information and prevention platform on cybercrime;
- assessment of the effectiveness of data protection rules in Tunisia, including recommendations for its reinforcement.

**Partners:** National Data Protection Agency, Ministry of Justice, Ministry of Interior, National Agency for Computer Security (ANSI).

## **3. DEMOCRACY**

### **Democratic governance**

#### **3.1. Co-operation with the Parliamentary Assembly of the Council of Europe**

Tunisian delegations have regularly participated in PACE sessions in Strasbourg since 2008, when Resolution 1598 (2008) on strengthening co-operation with the Maghreb countries was adopted. Co-operation with the Tunisian authorities has further intensified following the Revolution of 14 January 2011. At the invitation of the Tunisian authorities, the PACE sent a pre-electoral mission to Tunisia in September 2011 and observed the elections to the National Constituent Assembly on 23 October 2011. Specific priorities are being defined with the National Constituent Assembly, and this process will continue with the future Tunisian Parliament.

**Overall objective:** familiarising the Tunisian authorities with European parliamentary and political practices, and contributing to strengthening democratic processes.



**Expected results:**

- contributing to the proper functioning of the Parliament via its Rules of Procedure and the role and responsibilities of the opposition ;
- sharing best practices in constitutional reform, in co-operation with the Venice Commission;
- the technical and administrative capacities of the secretariats are strengthened by providing members of parliaments and parliament staff wide exposure to the CoE standards in its core areas of work (human rights, including social rights, democratic standards, rule of law), including with a view to a possible future request by the Tunisian Parliament for Partnership for Democracy status with the PACE;
- strengthening contacts of the PACE and its committees with civil society organisations.

**Partners:** Constituent National Assembly, future Tunisian Parliament and civil society organisations.

**3.2. Democratic governance at local and regional level in co-operation with the Congress of Local and Regional Authorities**

It is planned for the new Constitution to introduce territorial decentralisation in Tunisia. With a view to encompassing this positive development, the [European Charter of Local Self-Government](#), as well as other tools developed by the CoE in this field - such as the Reference Framework for Regional Democracy - could be used as a reference for successfully achieving this crucial reform.

**Overall objective:** to contribute to the establishment of the institutional framework for local democracy in Tunisia.

**Expected results:**

- the ongoing reflexion about territorial organisation in Tunisia is built on international standards, as reflected in the CoE relevant legal instruments, and in particular the European Charter of Local Self-Government;
- the institutional capacities of local authorities are strengthened;
- contributing to sensitive aspects of the pre-electoral and post-electoral process, in addition to the elections observation (see 3.1 "Elections" below);
- the conditions for the creation of an association of local authorities are in place;
- awareness among governmental partners is raised on the principles of local self-government as set out in the European Charter of Local Self-Government and of the development of dialogue between the Government and locally elected representatives;
- co-operation with the Congress is developed, particularly through the association of local authorities and the participation of locally elected Tunisian representatives in the activities implemented with the Assembly of European Regions (AER), the Standing Committee for the Euro-Mediterranean partnership of local and regional authorities (COPPEM), and the Council of European Municipalities and Regions (CEMR).

**Partners:** Ministry of Regional Development and Planning, Ministry of the Interior, local and regional authorities, national association of local authorities (subject to its creation), political parties, civil society, COPPEM, CEMR, AER.

### **3.3. Elections**

The priority for Tunisia is to build credible democratic changes through free and fair elections. Democratic values must be enshrined in the new Constitution and applied in practice. In this context, there must be democratic elections.

The Venice Commission has developed well-recognised standards in the field of elections and political parties and has the necessary knowledge for assisting Tunisia, notably in providing opinions on draft electoral laws. Co-operation between the Tunisian authorities and the Venice Commission has already started. National and local elections will be held in 2013 (the term of the National Constituent Assembly has been limited to 18 months). In addition to the possibility for the Tunisian authorities to invite respectively the PACE and the Congress to observe these elections, a technical assistance programme may be developed.

**Overall objective:** to improve the functioning of democratic processes and institutions, including those relating to political parties.

**Expected results:**

- electoral legislation and practice be reviewed with regard to international standards;
- capacity-building support be provided to the electoral management bodies;
- technical assistance be provided to the bodies in charge of electoral disputes.

**Partners:** governmental bodies, National Constituent Assembly, future Parliament, media and civil society.

### **3.4. Training in democratic standards of good governance**

The newly appointed Tunisian authorities need to operate in a transparent manner and to enjoy the trust of the citizens. In this respect, public leaders as well as civil servants and civil society leaders must be qualified and trained. The training of present and future leaders in the democratic standards of good governance is a priority for the proper functioning of the new institutions and of civil society.

**Overall objective:** contribute on human rights, the rule of law and democratic citizenship in Tunisia. To motivate future political leaders and young managers who will in turn encourage reform and promote human rights. To build the foundations for good governance within institutions and Tunisian society through a range of CoE tools available. This activity would have a regional dimension aimed at promoting co-operation between neighbouring countries.

### **3.5. Training of future leaders in democratic standards of good governance: School of Political Studies**

**Expected result:** Launch of the School of Political Studies and training of 40 participants per year among the new generation of public leaders. Negotiations on the establishment of the school are well advanced and the school should be launched in the next few months.

**Partners:** civil society, political parties, public administrative authorities, Parliament (once elected), media.

### **3.6. Participation in training of future managers in public administrations, and of parliamentary and diplomatic staff, on human rights and democratic standards of good governance**

#### **Expected results:**

- inclusion of specific modules in existing training programmes;
- strengthening capacities through training, and training of trainers, in these fields;
- organisation of practical courses and study visits, notably for diplomatic students.

**Partners:** Prime Minister, National Constituent Assembly, public administrations, Diplomatic Institute for training and Studies.

### **3.7. Training of civil society leaders**

**Overall objective:** to train civil society leaders in a code of good practice in order to participate in decision-making processes within civil society.

**Partners:** Civil society, Conference of INGOs, North-South Centre.

### **3.8. Democratic governance through education**

**Overall objective:** to strengthen democratic culture through the development of education policies and practices.

#### **Expected results:**

- Tunisian experts and teacher trainers are involved in the activities of the European Centre for Modern Languages (ECML). Tunisia's participation in the Centre's work might lead to the country's accession to this partial agreement;
- advice is given on educational policy reform in Tunisia, in both secondary and higher education, and on democratic governance in education;
- educational policies and teaching practice relating to education for democratic citizenship and human rights and to history teaching are strengthened, by the adoption of an appropriate strategy in primary and secondary education, through advice on the design of teaching materials and assisting Tunisian teachers and lawyers with establishing a charter for education and democratic citizenship and human rights;
- strengthening the capacities of professionals and educators in the fields of human rights and democracy. Creation of a southern Mediterranean network of youth trainers.

This activity would comprise a regional dimension aimed at promoting co-operation between the countries of the region.

**Partners:** Ministry of Education, Arab League Educational, Cultural and Scientific Organisation (ALECSO), civil society.

### **3.9. Democratic governance through culture**

**Overall objective:** to contribute to efficient, transparent governance in the cultural field, drawing on CoE conventions, especially the European Cultural Convention.

#### **Expected results:**

- assessment of cultural policy;

- contribute to the definition and implementation of an integrated approach by the national authorities to the rehabilitation of historic centres and territorial development;
- greater awareness, particularly of culture and tourism, and preparation for possible accession to the Enlarged Partial Agreement on Cultural Routes;
- for a pilot town in Tunisia to join the international network of Intercultural Cities.

**Partners:** Ministry of Culture, Ministry of Tourism, Tunisian National Heritage Institute, institutions dealing with local and regional development and rural and urban planning.

### **Sustainable democratic societies**

#### **3.10. Investing in young people**

Since 2006, the CoE has developed co-operation in the field of youth with civil society partners and public authorities in Tunisia. It has organised (often together with the European Union) training sessions and symposia for youth leaders and youth administrators on human rights education, intercultural dialogue and Euro-Mediterranean youth co-operation. The CoE has produced Arab-language versions of major European training tools in the youth field, such as the training manual on human rights education with young people ("Compass").

The CoE youth sector is consolidating its role in Euro-Arab and Euro-Mediterranean co-operation, strengthening the participation of young people in the ongoing processes of democratic change.

Actions will be carried out to strengthen youth-led civil society organisations and develop civic education of young people in democratic values and institution-building, the rule of law and human rights.

**Overall objective:** To support the Government in its youth policy-making through the evaluation and design of youth policies and strategies, promoting youth-led organisations, promoting European democratic values amongst young people, and developing networks of youth initiatives.

#### **Expected results:**

- institution-building in the field of youth policy, in particular through advice to the authorities in charge of youth and training of public administrators;
- support provided to the youth-led civil society organisations;
- creation of a youth-research network.

This activity would comprise a regional dimension aimed at promoting co-operation between the countries of the region, for example the creation of a South Mediterranean network of youth trainers in the field of education for human rights and democratic citizenship, and the organisation of a high-level regional policy youth conference.

**Partners:** governmental bodies in charge of youth policy, Parliament (once elected), media, youth organisations and civil society; North-South Centre network.

### 3.11. Co-operation with the North-South Centre

Co-operation with the Tunisian authorities could pave the way to possible future participation in the Enlarged Partial Agreement of the European Centre for Global Interdependence and Solidarity (North-South Centre).

**Overall objective:** to offer a platform of structured co-operation at governmental, parliamentary, local and regional authorities and civil society levels between the CoE and Tunisia, International Organisation of La Francophonie.

**Expected results:**

- governmental, parliamentary, local, regional and civil society representatives in Tunisia are fully integrated into the North-South Centre's permanent processes;
- reinforcement of planned activities to promote the participation of women in political and public life, youth co-operation and strengthening civil society.

**Partners:** Governmental bodies, Parliament (once elected), local and regional authorities, media and civil society, youth organisations, educators.

### 3.12. Sport and ethics

The Tunisian authorities' involvement in the CoE work in the field of sport could pave the way to a possible future accession to the [European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches](#). With a view to better integrating their spectator security and safety policies in their sport policies, the Tunisian authorities could also be encouraged to play an active role in the Enlarged Partial Agreement on Sport (EPAS).

**Overall objective:** To contribute to enhanced public order by strengthening the policy framework and operational capacities in the field of spectator safety and security at sports events and football matches in particular, based on European standards and good practices in the field of sports policies and the sports community.

**Expected results:**

- sports policies and the law applicable to safety and security are assessed as well as their capacity to secure public order at sport events;
- the various systems of crowd safety management, involving stadium operators, and the dynamic risk relative to the safe capacity of a venue are assessed;
- a National Football Information Point be created and integrated into the pan-European network of NFIPs with a view to its further development in other countries in the region.

**Partners:** governmental bodies, Ministry of the Interior, Ministry of Youth and Sport, local authorities, sports federations, sports ground owners, stadium operators.