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THE EUROPEAN UNION**

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from: Mashreq/Maghreb Working Party
on: 3 May 2010
to: Council

Subject : **Relations with Tunisia**
– Adoption of the European Union's position for the Association Council's eighth meeting
(Brussels, 11 May 2010)

1. In preparation for the eighth meeting of the EU-Tunisia Association Council, the Mashreq/Maghreb Working Party has finalised the European Union's position as follows:
 - Annex I: draft EU statement;
 - Annex II: draft agenda.
2. Subject to confirmation by COREPER, the Council is requested to approve the draft EU statement and the draft agenda as set out in Annexes I and II hereto as an "A" item at its next meeting.

**EIGHTH MEETING OF THE EU-TUNISIA
ASSOCIATION COUNCIL
(Brussels, 11 May 2010)**

Statement by the European Union

1. The European Union (EU) welcomes this eighth meeting of the EU-Tunisia Association Council, which is being held in Brussels. Tunisia is an important and reliable partner for the EU, with which it is developing a strong relationship based on common values and mutual respect and understanding. The EU is pleased that both parties wish to forge closer bilateral ties.
2. The EU pays tribute to the constructive role which Tunisia always plays in international fora, in the Union for the Mediterranean and in pursuit of integration in the Maghreb region. In this connection, the EU wishes to stress that it fully supports the efforts of the Arab Maghreb Union to promote sub regional integration, and urges it to continue its endeavours.
3. The EU is pleased to note Tunisia's increased commitment to the European Neighbourhood Policy and welcomes Tunisia's desire to forge closer ties with the EU, as demonstrated by its proposal, submitted on 19 March 2010, that it should acquire **advanced status**. The prospect of advanced status underlines the great progress which Tunisia has made in implementing the Association Agreement, which has been in force since 1998, and the European Neighbourhood Policy Action Plan.
4. In this connection, the EU would like to pave the way, as of now, for examination of the scope for substantially closer relations with a view to advanced status. The EU proposes that the Association Council should set up an ad hoc working party to consider, particularly in the light of progress in implementing the Action Plan, and in liaison with the Association Committee and Subcommittees, the new aims of the partnership and subsequent stages in the development of bilateral relations, with a view to a new instrument to replace the Action Plan. This ad hoc working party should consist of Tunisian and EU representatives, and be open to Member State involvement. It should report back to the Association Council.

5. The European Union appreciates the Tunisian authorities' continuing commitment to the **social and economic reforms** which will modernise and develop the country; it welcomes the results which have been achieved and encourages Tunisia to continue along this road. The results achieved in several areas, such as the low rates of poverty and illiteracy, freedom of religion, or the situation of women deserve to be supported.
6. The EU emphasises that forging closer ties should provide an opportunity to seek a better balance between the achievements of economic and social development, on the one hand, and progress towards consolidating **the rule of law**, on the other. The protection of human rights and basic freedoms and the consolidation of the rule of law are among the fundamental pillars of the EU's partnership with Tunisia. The EU emphasises that advanced status goes hand in hand with increased commitments by the parties. In this connection, it urges the Tunisian Government to step up its reform efforts, particularly on democratic pluralism and participation, the independence of the judiciary, freedom of speech and of association and the protection of human rights defenders.
7. In this connection, the EU is pleased at the constructive and open atmosphere in which the third meeting of the **Human Rights and Democracy** Subcommittee was held on 25 February 2010, where the whole range of subjects was broached. It hopes that this atmosphere of trust and dialogue will continue during discussions at the Subcommittee's forthcoming meetings. The EU would point to Tunisia's undertakings in response to the recommendations of the Universal Periodic Review by the UN Human Rights Council in 2008 and is pleased that the UN Special Rapporteur for the promotion and protection of human rights and fundamental freedoms while countering terrorism visited Tunisia in January 2010. The EU urges Tunisia to receive other special rapporteurs from the UN Human Rights Council. It congratulates Tunisia on its moratorium on the death penalty, while encouraging the future abolition of capital punishment.
8. The EU wishes to step up **political dialogue and cooperation** with Tunisia on all matters of common interest.

9. Regarding the **Middle East Peace Process**, the European Union restated the views expressed in the Council conclusions of December 2009. It calls on the parties to enter into negotiations which will lead to a two-state solution. If it is to be comprehensive, peace must also include an agreement between Israel and Lebanon and an agreement between Israel and Syria. The European Union points to the importance it attaches to the Arab peace initiative (Arab League resolution, Beirut, 2002).
10. Regarding the problem of **security in the Sahel-Saharan region**, the EU has paid tribute to recent initiatives by the countries of the region to step up cooperation to counter terrorism and organised crime. It considers that this action will be more effective if it follows an approach incorporating measures on security, development and good governance. In order to support the efforts of the governments of the countries of the region, the EU will therefore take that approach when mobilising its bilateral and regional programmes.
11. The EU reiterates its firm and unequivocal condemnation of **terrorism** in all its forms and manifestations, whatever the origin, cause or motives. It stresses the importance of implementing the UN Global Terrorism Strategy, and reiterates the importance it attaches to respect for human rights and international humanitarian law while combating terrorism. There is no contradiction between the fight against terrorism and respect for human rights; on the contrary, they complement and reinforce each other. Failure to abide by internationally recognised human rights standards may affect the legitimacy of our action. The EU welcomes the prospects for cooperation with Tunisia in the fight against terrorism and terrorist financing.
12. The EU considers it of great importance that **judicial systems** should function properly, as they are an essential instrument for the success of reform in all countries. In the context of the Action Plan, the EU is pleased that a judicial modernisation programme is being carried out with EU financial support and that it will continue in 2011 to 2013. However, the EU believes that Tunisia could do more to make its judicial system more effective and independent.

13. In keeping with its overall approach to **migration**, the EU is ready to build on its cooperation with Tunisia on promoting the use of legal channels of migration, preventing illegal immigration and readmitting illegal migrants, border controls, especially with the support of the FRONTEX agency, the development of EUROSUR and migration and development issues. Hence, the EU is counting on Tunisia to continue to play an active role both in Euro-Mediterranean relations and in Euro-African relations, with a view to helping to put in place a system to promote dialogue and information-sharing on migration, to combat migrant trafficking more effectively and to facilitate measures to take charge of the most vulnerable migrants.
14. The EU strongly urges Tunisia to step up cooperation with the **UN High Commission for Refugees**, to develop its legislative and regulatory framework in the field of asylum and to introduce, in the near future, national arrangements for taking charge of persons in need of international protection. The EU is ready to provide assistance with a view to promoting such developments, including by setting up a Regional Protection Programme which would also involve other North African countries which are interested in cooperation.
15. The EU is pleased that Tunisia's **economic performance** has been good despite the international economic and financial crisis. Tunisia has managed to maintain a significant growth rate and maintain broad macro-economic balance. The EU urges Tunisia to consolidate its economic governance and its investment framework, while continuing along the path of diversification, in which the development of the service sector and the knowledge economy will play a major role. The EU is aware of the challenges facing the Tunisian economy and offers its full backing with a view to supporting reform in the sector.

16. The EU welcomes the progress which Tunisia has made in implementing the **trade aspects** of the Association Agreement. Tunisia is the country closest to achieving the goal of a Euro-Mediterranean Free Trade Area, having dismantled its tariffs on industrial products in 2008. The EU calls on Tunisia to continue bilateral negotiations on the liberalisation of trade in services and freedom of establishment. The EU welcomes the resumption of discussions on the negotiations on trade in agricultural products, processed agricultural products, fish and fishery products, which are designed to lead to greater reciprocal trade liberalisation. In addition, the EU appreciates Tunisia's willingness to enter into discussions to guarantee the protection of geographical indications and hopes that health and plant health aspects will also be taken into account. As regards the mechanism for settling disputes relating to the trade provisions of the Association Agreement, the EU is pleased that a bilateral protocol has been concluded with Tunisia.
17. On **regional development**, the EU welcomes Tunisia's efforts to increase the local development capacity of less-favoured areas, in particular through mechanisms to promote business start-ups and improve infrastructure. The EU also welcomes Tunisia's ambitious policy on **sustainable development**, which is designed to complete environmental transition by mainstreaming sustainability in the various sectors of the economy, and to develop ecological management of natural resources. The EU would urge Tunisia to harmonise its environmental legislation with international rules.
18. On **sectoral cooperation**, the EU pays tribute to Tunisia's strategic decision to anchor itself to the EU in order to carry out reforms designed to increase the country's prosperity and improve living standards for the people. Remarkable results have been achieved, but the EU is aware that carrying through these reforms is a challenge for Tunisia and for that reason has been backing them up with cooperation for a long time now. The EU urges Tunisia to persevere in its efforts, while confirming that it will continue to provide support.

19. On **intellectual, industrial and commercial property**, the EU welcomes Tunisia's tougher legislation to protect all literary and artistic works and encourages Tunisia to take implementing measures to provide effective protection for intellectual and industrial property, while stepping up action against counterfeiting. In this regard, the EU welcomes the creation of the National Anti-Counterfeiting Council in 2009 and the adoption of annual action programmes on the subject. The EU would also like to draw attention to Articles 37 and 38 of the Association Agreement which relate to **State monopolies** of a commercial character and to public enterprises and enterprises which have been granted special or exclusive rights.
20. On **competition**, the EU urges Tunisia to continue its efforts to see that restrictions on competition do not obstruct or negate the expected benefits of the gradual opening-up of trade.
21. The European Union welcomes the progress which Tunisia has made in the approximation of **technical, standardisation and conformity-assessment regulations**. It urges Tunisia to continue the process of aligning its technical regulations on the Community system in the sectors identified as priorities, including the market monitoring system, with a view to preparation of an Agreement on Conformity Assessment and Acceptance (ACAA) for industrial products. It encourages Tunisia to continue efforts to achieve convergence in the **health and plant health** fields.
22. In matters of **industrial cooperation**, the EU welcomes the initiatives which Tunisia has taken in implementation of the Euro-Mediterranean Charter for Enterprise, including the measures designed to internationalise business and develop the knowledge economy.

23. The EU would stress the importance it attaches to cooperation on the **environment**, whether bilaterally or at regional level. It urges Tunisia to continue efforts in this field, amongst other things on its legislative framework, including the environmental code and implementing legislation. Regional cooperation can be further enhanced as part of the implementation of the activities of the Union for the Mediterranean, the Horizon 2020 initiative and the Mediterranean component of the European Water Initiative. The EU recalls its **climate change** objectives and the adjustments needed to deal with this phenomenon, and invites Tunisia to pursue and extend the work already begun. The EU welcomes the fact that Tunisia is now associated with the Copenhagen Accord. The EU remains committed to continuing negotiations at the United Nations in order to conclude a strong, legally binding agreement. It hopes to step up dialogue and cooperation with Tunisia on combating climate change and mitigating its effects.
24. As regards **fisheries policy**, the EU welcomes Tunisia's active involvement in the work of the General Fisheries Commission for the Mediterranean, but would still like it to contribute more to stock analysis. It would encourage Tunisia to step up technical and scientific cooperation, particularly in the field of FAO regional projects and other fisheries-related activities, such as inspection, in order to ensure that fishing is monitored effectively. In addition, the EU welcomes Tunisia's participation in the development of **an integrated and more coordinated approach to maritime affairs** in the Mediterranean, and reiterates its commitment to putting in place a structured dialogue with Tunisia on initiatives undertaken by the EU under its integrated maritime policy.
25. The EU underlines the importance of the development of **transport** infrastructures in the context of interconnection between the trans-European transport network and the network in neighbouring Mediterranean countries. It invites Tunisia to improve coordination of the implementation of transport policy in all its facets and urges Tunisia to bring its legislation into line with the *acquis communautaire* and international legislation. In the **aviation** sector, it invites Tunisia to start negotiations for the conclusion of a comprehensive air transport agreement with the EU.

26. In the **energy sector**, the EU welcomes the initiatives which are under way, particularly those on gas distribution infrastructure, energy efficiency and promoting the use of renewable energies. The EU urges Tunisia to continue to work towards the integration of Euro-Mediterranean energy markets, inter alia by integrating the Maghreb electricity market, the development of gas pipelines and electricity connections.
27. The EU welcomes the strategic importance which Tunisia attaches to cooperation on **research and innovation**. Scientific cooperation based on the cooperation agreement signed by the Commission and Tunisia is yielding very encouraging results, with a high proportion of Tunisian researchers taking part in the 7th Framework Programme. The EU confirms that it is willing to study ways of stepping up cooperation in this field, in particular through action to support the research and innovation system. The EU urges Tunisia to strengthen national structures for the promotion of research and innovation in order to make them fully operational.
28. The EU welcomes the principles, set out by Tunisia in its proposal for advanced status, on **cultural cooperation, tolerance and inter-cultural dialogue**, with which it is in full agreement. The EU hopes that these principles will be translated into real projects.
29. The EU has taken note of Tunisia's wish to take part in certain **agencies and programmes** and confirms that it is ready to broach the topic in future discussions to establish a road map for achieving advanced status.
30. On **financial cooperation**, the EU welcomes the signing in March 2010 of a Memorandum of Understanding on cooperation over the period 2011 to 2013 under the European Neighbourhood and Partnership Instrument. The EU considers that EU-Tunisia cooperation has reached a high level of maturity and is glad that cooperation is continuing in the economic and social fields and on improving governance, and that support for civil society has been included as a cross-cutting theme of the future NIP.
31. The EU looks forward to a constructive meeting of the Association Council, which could be a further step towards strengthening relations with Tunisia.

**ASSOCIATION
BETWEEN
THE EUROPEAN UNION
AND TUNISIA**

– The Association Council –

**Brussels, 4 May 2010
(OR. fr)**

UE-TU 2602/10

PROVISIONAL AGENDA

for: Eighth meeting of the EU-Tunisia Association Council
on: 11 May 2010
in: Brussels

1. Adoption of the agenda
2. Adoption of the minutes of the seventh meeting of the Association Council (Brussels, 11 November 2008) (see UE-TU 2601/10)
3. State of and prospects for EU-Tunisia relations and the strengthening of those relations (advanced status) in the context of the Association Agreement and the implementation of the Neighbourhood Policy Action Plan
4. Trade relations and economic developments
5. Political dialogue on matters of common interest
6. Other business

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