

# Proposals

---

## For the construction of a new Tunisia, fair and democratic

### Declaration of our principles

#### The Republic of Tunisia:

*"shall guarantee fundamental freedoms and human rights in their universality, comprehensiveness, complementarity and interdependence" (Article 5, paragraph 1).*

#### The Tunisian Constitution:

*"shall guarantee the inviolability of the human person" (Article 5, paragraph 4).*

#### The Tunisian Constitution provides:

*"Citizens exercise all their rights in the forms and according to the terms provided for by law. ..." (Article 7).*

#### The Republic of Tunisia:

*"shall be founded upon the principles of the rule of law and pluralism" (Article 5, paragraph 2).*

By these provisions, the Tunisian Constitution guarantees the right of every Tunisian citizen to participate in the political life of his country, and it protects him in the exercise of this right.

#### The Tunisian Constitution provides:

*"Freedoms of opinion, expression, press, publication, assembly and association are guaranteed and exercised according to the terms defined by the law" (Article 8, paragraph 1).*

Thus, by this provision, the Tunisian Constitution gives citizens the means to exercise their right to participate in the political life of their country.

#### The Tunisian Constitution provides:

*"Political parties contribute to supervising citizens, in order to organize their participation in political life, and they should be established on democratic foundations. Political parties must respect the sovereignty of the people, the values of the Republic, human rights, and the principles pertaining to personal status" (Article 8, paragraph 2).*

Thus, the Tunisian Constitution, which proclaimed in Article 5, paragraph 2, the principle of "pluralism", proclaims also in Article 8, the function of political parties in organizing the citizen participation in politics.

#### In paragraph 7 of this Article 8, the Constitution provides:

*"The law sets the rules governing the establishment and organization of parties".*

Under this provision, the Act No. 88-32 of May 3, 1988 has defined the general principles relating to political parties (Title I), and the rules governing the control and sanctions for political parties activities (Title III).

1 - The constitutional and legislative provisions that we have cited above show that the Tunisian law grants citizens the right to participate in the political life of their country and to establish political parties for managing this participation.

2 - We want to apply those provisions to fulfil the following objectives:

**A - Given the flagrant democratic deficit of the current political system, we want to militate in favour of:**

1 – Revising laws and regulations concerning public freedoms and political parties and constituting a serious obstacle to citizen participation in public and political life, by creating a better balance between powers and introducing the principle of government accountability;

2 - Reorganizing the Administration in order to ensure efficiency, transparency and strengthening the rule of law;

3 - Revising the Tunisian constitution to enable the effective implementation of separation of powers and the strengthening of the rule of law and democracy;

4 - Strengthening the control of the Chamber of Deputies on the Government;

5 - Limiting the number of mandates of the President of the Republic;

6 – Guaranteeing the freedom of the press and all other media, and ensuring their independence from all powers;

7 - Separating the President of the Republic functions from those of the Head of Government;

8 - Revising the situation enabling the party in power to be the “Dominant party” and addressing the real causes of this position;

9 - Moralizing the politics and establishing an appropriate legislation in this regard;

10 – Enabling an effective implementation of the “rule of law” at all levels of political, social, economic and cultural life;

11 – Revising all laws and regulations which constitute an obstacle to implementing the democracy and the rule of law in our country;

12 - Renovating the Electoral Code and electoral system to foster democracy, transparency and balance in group representations;

13 – Eliminating the bicameralism established in 2002;

14 - Revising laws and regulations relating to political parties to enable a true democratization of political life in the country;

15 - Revising of laws and regulations relating to the electoral system and electoral anti-democratic practices;

16 – Establishing a Constitutional Court of justice;

17 - Ensuring the effective exercise of public freedoms and the effective respect of human rights;

18 – Implementing a judicial reform in order to strengthen the independence of the judiciary and to guarantee a sound justice;

19 - Integrating the normative provisions of the “Declaration of November 7” and the

“National Pact” into the Constitution.

## **B- Economic Development and Social Justice**

- 1 - Revising investment laws and competition rules in order to enhance transparency and impartiality of the inspection bodies, and to foster principles of “the rule of law” in this area;
- 2 – Establishing a general legislation guaranteeing the legitimate rights of all citizens in all spheres of national activity on the basis of respect for “the rule of law”, protection of persons, goods and interests of citizens against abuses of power, against all forms of misuse of power, against all forms of corruption, nepotism, influence peddling, and all other forms of arbitrary behaviour, and establishing effective procedures before competent and independent courts in order to fight against these forms of wrongdoing;
- 3 - Reviewing the role of government in economic matters so as to give priority to innovative activities of market regulation, transparency and respect for “the rule of law” in all the government interventions;
- 4 - Aligning the banking system with the requirements of economic development;
- 5 - Establishing an effective system of support to Tunisian workers abroad, together with improving their living conditions and protecting their social rights in countries of immigration, and implementing a policy of returning home in the manner most consistent with their demands and interests;
- 6 – Reviewing the system of public health towards better quality, efficiency, social justice and national solidarity with all the disadvantaged social groups;
- 7 - Revising the tax system towards a better social justice and a more balanced distribution of the benefits of economic development;
- 8 - Considering the Tunisian School graduates as a national wealth and adapt the national policy of investment and employment to enable the achievement of this fundamental goal;
- 9 – Developing an employment policy and reorienting development policy in order to fully achieve this goal;
- 10 - Encouraging innovation and creation as driving forces of growth;
- 11 - Establishing a general legislation on transparency and on the fight against corruption in all its forms and at all levels;
- 12 – Reviewing educational and training system towards increased quality, efficiency and effectiveness of education and training processes;
- 13 - Encouraging scientific research in all its forms and the public / private partnership in this area;
- 14 – Removing the “gray areas” of the tax system and renovation of the Tax Law to enable respect for “the rule of law”, transparency and elimination of arbitrary interventions by the tax control bodies and enhancing the role of the tax judge, who should be competent and independent;
- 15 – Affirming the “free enterprise” as a principle of national economic policy;
- 16 – Protecting rights and property lawfully acquired;
- 17 – Ensuring legality and transparency in economic activities;

18 - Establishing a transparent and effective legislation to encourage investment in the country of Tunisian capitals coming from foreign countries, with protection of the rights of investors and elimination of excessive administrative barriers to such investments;

19 – Adopting a special law of general amnesty to ensure national reconciliation and punish all violations of law and of “the rule of law”;

## **C - Foreign Policy**

1 - Tunisia, which is an integral part of the “Grand Maghreb”, must play a leading role for the unification and development of this region on all levels, which is an essential condition for its integration into the global economy and for the useful dialogue with other regional groupings.

2 - Tunisia, as an Arab Muslim country, should play a more proactive role in supporting the just causes of the Arab world, in the first place the cause of the Palestinian people, by developing and implementing effectively a policy of pan-Arab co-development and common prosperity, by promoting and protecting the cultural identity of the Arab peoples, which should be open to progress and modernity, and by strengthening cooperation on a footing of equality among all member states of the Arab League and between eastern and western parts of the Arab world.

3 - Tunisia is in the center of the Mediterranean as an area of economic, social, political and cultural encounters and interactions. The Mediterranean is expected to be a region of prime importance. In an era where the Europeans are seeking to play a leading role on economic and political levels, it is essential that the Tunisian diplomacy be present to defend, in coordination with other southern Mediterranean countries, a vision of the future of the region fully consistent with its interests and with objectives of development and prosperity for all peoples of the region.

4 - Tunisia, as both Mediterranean coast and open country to the Saharan Africa, must play an important role as a bridge between the African world and the European world and, thus, contribute to the development of the whole African continent.

5 - Tunisia should focus its economic policy on its integration into the global economy. For this purpose, it must thoroughly reform its laws and procedures to facilitate interaction between its economic system and the global economy. It must also boost its presence in the economies of brothers, friends and neighbours States towards a mutually beneficial economic expansion;