

Resolution on Tunisia

The Central Council of the IAJ, gathered on the occasion of its 64th annual meeting in Tel Aviv (Israel), was informed of the situation of justice in Tunisia and unanimously adopted the following resolution.

It recalls that:

- the dissolution of the legitimate High Council of the Judiciary and its replacement by a provisional Council whose majority of members is appointed by the President of the Republic violates international standards and in particular Article 2-3 of the Universal Charter of the Judge approved by the Central Council of the IAJ in Santiago de Chile in 2017;
- the dismissal of judges by decree of the President of the Republic violates international standards and in particular articles 2-2 and 7-1 paragraph 2 of the Universal Charter of the Judge;
- the implementation of disciplinary and sometimes criminal procedures as a retaliatory measure for decisions made by judges and prosecutors violates international standards and in particular article 7-1 paragraph 3 of the Universal Charter of the Judge;
- the implementation of disciplinary procedures without notification of the charges, without the possibility to defend oneself and without a real right of appeal violates international standards and in particular article 7-1 paragraph 4 of the Universal Charter of the Judge.

In view of these elements, the Central Council gives its full support to the actions of the Association of Tunisian Judges and its leaders to defend the independence of justice and the rule of law in Tunisia.

It recalls that it is the duty of judges to defend these principles and that no action should be taken against them for this reason.

It stresses that the freedom of expression and the right of association of judges must be respected in all circumstances.

It calls on the Tunisian authorities to respect these principles and on the international authorities to use all possible means to encourage them to respect and protect Tunisian judges.

Tel Aviv (Israel)

21 September 2022