

NO TO DISBANDING THE SUPREME JUDICIAL COUNCIL

Following the endorsement of the President of the Republic yesterday evening, Monday, February 07, in his meeting with the Prime Minister, the Supreme Judicial Council was dissolved and replaced by a temporary body according to a decree that will be issued soon, in a complete assembly of all powers and in a complete breach of the principle of separation of powers.

In the midst of the exceptional situation and the exceptional measures that emerged from it, most notably the presidential decree No. 117-2021, which established the assembly of the legislative and executive powers in the hands of the President of the Republic, and after the President of the Republic's unprecedented retreat from the constitutional gains and his quest to subject the judiciary to the executive authority under a system in which it is combined in his hand all powers;

It is important for the organizations and associations listed below to:

1. express rejection in principle of any interference by the executive authority in the work of the judiciary
2. remind that despite the shortcomings, the Supreme Judicial Council remains the only structure that guarantees the institutional independence of the judiciary in accordance with the Constitution, which has enjoyed its financial and administrative independence and self-management in a precedent of its kind
3. we also recall the necessity of structural reform of the judicial system, but reform cannot be achieved by gathering and concentrating power in the hands of one person in an exceptional circumstance in which the pillars of the rule of law are absent from the Legislative Council and the Constitutional Court
4. reject the fallacy of public opinion in terms of considering the Supreme Judicial Council the only one charged with verdicts, since the Council only considers files referred to it by the inspection body, which is directly under the supervision of the Ministry of Justice, then it takes disciplinary decisions only, and in turn refers the files to the Public Prosecution if necessary
5. condemn the direct threat posed by the President of the Republic to a constitutional institution that has been established following a participatory process and after the struggles of judges and their professional structures
6. refuse the compliance of the executive tool with a verbal speech from the President of the Republic, and direct the security forces to surround the headquarters of the Council and prevent employees from performing their duties, in the complete absence of any legal basis
7. call on all the forces defending democracy and the state's civil society from civil society organizations to unite efforts and renew their commitment to defending the constitutional and independent bodies as a cornerstone in the democratic building that Tunisia has pursued, and to put an end to the repeated abuse that affects them

Signatory organizations and associations:

1. Syndicat National des Journalistes Tunisiens
2. L'Association Tunisienne pour la Défense des Libertés Individuelles
3. Association des Femmes Tunisiennes pour la Recherche et le Développement
4. Beity
5. Avocats Sans Frontières
6. Damj, L'association Tunisienne pour la Justice et l'égalité
7. Organisation Mondiale Contre la Torture
8. Association Tawhida Ben Cheikh
9. EuroMed Droits
10. Alert International
11. Shams
12. Legal Agenda
13. Fédération Internationale pour les Droits Humains
14. Dignity and Rehabilitation Coalition
15. Réseau Tunisien pour la Justice Transitionnelle
16. Kayan
17. Aidmej
18. Commission Internationale des Juristes
19. Aswat Nissa
20. Intersection for Rights and Freedoms
21. Al Karama- for Rights and freedom
22. Association Danseurs Citoyens Sud
23. Comité pour le Respect des Libertés et des Droits de l'Homme pour Tunisie
24. Collectif Outcasts
25. Fédération des Tunisiens pour une Citoyenneté des Deux Rives
26. Association pour la Promotion du Droit à la Différence
27. Association Soutcom
28. Le Comité de Vigilance pour la Démocratie en Tunisie
29. Nachaz
30. Association ATAC
31. L'Association Voix d' Eve
32. Amid Vision
33. Al Bawsala
34. L'Observation Tunisienne des Lieux Détention
35. Democracy Lab
36. Association Femme Rurale Jendouba
37. Social Accountability Association

38. Falso
39. Lab117
40. No Peace Without Justice
41. Association Naaoura
42. Association Mada
43. L'Art Rue
44. Pôle Civil pour le Développement et les Droits de l'Homme
45. Association Renouveau et appartenance