



## TUNISIA: THE CRIMINALIZATION OF JUDGE ANAS HMEDI MUST BE STOPPED

MEDEL, which has long been monitoring developments in the Tunisian justice system<sup>1</sup>, learned with outraged concern of the intolerable repression against our colleague Anas Hmedi, president of the Tunisian Magistrates' Association (AMT), who was sentenced on April 6 to one year in prison.

For several years now, Anas Hmedi has been the public voice and advocate for Tunisian judges committed to judicial independence, freedom of association, and the fundamental guarantees of a fair trial.

This unjust conviction is part of a troubling pattern of constant interference by political authorities aimed at obstructing Anas Hmedi's lawful activities in his capacity as president of the AMT, particularly with regard to his expression of views on issues related to the independence of the judiciary, its functioning, and its institutional role.

MEDEL recalls that Kaïs Saïed has nipped in the bud any developments that might have fostered, following the Jasmine Revolution, a positive evolution of the Tunisian justice system toward greater independence and democratic functioning. Most Tunisian judges have been silenced by fear of being dismissed, transferred, or prosecuted. A judiciary that is not independent becomes a tool of political power.

Margaret Satterthwaite, Special Rapporteur on the Independence of Judges and Lawyers, has condemned this trial<sup>2</sup> : « *The misuse of legal proceedings and criminal law to silence those defending judicial independence and to use the tools of the justice system as reprisals is a violation of the right to fair trial for all in Tunisia*», « *When sanctions are imposed on the president of a judicial association for actions taken to protect judicial independence, the message to the entire judiciary, and to the public, is one of intimidation*».

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<sup>1</sup> See : [Threat to the independence of justice in Tunisia: We must not abandon the cause of democratic justice in Tunisia](#)

[Tunisie, alerte: démocratie en péril, il n'y a plus de justice indépendante](#)

[Tunisie, alerte: démocratie en péril, il n'y a plus de justice indépendante](#) / Tunisia, there is no longer an independent judiciary

[Déclaration conjointe – Tunisie: la communauté juridique internationale condamne la détention de l'avocat et défenseur des droits humains Ayachi Hammami](#) / Tunisia : the independent legal community condemns the detention of lawyer and human right defender Ayachi Hammani

<sup>2</sup> [UN expert urges Tunisia to end criminalisation of Judge Anas Hmedi | OHCHR](#)

That is why MEDEL wishes, once again, to respond publicly to the alarming situation in Tunisia and joins the UIM<sup>3</sup> in condemning the intolerable repression against our colleague, a stance also supported by the UN Special Rapporteur on the independence of judges and lawyers:

- \*expresses its support for Judge Anas Hmedi and for the Tunisian judges who courageously remain committed to their independence;

- \* calls for the dismissal of the case against Anas Hmedi;

- \* once again condemns the profound disarray within the Tunisian justice system, caused by numerous violations of the principles of judicial independence and the separation of powers, as well as by efforts to silence judges and lawyers;

- \* calls for all necessary measures to be taken to establish an independent judiciary that guarantees the right to a fair trial;

- \* more generally, calls for the immediate release of all victims of arbitrary repression and the cessation of all ongoing unfair trials.

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<sup>3</sup> [IAJ-Statement-in-support-of-Judge-Anas-Hmedi.pdf](#)