



**INTERNATIONAL ASSOCIATION OF JUDGES
UNION INTERNATIONALE DES MAGISTRATS
UNIÓN INTERNACIONAL DE MAGISTRADOS
INTERNATIONALE VEREINIGUNG DER RICHTER
UNIONE INTERNAZIONALE DEI MAGISTRATI**
PALAZZO DI GIUSTIZIA - PIAZZA CAVOUR - 00193 ROMA - ITALY

RESOLUTION ON TUNISIA

The Central Council of the International Association of Judges (IAJ), meeting on the occasion of its 65th annual congress and 70th anniversary in Taipei (Taiwan), unanimously adopted the following resolution:

Recalling that:

- The right of association is guaranteed to judges by the Universal Charter of the Judges (adopted by the IAJ Central Council in Taiwan on 17 November 1999 and updated in Santiago de Chile on 14 November 2017) and in particular article 3-5 paragraph 2 which guarantees the right of professional association to enable judges to ensure the defence of their legitimate interests and their independence;
- The freedom of expression of Judges and the right of association must be respected in all circumstances.
- It is the duty of judges to defend these principles and no action should be taken against them for this reason;
- No disciplinary proceedings may be initiated unless the charges have been notified, the rights of the defence respected and the means of appeal observed in accordance with international standards, in particular article 7-1 paragraph 4 of the Universal Charter of the Judges.
- The initiation of criminal proceedings against judges for exercising their freedom of expression and right of association to defend the independence of the judiciary constitutes retaliation and a flagrant violation of international standards, given that judges enjoy, like other citizens, freedom of expression, belief, association and assembly. In particular, they have the right to take part in public debates concerning the law, the administration of justice, and the promotion and protection of human rights.

In this respect, the IAJ Central Council solemnly renews its full support for the actions of the Association of Tunisian Judges, its leaders and all justice-loving Tunisian judges working to promote, protect and safeguard the independence of the judiciary in Tunisia.

The Central Council inspired by Justice, without which it would be impossible to speak of human rights and state of rule, condemns any practice that threatens the independence of the judiciary and invites the Tunisian authorities to ensure compliance with international standards relating to the Universal Charter of judges.

It urges them to put an end to the reprisals and recurrent harassment against **Judge Anas Hmedi**, President of the Association of Tunisian Judges, which have been brought against him for more than a year, in the form of disciplinary and criminal proceedings relating to his trade union activity to defend the independence of the judiciary in Tunisia. It is a universal principle that the State should ensure that judges can carry out their professional duties in complete freedom, without interference, intimidation, or harassment of any kind and without having to assume, in any way whatsoever, civil, criminal or other liability, except in cases of professional or disciplinary misconduct.

The Central Council of the International Association of Judges once again urges the Tunisian authorities to ensure respect for international standards relating to the independence of the judiciary and the principles of protection of judges.

It calls on international bodies to urge the Tunisian authorities to ensure that Tunisian judges are respected and protected.

Signed in Taipei on 21 September 2023