

## United Nations Human Rights Council 48<sup>th</sup> Regular Session Agenda Item 3

### **Oral Statement of the International Commission of Jurists (ICJ), the World Organisation Against Torture (OMCT) and Avocats Sans Frontières (ASF) in the Interactive Dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence**

Madam President,

The ICJ, the OMCT and ASF welcome the publication of the Special Rapporteur's report on Accountability in the context of transitional justice processes.

In particular, we share the Special Rapporteur's concern as to the Tunisian authorities' lack of political will to follow up on the Truth and Dignity Commission's work and to facilitate the task of the Specialized Criminal Chambers (SCC). Victims' rights to justice, reparation and guarantees of non-recurrence must not be sacrificed at the altar of political expediency or purported reconciliation.

The ICJ, the OMCT and ASF call upon the Tunisian Government to fully implement the Special Rapporteur's recommendations. All obstacles impeding the transitional justice process, in particular the SCC's work, must be removed; the necessary institutional and legal reforms must be adopted; and the reparation scheme must be implemented. Political interference must cease.

As the Special Rapporteur rightfully points out, the judiciary's independence risks being undermined. By designating himself as the Chief Prosecutor, and by adopting other sweeping, exceptional measures without any judicial oversight, the President impairs the judiciary's ability to carry out its functions independently. Ending such measures is the sine qua non condition for ensuring the integrity of the judicial process, including the work of the SCC.

Thank you.