

No to disbanding the Supreme Judicial Council

Following the President's resolution, yesterday evening, Monday, February 07, in his meeting with the Head of the Government, to dissolve the Supreme Judicial Council and to replace it by a temporary body under a decree that will be issued soon assembling all powers in a complete breach of the principle of the 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 concentrated the legislative and executive powers in the hands of the President, and after the President's unprecedented retreat from the constitutional achievements as well as his quest to subject the judiciary to the executive authority under a system in which all authorities are combined in his hand.

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

- 1- Their principled rejection of any interference by the executive authority in the work of the judiciary.
- 2- Their reminder that despite all the fadings that have accompanied the Council's work since its election, it remains the only structure guaranteeing the institutional independence of the judiciary in accordance with the Constitution, which has accorded the Council the financial and administrative independence and self-management in a precedent of its kind.
- 3- Their claim for a structural reform to the judicial system, however such reform could not be achieved by concentrating all powers in the hands of one person during an exceptional situation in which the pillars of the rule of law and its defenses emanating from an elected legislature and a constitutional court are absent.
- 4- Their renouncement of misleading the public opinion in terms of considering the Supreme Judicial Council solely responsible for deciding cases, as the Council is not a court, nor does it issue judgments, and only considers referred cases from the inspection body directly oversights by the Ministry of Justice, then only takes disciplinary decisions, and in turn forwards the cases to the Public Prosecution if necessary.
- 5- Their condemnation of the direct threat posed by the President to a constitutional institution that has been established following a participatory process and after the judges' struggles and professional structures.
- 6- Their rejection towards both the subjugation of the executive power to a verbal speech pronounced by the President of the Republic and to the security forces surrounding the council's headquarters and preventing employees from performing their duties in a complete absence of any legal basis or arrangement.
- 7- Their call on all the forces defending democracy and the state's civil society, including 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 affecting them.

Signatory organisations

- 1- The National Syndicate of Tunisian Journalists (SNJT)
- 2- The Tunisian Association for the Defense of Individual Liberties (ADLI)
- 3- Beity Association
- 4- Lawyers Without Borders (ASF)
- 5- Damj Association for Justice and Equality
- 6- World Organization Against Torture (OMCT)
- 7- Tewhida Ben Sheikh Group
- 8- Euro-Mediterranean Human Rights Network
- 9- Shams Association
- 10- Legal Agenda Association
- 11- Tunisia's International Federation for Human Rights (FIDH)
- 12- Tunisian Alliance for Dignity and Rehabilitation
- 13- Kayan Association
- 14- Association for the Integration and Defense of the Rights of Minorities and Youth
- 15- International Commission of Jurists (ICJ)
- 16- Women's Voices Association
- 17- Intersection for Rights and Freedoms
- 18- Alkarama Association for Rights and Freedoms
- 19- Southern Citizens Dancers Association
- 20- Committee for the Respect of Freedoms and Human Rights
- 21- Outcast Coalition
- 22- Tunisian Federation for Citizenship on the Two Banks (FTCR)
- 23- Committee for the Respect of Freedoms and Human Rights in Tunisia (CRLDHT)
- 24- Association pour la Promotion du Droit à la Différence ADD
- 25- Soutkom Association
- 26- Vigilance Committee for Democracy in Tunisia, Belgium
- 27- Nachaz Association
- 28- Tunisian Association of Cultural Movement (ATAC)
- 29- Eve's Voice Association
- 30- Amid Vision
- 31- The Compass (Al Bawsala)
- 32- The Tunisian Observatory of Places of Detention
- 33- Le Labo démocratique
- 34- Rural Women's Association of Jendouba
- 35- Social Accountability Association
- 36- Fake News hate speech reporting form FALSO
- 37- Laboratoire Politique Platform Lab 117
- 38- No Peace Without Justice Association
- 39- Noria Association
- 40- Mada Association
- 41- L'Art Rue Association