

Strasbourg, 27 May 2026

CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)

STATEMENT

on the case of Judge Anas Hmedi (Tunisia)

The Consultative Council of European Judges (CCJE) has been informed of the sentencing of Mr Anas Hmedi, a judge at the Monastir Court of Appeal in Tunisia and the President of the Tunisian Judges Association.

The criminalisation of Judge Hmedi has given rise to serious concerns by several international institutions as regards his case including the UN Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite¹, the International Association of Judges (IAJ)², Human Rights Watch³, International Association of Jurists⁴, African Commission on Human and Peoples' Rights⁵, and Amnesty International⁶, who warned against the misuse of legal proceedings and criminal law to silence those defending judicial independence.

¹ See at <https://www.ohchr.org/en/press-releases/2026/04/un-expert-urges-tunisia-end-criminalisation-judge-anas-hmedi>, UN expert urges Tunisia to end criminalisation of Judge Anas Hmedi, press releases/special procedures.

² See at <https://www.iaj-uim.org/iuw/wp-content/uploads/2026/04/IAJ-Statement-in-support-of-Judge-Anas-Hmedi.pdf>.

³ See at <https://x.com/hrw/status/2041921543740002422>.

⁴ See at <https://www.icj.org/tunisia-end-arbitrary-criminal-proceedings-against-tunisian-judges-association-president-anas-hmedi/>.

⁵ See at <https://achpr.au.int/en/node/4564>.

⁶ See at <https://www.amnesty.org/en/latest/news/2026/03/tunisia-authorities-must-end-harassment-of-judge-anas-hmedi/>.

Keeping in mind that the independence of judges is one of the fundamental requirements of fair process, including as guaranteed under Article 6 of the European Convention on Human Rights, and is a cornerstone of the rule of law, the CCJE wishes to join its voice about this deeply worrying situation concerning the proceedings against Judge Hmedi and his sentencing.

The CCJE is particularly concerned at the way these proceedings have allegedly been conducted, including accusations of procedural violations, disregard for judicial guarantees and particularly the rights of the defence and the principle of judicial independence. These developments have been, moreover, interpreted as a possible retaliation for Judge Hmedi's activity as a representative of judges and as the President of the Tunisian Judges Association, having taken action to protect judicial independence in his country.

The CCJE recalls, as stated in its Opinion No. 1 (2001), that judicial independence is not a prerogative or privilege in the interests of the judges, but in the interests of the rule of law and of those seeking and expecting justice.⁷

Additionally, it also wishes to refer to Opinion No. 23 (2020) where it recommends that there should be provided a framework in which the right of judges to associate and the right to freedom of expression can effectively be exercised.⁸ Opinion No. 25 (2022) also clearly states that in situations where democracy, the separation of powers or the rule of law are under threat, judges must be resilient and have a duty to speak out in defence of judicial independence, the constitutional order and the restoration of democracy, both at national and international level. This includes views and opinions on issues that are politically sensitive and extends to both internal and external independence of individual judges and the judiciary in general. Judges who speak on behalf of a judicial council, judicial association or other representative body of the judiciary enjoy a wider discretion in this respect.⁹

Therefore, the CCJE expresses strong concerns about these developments, which can seriously undermine the independence of the judiciary in Tunisia and hence the very foundations of the rule of law, which the Council of Europe champions in Europe and in its relations with its partners, such as Tunisia, including in the light of the forthcoming hearing of Judge Hmedi's case in appeal instance.

⁷ CCJE Opinion No. 1 (2001) on standards concerning the independence of the judiciary and the irremovability of judges, para 10.

⁸ CCJE Opinion No. 23 (2020) on the role of associations of judges in supporting judicial independence, para 80.

⁹ CCJE Opinion No. 25 (2022) on freedom of expression of judges, Chapter IX. Recommendations, para 2.