

Absender:

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Deutschland

Präsident der Republik Tunesien  
Kais Saied  
Route de la Goulette  
Site archéologique de Carthage  
TUNESIEN

Hamburg, 03.04.2022

Your Excellency,

I wish to express my grave concern over the arbitrary detention and prosecution of lawyer Abderrazak Kilani by the Military Court of First Instance in Tunis. Civilians should never be prosecuted before military courts, as per international law that Tunisia has ratified. In addition, his detention is an assault on the right to legal representation as he was not only prevented from seeing his client but also prosecuted for trying to do so.

On 21 January, a military prosecutor charged Abderazzak Kilani with participating in a gathering that disturbs public order, insulting state officials, and obstructing the work of others, under Penal Code articles 79, 125 and 136 respectively. The charges are based on remarks made by Abderrazak Kilani to the police officers who barred him from entering Bougatfa Hospital, Bizerte, a city in the north of Tunis, on 2 January to visit his client, former Justice Minister, Nouredine Bhiri who had been transferred to the hospital by the authorities, a few days after his arbitrary arrest. Amnesty International has reviewed a video of the incident and considers neither Abderrazak Kilani's actions nor his words to constitute threats, incitement to violence, or obstruction of police work. Instead, the video shows him calling on the police to uphold the law and not to expose themselves to potential prosecution for following what he considered unlawful orders to deny him access to his client.

I urge you to immediately ensure the release of Abderazzak Kilani and end his prosecution. I also call on the Tunisian authorities to end entirely the practice of prosecuting civilians before military courts.

Yours sincerely,

[Name und Unterschrift]