

**President Bashar Hafez al-Assad
Presidential Palace
al-Rashid Street
Damascus
Syrian Arab Republic**

Brussels, 16 September 2014

Re: Concerns regarding the detention of Mr Mazen Darwish, a human rights defender

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further thirteen European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concern over the situation of Mr Mazen Darwish, the Director of the Syrian Center for Media and Freedom of Expression (SCM), who also completed a law degree, but has never been accepted as a member of the Syrian Bar Association due to his human rights activities. According to information that we have received, on 16 February 2012, members of the Syrian Air Force Intelligence arrested Mr Darwish and several of his colleagues during a raid of SCM's office. Mr Darwish was brought to trial before the Anti-Terrorism Court on charges of "publicizing terrorist acts" under Article 8 of Syria's 2012 Anti-Terrorism Law. Based on our information, however, these charges relate to Mr Darwish's peaceful work activities, which include monitoring and publishing information about human rights abuses in Syria. In addition, former detainees who were held with him said that security forces subjected Mr Darwish and his colleagues to torture and ill-treatment. Despite these reports, there has been no investigation into the alleged abuses. On 15 May 2013, a UN General Assembly Resolution included a demand for the immediate release of Mr Darwish and his colleagues. In January 2014, the UN Working Group on Arbitrary Detention (WGAD) found that Mr Darwish and his colleagues had been deprived of their liberty due to their human rights activities and also called for their immediate release. Furthermore, on 22 February 2014, United Nations Security Council issued Resolution 2139, which demanded the release of all arbitrarily detained people in Syria.

In this context, the CCBE wishes to draw to your attention the following Principles of the United Nations Basic Principles on the Role of Lawyers (1990):

Principle 10 states that:

Governments, professional associations of lawyers and educational institutions shall ensure that there is no discrimination against a person with respect to entry into or continued practice within the legal profession on the grounds of race, colour, sex, ethnic origin, religion, political or other opinion, national

or social origin, property, birth, economic or other status, except that a requirement, that a lawyer must be a national of the country concerned, shall not be considered discriminatory.

Furthermore, principle 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, and the fact that the Syrian Anti-Terrorism Court is expected to issue a verdict in the trial on 24 September 2014, the CCBE respectfully urges you to release Mr Darwish. The CCBE also requests that you investigate the reported acts of torture and ill-treatment in order to guarantee the security and physical and psychological integrity of Mr Darwish. In addition, the CCBE asks you to take all necessary measures to guarantee that the participation in human rights activities are not considered as grounds for discrimination to membership in the Syrian Bar Association or to the continued practice of the legal profession.

I look forward to hearing from your Excellency urgently.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI
President