

Mr. President Bashar al-Assad
Presidential Palace
al-Rashid Street
Damascus
Syrian Arab Republic

Re: Concerns regarding human rights lawyers Mr Ridwan Uthaman Sido and Mr Rafeef Mustafa

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 has also observer representatives from a further eleven 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 concerns over Mr Ridwan Uthaman Sido, human rights lawyer and member of the board of trustees of the Kurdish Human Rights Committee in Syria, and Mr Rafeef Mustafa, a human rights lawyer and member of the Aleppo branch of the Syrian Bar Association, coordinator of the Syrian anti-death penalty campaign and Board Chairperson of the Kurdish Human Rights Committee in Syria.

The CCBE is informed that on 24 August 2011 Mr Ridwan Uthaman Sido was arrested by Syrian Security Forces upon returning to Syria from Turkey where he had been visiting family. Mr Sido has been held in incommunicado detention since his arrest and has not been permitted access to a lawyer or his family. His current whereabouts are unknown. To date, it is still not clear whether charges have been brought against him; nevertheless it is anticipated that he may be accused of spreading false information, debilitating the morale of the nation and inciting racial and sectarian strife, in line with a pattern which has emerged related to previous arrests of other Kurdish human rights defenders.

On 2 and 3 of September 2011, Syrian Security Forces carried out two raids of the family home of Mr Rafeef Mustafa in Ayn al Arab, reportedly with the intention of arresting him and his sons. They were not in the house at the time, and are believed to be wanted by the Syrian Security Forces as a result of their human rights activities.

The CCBE understands that the arrest and detention of Mr Ridwan Uthman Sido, as well as the raid at the Mustafas' family home, are directly related to the aforementioned defenders' legitimate human rights work, namely their involvement in the promotion and protection of human rights of the Kurdish minority in Syria. It is further believed that these human rights defenders may also have been targeted because of their Kurdish ethnicity.

The CCBE is gravely concerned for physical and psychological integrity and security of Mr Ridwan Uthaman Sido, namely considering that, to date, his fate and whereabouts remain unknown, which greatly increases the risk that he may be subjected to torture as well as others forms of ill treatment. The CCBE is also concerned for the physical and psychological integrity and safety of Mr Rafeef Mustafa.

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

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 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, the CCBE respectfully urges you to take immediate and effective steps to ensure the physical and psychological safety of Mr Ridwan Uthaman Sido and Mr Rafeef Mustafa, in order to preserve the independence and integrity of the administration of justice, and guarantee in all circumstances that human rights defenders in Syria are able to conduct their professional duties without fear of reprisals and free of all restrictions.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Dal', with a long horizontal line extending to the right from the end of the signature.

Georges-Albert Dal

President