

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

Re: Concerns regarding the situation of lawyers in Syria

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 the arrest, torture and prosecution of Syrian lawyers and human rights defenders, in connection with the violence that continues to rage in Syria.

The CCBE is informed that on 28 November 2011 lawyer and human rights defender Fahd Musa al-Musa, aged 41, was arrested in Hamaon after a raid on his friend Abd al-Razaq's house. They were both taken to an unknown destination in an unacceptable way.

Moreover, in Ar-Raqqah Governorate, human rights activist and lawyer Abdullah Al-Khalil was arrested on 15 December 2011 for the third time since the beginning of the recent violence in Syria. His son, Mohammad, who is barely 16 years old, was arrested along with him.

Also in Ar-Raqqah Governorate and on 15 December 2011 the security forces arrested lawyer Dirar Ismail Najm and took him to an unknown destination. The authorities have not contacted their families to disclose where they are being held, or the reasons for their arrest, and the families have been too frightened to ask directly about their whereabouts

Additionally, the CBBE is alarmed at the situation of lawyer Ahmad Al-Rashid who was abducted from the Palace of Justice in Aleppo, beaten and wounded before his colleagues, and then dragged inside the trunk of a car. His colleagues obstructed the way of the perpetrators, and finally released their colleague from the trunk, covered in blood.

The CCBE is also worried about the situation of Abdul Salam Al-Atrush, Salam Othman and Husameddine Al-Asad, three lawyers who were abducted more than four months ago and remain unaccounted for.

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

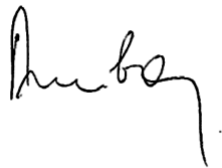
threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

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: release the lawyers who have been subjected to enforced disappearance since their arrest or at least call on the authorities immediately to disclose their whereabouts and any charges brought against them; ensure that they are protected from torture and other ill-treatment while in custody, allow immediate contact with their family and a lawyer of their choice, and provide them with any medical care they require; and guarantee in all circumstances that human rights lawyers in Syria are able to conduct their professional duties without fear of reprisals and free of all restrictions, in order to preserve the independence and integrity of the administration of justice.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Prunbauer-Glaser', with a long, sweeping tail extending downwards and to the right.

Marcella PRUNBAUER-GLASER

President