

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

Brussels, 10 October 2012

Re: Concerns regarding the arrest and detention of human rights lawyer Khalil Matouk

Dear President,

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 the 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 utter its concern concerning arrest and incommunicado detention of human rights lawyer Khalid Matouk, well-known for his valuable work as an executive director of the Syrian Centre for Legal Studies and Research. We have strong reasons to believe that his arrest is a result of his peaceful and legitimate activities in defence of human rights, mainly by providing legal support for detained human rights defenders in Syria.

The CCBE has been informed that on 2 October 2012, a group of armed men in civilian clothes arrested Mr Matouk on his way to his office in Damascus, at a checkpoint positioned on the Syria/Jordan international highway. Following his arrest, he was taken to an unknown destination where he remains incommunicado. He is suffering from some chronic health problems and needs constant medical care, while there are also fears that he may be ill-treated or even tortured.

We have continuously urged, earlier this year, the Syrian government to guarantee that human rights lawyers are able to conduct their professional duties without fear of reprisals. In addition, with our letter of 14th March 2012 addressed to the UN Secretary General, Mr Ban Ki-moon, and jointly signed by numerous professional associations of lawyers worldwide, we expressed our strong support for those Syrian lawyers engaged in peaceful dissent or in representing persons peacefully pursuing change in your country. However, the arrest of Khalil Matouk is further evidence that no follow-up action has been taken by Syrian authorities to put a halt to the widespread harassment, imprisonment and abuse of legal professionals in Syria.

The CCBE is alarmed by these facts, which indicate a deteriorating repressive environment for human rights defenders in Syria. 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

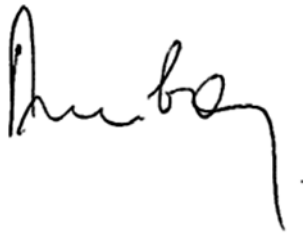
consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

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 urges you to take effective steps to secure the fulfilment of Syria's obligations under the above mentioned international law instruments, including immediate steps to disclose the whereabouts of Mr Matouk, arrange for due process and allow him unfettered access to lawyers. We, finally, call upon the Syrian authorities to stop all attempts to discredit lawyers for the legitimate exercise of their professional duties and to guarantee that, in all circumstances, lawyers are able to carry out their human rights activities without fear of reprisals and free of all restrictions including judicial harassment.

Yours sincerely,



Marcella PRUNBAUER-GLASER

President