

AMNESTY INTERNATIONAL

Public Statement

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Lebanon: Dr al-Mugraby must be immediately released

Amnesty International today expressed concern about the arrest of lawyer and human rights defender Dr Muhammad al-Mugraby, held at a detention centre in the Justice Palace compound in Beirut since 8 August for his alleged "impersonation of a lawyer".

Amnesty International considers the arrest of Dr al-Mugraby to be arbitrary, and calls for his immediate release as a prisoner of conscience. Amnesty International fears that his arrest may be politically motivated and be meant to intimidate him as a human rights defender.

Dr Muhammad al-Mugraby, who is putting his name forward as a candidate for the post of Chair of the Beirut Bar Association, has in recent years issued a number of statements in which he criticised sections of the judiciary and the Beirut Bar Association, and called for the reform of these institutions.

These prompted the Bar Association of Beirut to instigate a disciplinary action against Dr al-Mugraby accusing him of issuing leaflets and memoranda with the object of "harming and questioning the integrity of the judiciary and the credibility of the Beirut Bar Council".

On 17 January 2003 a disciplinary board of the Beirut Bar Association issued a unanimous decision striking off the name of Dr Muhammad al-Mugraby *in absentia* from the register of the Bar Association. The decision is subject to appeal, and becomes final only after the defendant has exhausted all means of appeal, according to Article 553 of the Code of Civil Procedures. Dr al-Mugraby appealed against the decision and is still waiting for the outcome. In the meantime he continued to practice law as a lawyer and to represent his clients before the court with the knowledge of the Beirut Bar Association.

As a lawyer he is entitled to exercise his right to freedom of expression and association in accordance with Article 23 of the UN Basic Principles on the Role of Lawyers: "Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right 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 organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession."

Amnesty International is concerned that the authorities have arrested Dr al-Mugraby while his appeal against the Beirut Bar Association's decision to strike off his name from the Bar register is still pending. This is contrary to the Beirut Bar Association regulations and international standards governing the legal profession. Article 28 of the UN Basic Principles on the Role of Lawyers states "Disciplinary proceedings against lawyers shall be brought before an impartial disciplinary committee established by the legal profession, before an independent statutory authority, or before a court, and shall be subject to an independent judicial review."

Public Document

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