



November 6, 2009

To the attention of:

- **Mr. Nizar Assakkef, President of the Syrian Bar Association**
- **Mr. Mohammad Jihad Al-Lahham, President of the Damascus section of the Syrian Bar Association**

Dear Sirs,

The undersigned organisations write to you to express their deep concerns at the disciplinary trial before the Syrian Bar Association of Mr. **Muhammad Al-Hassani**, a prominent Syrian lawyer and human rights defender, President of the Syrian Organisation for Human Rights “Sawasiya” and member of the Damascus Bar Association for 15 years.

As you are aware, on August 4, 2009, Mr. Mohamed Walid Attech, the former President of the Bar Association, decided to refer the case of Mr. Al-Hassani to the disciplinary board of the Damascus section of the Bar Association. In its decision 1854, the Bar Association accused Mr. Al-Hassani of “being the President of the Syrian Organisation for Human Rights, which has been established without an official licence and without obtaining the Bar Association’s approval”, of “having the organisation carry out its activities in a way that is harmful to Syria”, and of “publishing false and exaggerated information that weakens the state and its reputation abroad”.

The grounds of the referral also include the accusation that Mr. Al-Hassani “has attended and documented the proceedings of the Supreme State Security Court (SSSC) without being the lawyer of those involved in these proceedings; and that his actions violate the law governing this profession as well as the [Bar Association’s] internal rules [statute], and harm the dignity, honour and traditions of this profession”.

The disciplinary board of the Damascus section of the Bar Association has been examining the case since August 11, 2009 and we understand that a ruling may be issued on around November 10, 2009.

Our organisations are aware that Mr. Al-Hassani is also facing criminal charges brought against him by an investigating judge at the end of July for allegedly “weakening national sentiment” and “spreading false information that could debilitate the morale of the nation and harm the reputation of the state abroad”.

Such charges have been frequently used by the judiciary to target human rights defenders and political dissidents, and we consider them politically motivated. The fact that the Bar Association's referral of the case of Mr. Al-Hassani to its disciplinary board occurred within a week and was based on similar grounds is therefore of particular concern to us.

These two proceedings, in themselves, appear to contravene international standards relating to the independence of lawyers and the role of human rights defenders, including as contained in the United Nations (UN) Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998 and to the UN Basic Principles on the Role of Lawyers adopted in September 1990. Article 16 of the Basic Principles provides that lawyers must be "able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference" and that they "shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties".

We are also concerned that the Bar Association's actions are not consistent with the International Covenant of Civil and Political Rights, which ensures the right to freedom of expression and association.

We believe that the role of the Bar Association is to defend the role of lawyers in society, including in their capacity as human rights defenders, and to promote debates on the law and its implementation.

We are deeply concerned about all the grounds of referral and urge you to drop all accusations against Mr. Al-Hassani, as they manifestly aim at obstructing his human rights activities and his right to freedom of expression and association.

We hope that you will take this request into consideration.

Sincerely,

Souhayr Belhassen, President of the International Federation for Human Rights
Eric Sottas, Secretary General of the World Organisation Against Torture
Kamel Jendoubi, EMHRN President
Francesca Boniotti, General Director of Avocats Sans Frontières
Corrado De Martini, President of the Union Internationale des Avocats
Mary Lawlor, Director of Front Line: The International Foundation for the Protection of Human Rights Defenders
Me François Cantier, President of Avocats Sans Frontières France
Neil Hicks, International Policy Advisor at Human Rights First
Said Benarbia, Legal Adviser for Middle East and North Africa of the International Commission of Jurists
Philip Luther, Acting Director, Middle East and North Africa Programme, Amnesty International