

Prime Minister of India
Shri Manmohan Singh
Prime Minister's Office
Room number 152, South Block
New Delhi, INDIA

Re: **Concerns regarding the case of lawyer Mr. Devi Singh Rawat**

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 around one 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.

We express our concern over the situation that faces Mr. Devi Singh Rawat, a human rights lawyer.

According to the information received by the CCBE, on the night of January 31, 2010, Mr. Devi Singh Rawat was arrested by the police in the Ajmer District of the North Indian State of Rajasthan.

The arrest comes after Mr. Devi Singh Rawat had filed, some weeks ago, a case for torture in the court of Judicial Magistrate No.4 against officials of the Adarsh Nagar police station, on the request of People's Watch National Project on Prevention of Torture. We have been informed also that, on January 30, 2010, some police officials tried to persuade him to make a compromise concerning the case, threatening him, without achieving their objective.

The above-mentioned acts seem to aim merely at sanctioning his human rights activities, in particular his work against torture.

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 expresses concern regarding Mr. Devi Singh Rawat's situation which we believe amounts to harassment for his work as a lawyer, and urges the authorities to take immediate and effective steps to guarantee the protection of lawyers in order to preserve the independence and integrity of the administration of justice, and to ensure that all attempts to discredit lawyers for the legitimate exercise of their professional duties are promptly and effectively stopped.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'JMD', written over a horizontal line.

JOSÉ-MARÍA DAVÓ-FERNÁNDEZ
President