
Le Président
The President

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

Brussels, 14 March 2012

Re: Concerns regarding the arrest and detention of human rights lawyer, Mr Umar Qandaqji

Dear Mr 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 express its serious concerns over the situation of human rights defender and lawyer, Mr Umar Qandaqji, a member of a Syrian group of human rights attorneys providing free legal assistance to prisoners of conscience. The CCBE has written to you to express its concerns on a number of occasions previously with regard to the arrest, torture and persecution of Syrian lawyers and human rights defenders. We have called on a number of occasions for the Syrian authorities to guarantee that human rights lawyers in Syria are able to conduct their professional duties without fear of reprisals and free of all restrictions. It appears, however, that no action has been taken by the Syrian government.

The CCBE has been informed that on 8 March 2012, after being stopped and questioned by members of the Syrian political security forces at a checkpoint in the Homs neighbourhood of Al Inshaat, Mr Qandaqji was arrested and then handed over to the Air Force Intelligence. Since his arrest, Mr Qandaqji has been held *incommunicado* and the whereabouts of his detention remain unknown. There are concerns about his safety, physical and psychological integrity, as the Air Force Intelligence and other Syrian security services are alleged to have been involved in the torture and ill-treatment of detainees in their custody.

The CCBE believes that the arrest and detention of Mr Qandaqji is a result of his activities as a human rights lawyer, who was active in assisting and providing legal and humanitarian assistance for victims of human rights violations in the city of Homs.

The CCBE is alarmed by these facts, which indicate a continuous repressive environment for human rights lawyers 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 disclose the whereabouts of Mr Umar Qandaqji, arrange for his immediate release, allow him unfettered access to lawyers and guarantee in all circumstances that 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 and ensure that all attempts to discredit lawyers for the legitimate exercise of their professional duties are promptly and effectively stopped.

Yours sincerely,



Marcella PRUNBAUER-GLASER

President