

DATE  
26/05/2010

Mr Zine el-Abadine Ben Ali  
President of the Republic of Tunisia  
Palais de Carthage  
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**Re: Concerns regarding the case of lawyers Mr. Abderraouf Ayadi, Mr Ayachi Hammami, Mr Mohamed Abbou and Ms. Radhia Nasraoui**

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 facing lawyers Mr. Abderraouf Ayadi, Mr Ayachi Hammami and Mr Mohamed Abbou, who work in the same law firm which has been placed under police cordon in order to discourage their clients from visiting them. We already sent you a letter regarding Mr, Abbou on 8 March 2007.

According to our information, several non-uniformed policemen and police vehicles are stationed in an ostentatious way permanently in front of the offices of Mr. Ayadi, Mr. Hammami and Mr. Abbou, and the people who visit these lawyers are interviewed by the police.

We are also worried about the situation of lawyer Ms. Radhia Nasraoui, who has suffered a burglary recently.

In addition, the law firm of Ms. Radhia Nasraoui suffered a burglary on the night of 30 April 2010, during which her personal computer was stolen. The action occurred after a telephone conversation between Ms. Nasraoui and one of her clients about a dispute involving a figure close to the Tunisian government, in a case due to be dealt with by the African Commission on Human and Peoples' Rights.

The CCBE condemns the harassment against lawyers Mr. Abderraouf Ayadi, Mr Ayachi Hammami and Mr Mohamed Abbou, which seems to us aimed at preventing these lawyers from exercising freely their professional activity. We also urge you to investigate the burglary against Ms. Nasraoui.

In this context, the CCBE wishes to draw to your attention the following Article 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, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

In view of the above, the CCBE urges the Tunisian authorities to investigate the above mentioned facts and to stop any unjustified measure against lawyers, in order to guarantee the free exercise of the profession of lawyer, and the independence and integrity of the administration of justice.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J.M. Davó-Fernández', written over a horizontal line.

JOSÉ-MARÍA DAVÓ-FERNÁNDEZ  
President