

Vice-President and Prime Minister
Shaikh Mohammad bin Rashid Al-Maktoum
Office of the Prime Minister
POB 2838, Dubai, UAE

Brussels, 21 May 2014

Re: Concerns regarding the ill-treatment in prison of Dr Mohammed al-Roken, a human rights lawyer

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 more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further thirteen 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 previously wrote to you on 20 March 2013 and 24 July 2013 to express its serious concern over the situation of Dr Mohammed al-Roken, human rights lawyer and professor of constitutional law who was arrested in July 2012 with 94 other government critics charged with trying to overthrow the government. In a verdict decided by the Federal Supreme Court in Abu Dhabi on 2 July 2013, 56 people including Dr Mohammed al-Roken were sentenced to 10 years in prison. Especially worrisome was the fact that the entire trial has been plagued by allegations of unfairness and a lack of due process. The defendants in this mass trial were denied access to lawyers while they were detained incommunicado awaiting trial. All the men were held in solitary confinement in secret detention facilities, some for up to a year. Many told the judge they had been tortured and allowed only short infrequent visits from their families. Moreover, the verdict cannot be appealed, since it was decided by the highest court in the country.

The CCBE has recently been informed that Dr Mohammed al-Roken was transferred to solitary confinement in al-Razeen Prison, Abu Dhabi, on 5 May 2014. Prison authorities do not allow him any visits or calls with his family. According to reports that we received from different human rights organisations, the solitary confinement cell, where he is being kept, is dirty and full of insects, including mosquitoes. They also have reported that he may be at risk of torture and other ill-treatment.

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.

Moreover Article 17 states that:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

In view of the above, the CCBE respectfully urges your Excellency to release Mohammed al-Roken immediately and unconditionally, as he is a prisoner of conscience held solely for peacefully exercising his rights to freedom of expression and association, including his work as a lawyer, and to guarantee his physical and psychological safety and integrity. The CCBE also asks you to ensure that lawyers in UAE are able to conduct their professional duties under all circumstances without fear of reprisal and free from all restrictions.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI
President