

URGENT APPEAL - THE OBSERVATORY

SYR 001 / 0111 / OBS 001
Disciplinary hearing / Harassment
Syria
January 3, 2010

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in **Syria**.

Description of the situation:

The Observatory has been informed by reliable sources about acts of harassment against Mr. **Radif Mustafa**, lawyer and President of the Kurdish Committee for Human Rights, by the Aleppo Bar Association.

According to information received, on December 19, 2010, Mr. Radif Mustafa was interrogated in the framework of a hearing held by the Aleppo Bar Association. The hearing took place on the basis of a disciplinary action launched by the President of the Aleppo Bar Association following a decision of the Damascus Bar Association. Grounds of referral include alleged "membership to an illegal organisation", "actions against the Syrian government" through Mr. Radif Mustafa's human rights work and his publications on human rights issues, "tackling topics with a view of undermining national unity" and "publishing unfounded news".

This disciplinary action is based on Law No. 30 on the Lawyers Profession. The next hearing is scheduled for January 30, 2011.

The Observatory firmly denounces these acts of harassment by the Bar Association, which seem to aim at further muzzling lawyers involved in human rights issues.

The Observatory recalls that paragraph 23 of the [Basic Principles on the Role of Lawyers](#) provide that lawyers "shall have the right 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 organizations and attend their meetings, without suffering professional restrictions".

Actions requested:

Please write to the Syrian authorities, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Radif Mustafa;
- ii. Put an end to any acts of harassment, including at the disciplinary level, against Mr. Radif Mustafa and more generally against all human rights defenders in Syria;
- iii. Conform with the provisions of the Basic Principles on the Role of Lawyers and of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its:
 - Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realization

- of human rights and fundamental freedoms at the national and international levels”;
- Article 5(b), which establishes that “for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels to form, join and participate in non-governmental organizations, associations or groups”;
 - Article 6(b), which stipulates that “everyone has the right, individually and in association with others, as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms”;
 - Article 9.3(c), which states that “everyone has the right, individually and in association with others, to offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms”;
 - and Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;

iv. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by the Syrian Arab Republic.

Addresses :

•President, His Excellency Bashar al-Assad, Presidential Palace, al Rashid Street, Damascus, Syria Arab Republic, Fax: +963 11 332 3410

•Minister of Defence, His Excellency General, Ali Habib Mahmud, Ministry of Defence, O mayyad Square, Damascus, Syrian Arab Republic, Fax: +963 11 223 7842

•Minister of Justice, His Excellency Mr. Ahmad Hamod Younes, Mazeh “Otstrad”, Damascus, Syrian Arab Republic, Fax: +963 11 666 2460

•Minister of Foreign Affairs, His Excellency Wallid Mu'allim, Ministry of Foreign Affairs, al-Rashid Street, Damascus, Syrian Arab Republic, Fax: +963 11 332 7620

•Ambassador Faysal Khabbaz Hamoui, Permanent Mission of the Syrian Arab Republic to UN in Geneva, 72 rue de Lausanne, 1202 Geneva, Switzerland, Fax: +41 22 738 42 75, Email: mission.syria@ties.itu.in

•Embassy the Syrian Arab Republic in Brussels, 1 avenue F.D. Roosevelt, 1050 Brussels, Belgium, Tel: +32 2 554 19 22; Fax: +32 2 648 14 85

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Please also write to the diplomatic mission or embassy of the Syrian Arabic Republic in your respective country.

Paris-Geneva, January 3, 2010

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.



The Observatory
for the Protection
of Human Rights Defenders

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

E-mail: Appeals@fidh-omct.org

Tel and fax FIDH + 33 (0) 1 43 55 25 18 / +33 1 43 55 18 80

Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29