

**BY AIRMAIL**

His Excellency Bashar al-Assad  
Presidential Palace  
Al Rashid Street  
DAMASCUS  
**SYRIA, Arab Republic**

Amsterdam, 9 March 2010

Subject: Mr. Haitham al-Maleh and Mr. Muhannad al-Hassani

Your Excellency,

The Dutch Lawyers for Lawyers Foundation (*'Stichting Advocaten voor Advocaten'*) is committed to helping lawyers around the world who are prevented from exercising their profession without any proper interference. Lawyers for Lawyers would like to express its grave concern about the prosecution of our colleagues Mr. Haitham Al-Maleh and Mr. Muhannad Al-Hassani, both respected human rights lawyers.

Mr. Al-Hassani was arrested on 28 July 2009. The reported ground for his arrest was that he had allegedly reported on and published the trial observations that he had carried out before the State Security Court, a court with special jurisdiction. Moreover, Mr. Al-Hassani was president of the Syrian Organisation for Human Rights 'Sawasiya' and regularly represents activists and political detainees. On 30 July he was charged with 'weakening national sentiment' and 'spreading false information that could debilitate the morale of the nation and harm the reputation of the state abroad'. These acts constitute crimes under Articles 285, 286 and 287 of the Syrian Penal Code. According to our information, his trial will open soon.

Mr. Al-Maleh was arrested on 14 October 2009, two days after he had been interviewed by Barrada TV, a Europe based television channel. During the interview he is said to have criticized the ongoing oppression of the freedom of expression by the Syrian authorities. On 3 November 2009 Mr. Al-Maleh was charged by a military judge with 'conveying false news', 'weakening national sentiment' and 'slandering a governmental body'. These acts constitute crimes under Articles 286 and 378 of the Syrian Penal Code. As a result, Mr. Al-Maleh faces 15 years' imprisonment. Since his arrest, Mr. Al-Maleh is said to have been detained in harsh conditions, especially if one takes into account his illness and 79 years of age. Like Mr. Al-Hassani, Mr. Al-Maleh faces a prison sentence of fifteen years in a trial that will open soon.

Lawyers for Lawyers has reasons to believe that Mr. Al-Maleh and Mr. Al-Hassani are prosecuted for their lawful activities as legal professionals. Their trials thus contravene international human rights and international standards relating to the role of human rights defenders and the position of lawyers.

In particular paragraphs 16 and 17 of the United Nations Basic Principles on the Role of Lawyers state that the government is under an obligation *'to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference'*. Further: *'Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities'*.

According to paragraph 23, *'Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they 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 by reason of their lawful action or their membership in a lawful organization'*.

These principles are universally applicable. Therefore, your government is under an obligation to adequately protect and support its lawyers.


In view of the above, Lawyers for Lawyers strongly urges your government to honour its international legal obligations and to put an end to the prosecution of Mr. Al-Maleh and Mr. Al-Hassani and to release them immediately and unconditionally, if they have been arrested solely for their lawful activities as lawyers and the peaceful exercise of their right to freedom of expression and association. Furthermore we call upon the Syrian authorities to guarantee their physical and psychological integrity and to provide them, in particular Mr. Al-Maleh, with the medical attention they require.

We thank you for your attention to these very important matters. We are confident of your good will and sense of justice and will continue to monitor this case closely.

On behalf of the President of **Lawyers for Lawyers**, Phon van den Biesen,

Sincerely,

Lawyers for Lawyers



Adrie van de Streek  
Executive director

**BY AIRMAIL**

Minister of Interior  
Major Sa'id Mohamed Samour  
Ministry of Interior  
'Abd al-Rahman Shahbandar Street  
DAMASCUS  
**SYRIA, Arab Republic**

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On behalf of the President of **Lawyers for Lawyers**, Phon van den Biesen,

Sincerely,

Lawyers for Lawyers



Adrie van de Streek  
Executive director

**BY AIRMAIL**

Minister of Justice,  
His Excellency  
Mr. Ahmad Hamod Younes,  
Mazeh "Otstrad  
DAMASCUS  
**SYRIA, Arab Republic**

Amsterdam, 9 March 2010

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Adrie van de Streek  
Executive director

**BY AIRMAIL**

Minister of Foreign Affairs  
His Excellency Wallid Mu'allim  
Ministry of Foreign Affairs  
al-Rashid Street  
DAMASCUS  
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Adrie van de Streek  
Executive director



**BY AIRMAIL**

Ambassador Faysal Khabbaz Hamoui,  
Permanent Mission of the Syrian Arab  
Republic to UN in Geneva  
72 Rue de Lausanne  
1202 GENEVA  
**SWITZERLAND**

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Adrie van de Streek  
Executive director

**BY AIRMAIL**

Ambassador of the Syrian Arab Republic to  
Belgium  
Embassy of the Syrian Arab Republic to  
Belgium  
3 Avenue F.D. Roosevelt  
BXL 1050 BRUSSELS  
**BELGIUM**

Amsterdam, 9 March 2010

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