



BY AIRMAIL

His Highness Sheikh Mohammed Bin Rashid al-Maktoum
Vice-President and Prime Minister
Prime Minister's Office
POB 212000, DUBAI
UNITED ARAB EMIRATES

Email: info@primeminister.ae

Amsterdam, 12 December 2016

Subject: Arrest and detention of lawyers Vahit Aykut Ergil and Abdulmetin Uraçin

Your Excellency,

Lawyers for Lawyers is an independent, non-profit and non-political foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession.

Lawyers for Lawyers is concerned about the arrest and detention of Turkish lawyers Vahit Aykut Ergil and Abdulmetin Uraçin in Abu Dhabi, United Arab Emirates. We have reason to believe that their arrest is connected to their legitimate activities as attorney.

According to our information, on 27 October 2016, Vahit Aykut Ergil and Abdulmetin Uraçin were arrested on charges of 'forgery of documents'. The arrest took place when they tried to submit a document of one of their clients to a bank, where the personnel suspected the document to be forged. Vahit Aykut Ergil and Abdulmetin Uraçin were detained for three days at the Criminal Investigation Department (CID) in Abu Dhabi, and on 30 October 2016 transferred to the Al Wathba Prison on Abu Dhabi. We have been informed that they are held under bad prison conditions. The first hearing in the case against them took place on 6 December 2016 at the Abu Dhabi Courthouse. They were both convicted and sentenced to one year imprisonment.

Lawyers for Lawyers, as well as other organizations, fear that Vahit Aykut Ergil and Abdulmetin Uraçin were arrested while performing their professional duties as lawyers, for an offence they have not committed, but would allegedly be committed by their client. Even if the document was presumed forged, Vahit Aykut Ergil and Abdulmetin Uraçin were submitting the document on behalf of their client in their professional capacity.

In view of the above, we would like to draw your attention to UN Basic Principles on the Role of Lawyers¹, and more in particular Articles 16 and 18, which read:

¹ The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly "welcomed" the Basic Principles in their 'Human rights in the administration of justice' resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.



16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference (...) 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.

18. Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

In view of the above, Lawyers for Lawyers respectfully urge you to:

1. Immediately release Vahit Aykut Ergil and Abdulmetin Uraçin if they are solely held in connection to their professional activities as attorneys, and let them return to Turkey as soon as possible.

2. In the absence of their release, ensure that they are held in adequate conditions of detention, and ensure that the trial against them is fair and guarantee due process rights

Thank you for your attention to this very important matter. We are confident that the government of the United Arab Emirates will give this case the attention it deserves and we will continue to monitor this case closely.

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

Yours sincerely,

LAWYERS FOR LAWYERS

Adrie van de Streek
Executive Director

Letters concerning the same topic were sent to:

His Highness Sheikh Mohammed bin Zayed Al Nahyan,
Crown Prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces