

TRIBUNAL POUR ENFANTS

Le 27 octobre 2003

40 avenue Camille PUJOL

31500 TOULOUSE

FRANCE

Odile BARRAL

Juge des enfants

Excellence,

As a lawyer in France, I am writing to express my concern at the arrest and detention of lawyer and human rights defender Dr. al-Mugraby, who was reportedly being held at a detention centre in the Justice Palace compound for his alleged 'impersonation of a lawyer' despite the fact that his appeal against removal of the Bar Association register is pending. Amnesty International has adopted Dr. al-Mugraby as a prisoner of conscience.

Dr. al-Mugraby has in recent years issued numerous statements in which he criticised sections of the judiciary and the Beirut Bar Association, and called for reform of these institutions. These statements prompted the Bar Association to strike his name off the register of the Bar Association, and this decision is now awaiting appeal. I am concerned by allegations that his arrest is politically motivated, intended to intimidate him as a human rights defender.

The decision to strike his name from the register and his subsequent arrest and detention violate Article 23 of the UN Basic Principle of the Role of Lawyers, which states :

"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. "

Furthermore, the fact that Dr. al-Mugraby has been charged with 'impersonation of a lawyer' and detained while his appeal against the Beirut Bar

Association's decision to strike his name from the Bar register is still pending violates Article 28 of the UN Basic Principles on the Role of Lawyers, which states :

"Disciplinary proceedings against lawyers shall be brought before an impartial disciplinary committee established by the legal profession, before an independent statutory authority, or before a court, and shall be subject to an independent judicial review."

I call on you to ensure that Dr. al-Mugraby and to ensure that his appeal against the Beirut Bar Association's decision is considered by a fair, impartial and independent judicial authority. and that he si permitted to continue practise law pending a final decision on his appeal.

Yours sincerely,

Odile BARRAL