



The Law Society of
Upper Canada | Barreau
du Haut-Canada

July 9, 2013

Office of the Treasurer

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Minister of Justice of the Syrian Arab Republic
Mr. Najm Hamad al-Ahmad
Al-Nasr Street
Damascus
Syrian Arab Republic

Dear Minister,

Re: Lawyer Khalil Ma'touq

I write on behalf of The Law Society of Upper Canada* to voice our grave concern over the ongoing imprisonment of human rights lawyer Khalil Ma'touq. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Khalil Ma'touq is a prominent human rights lawyer in Syria. He is the Executive Director of the Syrian Centre for Legal Studies and Research. Khalil Ma'touq provides legal assistance to victims of human rights violations in Syria, including the defense of hundreds of political prisoners, prisoners of conscience and journalists.

On October 2, 2012, Khalil Ma'touq and his friend and assistant Mohammed Thatha left Khalil Ma'touq's home in a suburb of Damascus, for work in the city. The two men did not arrive at the office. It is believed that they were detained at a government controlled checkpoint en route to work. This detention was as a direct result of Khalil Ma'touq's human rights work.

Since their disappearance, the families of Khalil Ma'touq and Mohammed Thatha have been unable to obtain any information about their whereabouts. Despite repeated requests for information, Syrian authorities continue to deny that the two men are in custody. Although Syrian law only allows detention for the purposes of investigation for a maximum period of sixty days, Khalil Ma'touq has been in detention for more than 240 days. The ongoing silence of Syrian authorities heightens worries that the men are being subjected to torture and ill treatment in detention, which is reportedly rife in Syrian prisons.

The situation is especially troubling as Khalil Ma'touq suffers from severe lung disease, which requires regular medication and constant monitoring. In late May 2013, people close to Khalil Ma'touq and Mohammed Thatha received a tip indicating that Khalil Ma'touq was indeed in detention and that his health was deteriorating. It is unknown whether Khalil Ma'touq is receiving any medical care for his serious condition.

The arbitrary arrest and detention of Khalil Ma'touq is part of a widespread pattern of enforced disappearance and repression of lawyers in Syria. It is estimated that at least 37 lawyers are currently detained in Syria. Since anti-government protests erupted in March 2011, upwards of 1,300 individuals have reportedly died in custody, and many more have been subjected to torture and ill-treatment in Syrian detention centres and prisons. Several human rights organizations have condemned Syria's ongoing persecution, harassment and imprisonment of human rights lawyers who are engaged in legitimate, peaceful legal duties and human rights work.

International human rights instruments, including the *Universal Declaration of Human Rights*, the *International Covenant on Civil and Political Rights* and the *United Nations Basic Principles on the Independence of the Judiciary*, state that judicial independence and respect for humans rights are essential to advancing the rule of law.

The Law Society urges the Syrian authorities to,

- a. release and guarantee in all circumstances the physical and psychological integrity of Khalil Ma'touq and his assistant Mohammed Thatha;
- b. provide Khalil Ma'touq with immediate access to all medical treatment he requires;
- c. put an end to all acts of harassment, including at the judicial level, against human rights lawyers and other human rights defenders in Syria;
- d. ensure that all lawyers can carry out their peaceful and legitimate activities without fear of physical violence or other human rights violations;
- e. conform in all circumstances with the provisions of the *United Nations Basic Principles on the Role of Lawyers* and the *Declaration on Human Rights Defenders*; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Syria.

Yours very truly,

Thomas G. Conway
Treasurer

**The Law Society of Upper Canada is the governing body for some 44,400 lawyers and 5, 100 paralegals in the Province of Ontario, Canada and the Treasurer is the head of the Law Society. The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.*

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