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Geneva, 10 November 2021

Grave concerns about the situation of lawyer Mohammad Ahmad Samir Sablough

Your Excellencies,

As an association representing the interests of lawyers, the Geneva Bar Association places a great emphasis on the respect for human rights and the rule of law and is particularly concerned by the situation of lawyers in the world.

In this context, the Geneva Bar Association has been informed of possible threats and intimidation that its fellow colleague Mohammad Ahmad Samir Sablough seemed to have been the subject of, as a consequence of his legitimate professional activities as a lawyer.

Mr Sablough is a practicing lawyer since 2007, a member of the Tripoli Bar Association and the director of the Prisoners' Rights Center at the Tripoli Bar Association.

He is notably known for his human rights practice that regularly leads him to document cases and represent victims of torture and other ill-treatment in Lebanese detention facilities, both before the domestic courts and in the UN Special Procedures.

We understand in particular that in 2020 and 2021, Mr Sablough provided Amnesty International with testimonies and information regarding violations against Syrians refugees in Lebanon, and that a report called "*I wish I would die, Syrian refugees arbitrarily detained on terrorism related charges and tortured in Lebanon*" was eventually published by the NGO¹.

According to our sources, following the publication of that report, Mr Sablough faced a growing number of threats and intimidation aiming at prohibiting him to communicate with international NGOs.

On 15 August 2021, Mr Sablough filed a case of ill-treatment under the anti-torture law in relation to one of his client, Mr Rabea Hatem Al Dhaibi, who claimed to have been severely beaten the day before by military police officers in the Fakhr Al Din military barracks in Beirut, where he was detained.

¹The report is available here: <https://www.amnesty.org/en/wp-content/uploads/2021/05/MDE1836712021ENGLISH.pdf>.

On 23 September 2021, after Mr Al Dhaibi was heard by the Military Court's Government Commissioner Judge Fadi Al Akiki without his lawyer present, he signed a confession indicating that the allegations were fabricated by Mr Sablough.

On 28 September 2021, the Military Court sent a letter to the Tripoli Bar Association requesting that the immunity of Mr Sablough be lifted in order to prosecute him under article 403 of the Lebanese Penal Code, which punishes the submission of a slanderous denunciation. We understand that this request was rejected by the Tripoli Bar Association on 27 October 2021.

In view of the abovementioned context, the Geneva Bar Association fears that the Military Court's request to lift the immunity of Mr Sablough to prosecute him might be related to his legitimate lawyer's activity and his denunciation of the ill-treatment his client has been the subject of. If confirmed, that would be a clear violation of the basic human rights as enshrined in all international and regional human rights instruments ratified by Lebanon.

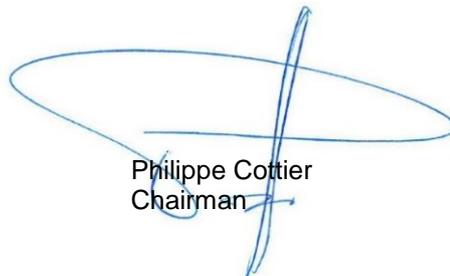
We would like to draw your attention in particular to the 1990 UN Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, that have a normative value under customary international law, and should be respected by Lebanon, which was present at the Congress.

The latter states in particular that the Lebanese authorities have an obligation to ensure that lawyers can perform all of their professional functions without intimidation, hindrance, harassment or improper interference and that they do not suffer, or be threatened with, prosecution for any action taken while carrying out their duties (Principle 16).

Therefore, we call on the Lebanese authorities to comply with the standards set forth by the Basic Principles on the Role of Lawyers, to abide by its international obligations and to protect Mohammad Ahmad Samir Sablough and all lawyers in Lebanon against any present or future harassment, intimidation and/or reprisal in the legitimate exercise of their profession.

We thank you for your attention to this very serious and urgent matter. We will continue to closely monitor this case.

Respectfully yours,


Philippe Cottier
Chairman

cc. Tripoli Bar Association, Tripoli, Lebanon (tripolibarassociation@yahoo.com; info@nl-bar.org)

Embassy of Lebanon in Switzerland, His Excellency Ambassador, Thunstrasse 20, 3074 Muri-bei-Bern, Switzerland (ambalibch@hotmail.com)

Embassy of Switzerland in Lebanon, His Excellency Ambassador, Imm. Bourj Al-Ghazal, Avenue Fouad Chéhab, Achrafie / Beirut, Lebanon (beirut@eda.admin.ch)

UN Special Rapporteur on the independence of judges and lawyers, Mr Diego Garcia-Sayan, Office of the United Nations High Commissioner for Human Rights (srindependencejl@ohchr.org)

UN Special Rapporteur on the situation of human rights defenders, Mrs Mary Lawlor, Office of the United Nations High Commissioner for Human Rights (defenders@ohchr.org)

UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishments, Prof. Nils Melzer, Office of the United Nations High Commissioner for Human Rights (sr-torture@ohchr.org)