

BY AIRMAIL

HE Omar Hassan Ahmed al-Bashir

Office of the President

People's Palace

PO Box 281

KHARTOUM, **SUDAN**

Email: info@sudan.gov.sd

Amsterdam, 11 October 2013

Re: The exercise of the legal profession by mr. Adam Sharief - serious violations of Basic Principles

Your Excellency,

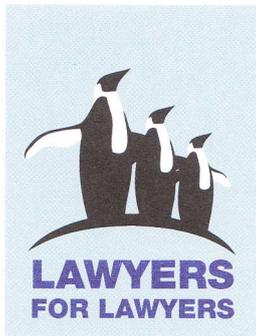
The Dutch Lawyers for Lawyers Foundation (*Stichting Advocaten voor Advocaten*) expresses its grave concerns about the arrest of our colleague, Adam Sharief, a respected human rights lawyer who also provides legal aid to victims in Darfur and is the coordinator of the Darfur Bar Association in South Darfur.

Adam Sharief was arrested on 26 September 2013 and is now being held without charge in Nyala by the National Intelligence and Security Service (NISS). Thus far, Adam Sharief has not been granted access to a lawyer.

According to the local media at least seven persons have been killed in Nyala in a short period of time.

On 18 September 2013 protests broke out in Nyala after Ismail Ibrahim Wadi, a prominent local businessman and president of the local football team, and his son and nephew were killed. After Ismail Ibrahim Wadi's funeral the following day, protestors gathered around the South Darfur Government offices to call for the Governor to resign. During the protests police used tear gas on the protesters and opened live ammunition, to which the protesters responded by setting several cars, including the Governor's car, on fire.

Six days prior to his arrest, Adam Sharief carried out an interview with independent radio station Radio Dabanga during which he criticised the Governor of South Darfur for the lack of security that is provided in Nyala, the capital of South Darfur. He also criticised the use of live ammunition by security forces to disperse demonstrators that gathered together on Ismail Ibrahim Wadi's funeral on 19 September 2013. According to reports, during the demonstration at least five persons were killed by live fire and at least 48 persons were seriously injured, requiring hospital treatment.



Lawyers for Lawyers is concerned that Adam Sharief has been detained for peacefully exercising his right to freedom of expression, resulting from his position as a human rights lawyer and provider of legal aid to victims of the Darfur crisis. Lawyers for Lawyers believes that he should either be charged with a recognisable offence or released immediately.

Thus, we would like to urge your government to recognize the valuable and important role of lawyers by respecting the freedom of their expression, the more so since this is a right ensuing from paragraph 23 of the Basic Principles on 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.*

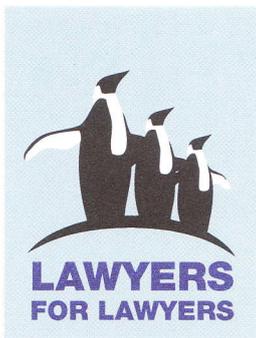
Arresting and detaining Adam Sharief without any suspicion of guilt of a criminal offence or a concrete accusation regarding a criminal offence forms a severe breach of paragraph 23 of the Basic Principles on the Role of Lawyers, established by the United Nations, particularly since there is a strong suspicion that the freedom of expression is the underlying basis of this arrest.

Given all the above, we urgently request your government:

- To release Adam Sharief immediately and unconditionally or charge him with a recognizable crime;
- To ensure the safety of Adam Sharief both physically and mentally and guarantee that he will not be subjected to torture or any other form of ill-treatment;
- To ensure a swift and impartial investigation into the involvement of Adam Sharief with any criminal offence, which investigation is conducted in an independent, efficient, thorough and transparent manner;
- To ensure that, if the findings of this investigation indicate reason to prosecute, the case is presented to an independent, competent and impartial tribunal in accordance with international rules and regulations for the protection of human rights, applying criminal, civil or administrative penalties as are prescribed by law;
- To ensure that the authorities concerned respect the right to freedom of expression and freedom of assembly in South Darfur.

We encourage your government to publicly condemn any form of ill-treatment by the authorities of Southern Darfur and Sudan as a result of statements made from the context of freedom of expression.

We furthermore request you to inform us about the measures your government will take to ensure that the aforementioned safeguards and general human rights are respected.



We thank you for your attention to this very important matter. 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

C.c.

- **Ibrahim Mohamed Ahmed**, Ministry of Interior, PO Box 873, Khartoum, Sudan
- **His Excellency, mr. Mohamed Elhassan Ibrahim Alawad Hassan**, Ambassade van de Republiek Sudan, Koninginnegracht 63 - 64, 2514 AG Den Haag, [Fax: 070 3617975](tel:+31703617975), [E-mail: info@sudanembassy.nl](mailto:info@sudanembassy.nl)