

HE Omar Hassan Ahmad al-Bashir
Office of the President
People's Palace
PO Box 281
Khartoum, Sudan

Brussels, 26 March 2014

Re: Concerns regarding the detention of Mr Abdelmoniem Adam, a human rights defender and lawyer

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further twelve European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concern over the situation of Mr Abdelmoniem Adam, a 30-year-old human rights lawyer who was arrested at his office in Alsoq Alarabi, Khartoum on 13 March 2014 and has since been detained incommunicado.

Mr Adam is a prominent lawyer and human rights activist from South Darfur who has defended Darfuri individuals detained by the police or other security forces. His last case related to the release of 100 students from a local university, who were detained after the murder of a Darfurian student on 11 March 2014.

According to the information that we received, on 13 March 2014, Mr Abdelmonem Adam was taken to the offices of the National Intelligence and Security Services (NISS). The CCBE has been informed that, since this time, Mr Adam has been detained incommunicado without any criminal charges filed against him by the NISS or any other competent judicial authorities. It is also reported that he has been denied access to his lawyer and contact with his family members.

The CCBE is alarmed by reports from reliable sources that Mr Adam could be at risk of being subjected to torture or other cruel, inhuman or degrading treatment while in detention.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be

threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights 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 organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE respectfully urges you take immediate and effective steps to ensure that Mr Abdelmoniem Adam is immediately released – unless national authorities officially file a precise criminal charge against him. The CCBE also asks you to take all necessary measures to guarantee that lawyers in Sudan are able to carry out their professional activities in all circumstances, without fear of reprisal, intimidation or judicial harassment.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI
President