

Omer Hassan Ahmed Al-Bashir
The President of the Republic of Sudan
The Republican Palace
Khartoum city
Republic of Sudan

Brussels, 18 June 2012

RE: Concerns regarding the harassment of lawyer, Ms Nagla Mohamed

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 has also observer representatives from a further eleven 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 concerns over the situation of a lawyer, Ms Nagla Mohamed, who has been recently subjected to harassment and intimidation by the National Intelligence and Security Services (NISS). Ms Mohamed is a prominent Sudanese human rights defender and a director of Al Sharq Human Rights and Development Organisation.

The CCBE has been informed that on 21 April 2012 Ms Mohamed was escorted by 14 armed security officers to the NISS offices, where she was confined to a dark cell and interrogated on issues relating to her work as a human rights defender. During the custody, Ms Mohamed was verbally abused and subjected to threats and intimidation. The interrogation continued throughout the following day, when Ms Mohamed reported to the NISS offices and gave an account of her relations with the Sudanese political parties. The lawyer was confined to a dark cell and subjected to further threats and harassment. On 24 April 2012, Ms Mohamed was detained in an isolated room for 12 hours and was told that these measures were intended to disrupt her work and to deter her from involvement in activities against the government. As a result of the frequency of her interrogations and poor conditions during the custody, Ms Mohamed fell ill and was taken to hospital, where she was diagnosed with a nervous breakdown. Her most recent summons was on 8 May 2012, when she was asked to report to the NISS offices in the city of Port Sudan.

The CCBE is deeply concerned about the ongoing harassment and intimidation of Ms Mohamed and believes that these incidents are directly related to her peaceful and legitimate activities as a lawyer and human rights defender. The CCBE is alarmed by these facts, which indicate a repressive environment for the exercise of the legal profession in Sudan.

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

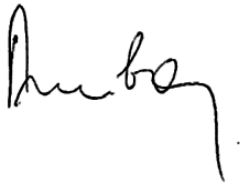
threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

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 urges you to take effective steps to ensure that the harassment and intimidation of Ms Nagla Mohamed, including her summons to NISS offices, is immediately stopped and that she is able to carry out her peaceful and legitimate human rights work without restrictions or fear of reprisal. The CCBE also urges you to take all necessary measures to guarantee the security, physical and psychological integrity of Ms Mohamed, and to ensure that all lawyers in Sudan are able to carry out their activities without fear of reprisals and free of all restrictions, including harassment and intimidation, in order to preserve the independence and integrity of the administration of justice.

Yours sincerely,



Marcella PRUNBAUER-GLASER

CCBE President