

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

www.lrwc.org – lrwc@portal.ca – Tel: +1 604 736 1175 – Fax: +1 604 736 1170
3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

May 18, 2018

HE Omar Hassan Ahmad al-Bashir
Office of the President
People's Palace
PO Box 281
Khartoum, Sudan
email- info@presidency.gov.sd

Idris Ibrahim Jameel
Ministry of Justice
PO Box 302, Al Nil Avenue
Khartoum, Sudan
Email- moj@moj.gov.sd

Mr. Ibrahim Ahmed Ghandour
Minister of Foreign Affairs
Fax:+249183772941

Gen. Dr. Hamid Manan Mohamed
Minister of Interior
Email: ministry@mfa.gov.sd

Advisory Council for Human Rights,
Rapporteur
Fax: +249183770883
HE Mustafa Osman Ismail Elamin,
Ambassador
Permanent Mission of the Republic of Sudan
United Nations in Geneva
Email: mission.sudan@bluewin.ch

Embassy of Sudan in Brussels
Email: sudanbx@yahoo.com

Your Excellency:

Re: Harassment and Intimidation by NISS of Sudan lawyer, Adil Mohamed Al-Imam

Lawyers Rights Watch Canada (LRWC) is a committee of lawyers, students and academics who campaign internationally for advocacy rights, advocates in danger, and on rule of law issues. We also engage in legal research and education about international human rights law. I am a lawyer and a partner of a law firm in Canada, Cohen Highley LLP, and I am writing to you to ask that you intervene with respect to Sudanese National Intelligence Security Services' (NISS) tactics involving the above named individual.

Last year a Sudanese teenager, Noura Hussein, was imprisoned in Ombdurman after fatally stabbing her husband, who she says raped her as his relatives held her down. Her subsequent death sentence has attracted international outrage. On Wednesday, May 16, 2018 Noura Hussein's lead attorney, Adil Mohamed Al-Imam, was due to brief the media on the latest developments in the case at a scheduled press conference.

We are informed through a senior director of SEEMA, a non-governmental organization working with victims and survivors of gender-based violence in Khartoum, that just a few hours before the scheduled press conference, National Intelligence and Security forces (NISS) came to Adil Mohamed Al-Iman's office, informed him that the press conference was banned, and ordered Noura Hussein's defence team to cancel it. This same information was also reported to us through a coordinator of the No Oppression Against Women Initiative, Sudan.

The intimidation and threats by NISS, together with the forced cancellation of the press conference, is a substantial interference with the right of Noura Hussein's legal defence team to inform the public about the status of a client in detention and with the right to communicate publicly about matters involving gender abuses in Sudan.

Rights to freedom of expression "constitute the foundation stone for every free and democratic society" (UN Human Rights Committee, General Comment 34, para. 2). The International Covenant on Civil and Political Rights, (ICCPR), to which Sudan is a State Party, prohibits restrictions of the rights to freedom of expression other than as specifically allowed. The ICCPR (Article 19 (3)) allows only restrictions that are provided by law, necessary and proportionate to ensuring respect for the rights or reputation of others, or/and, protecting national security or public order. Similarly, the African Charter on Human and Peoples' Rights (Banjul Charter) to which Sudan is a State Party, prohibits restrictions of expression rights other than as specifically provided (Article 27(2)). None of the circumstances allowing State Parties to impose restrictions under either the ICCPR or the Banjul Charter are present in this case. In addition, the UN Human Rights Council has specifically called on states (A/HRC/RES/12/16 at para. 5 (p) (i)), to refrain from restricting reporting on human rights, as Asil Mohamed Al-Iman was preparing to do.

LRWC urges the authorities of Sudan to do the following:

1. immediately direct NISS to cease harassment and intimidation of Adil Mohamed Al-Imam and Noura Hussein's legal defence team; and,
2. make public the reasons for NISS threatening Adil Mohamed Al-Imam and inform him that he is free to conduct a press conference about developments in Noura Hussein's case; and
3. Comply with ICCPR and Banjul Charter obligations to enable Asil Mohamed Al-Imam and others to exercise rights to freedom of expression and report on human rights issues, free from harassment, interference and reprisals by state and non-state actors.

We would be obliged if you would give this serious matter your immediate attention.

Yours Very Truly,



signature electronically affixed

Joe Hoffer
Sudan Monitor, Lawyers Rights Watch Canada

cc: His Excellency Mahmoud Fadl Abdelrasoul Mohammed
Chargé d'Affaires, Embassy of Sudan
354 Stewart Street
Ottawa, Ontario K1N 6K8
Sudanembassy-canada@rogers.com

Special Rapporteur on the situation of human rights
defenders

Mr. Michel Forst

Email: defenders@ohchr.org

Working Group on Arbitrary Detention

Mr. José Guevara

Ms. Leigh Toomey

Ms. Elina Steinerte

Mr. Sètondji Adjovi

Mr. Seong-Phil Hong

Email: wgad@ohchr.org

Special Rapporteur on the independence of the judges and
lawyers

Mr. Diego Garcia-Sayan

Email: SRindependenceJL@ohchr.org

Special Rapporteur on the promotion and protection of the
right to freedom of opinion and expression

Mr. David Kaye

freedex@ohchr.org