

Stephen N. Zack
President

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December 10, 2010

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

Re: Harassment of Human Rights Lawyers and Advocates in Sudan

Mr. President:

The American Bar Association (ABA) is an independent, voluntary, non-governmental organization of nearly 400,000 lawyers and judges worldwide. It regards human rights and the rule of law as cornerstones of a free and just society and has committed to strengthening them in the United States and internationally.

The ABA is deeply concerned about recent arbitrary arrests and detention of lawyers, human rights activists, and journalists in Sudan, including Mr. Abdelrahman Mohammed Al Gasim, who was arrested on October 30, 2010, by the National Intelligence and Security Services (NISS). Mr. Gasim is a human rights lawyer and the Legal Aid and Training Coordinator of the Darfur Bar Association in Khartoum. He is an active human rights defender and had previously received threats from Sudanese authorities for participating in international human rights forums. His arrest was followed by the arrests of several other human rights activists, including workers from the Human Rights and Advocacy Network for Democracy (HAND). No charges have yet been brought against these detainees and their location remains unknown.

The United Nations Declaration on Human Rights Defenders calls upon states to “. . . take all necessary measures to ensure the protection by the competent authorities of [human rights defenders] against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary actions” as a consequence of their legitimate effort to promote human rights. The UN Basic Principles on the Role of Lawyers state that lawyers must be allowed to carry out their work “without intimidation, hindrance, harassment or improper interference” and affirm the right of lawyers to freedom of expression. Further, the Constitution of Sudan and numerous international and regional human rights instruments to which Sudan is a state party, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights, affirm the rights of all

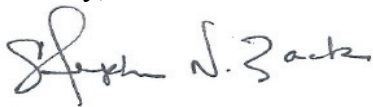
December 10, 2010

Page 2

Sudanese to freedom of speech, association and expression, and security of person without arbitrary government interference.

The ABA therefore respectfully urges you to release Mr. Gasim and the other detained activists and to end NISS's practice of arbitrarily detaining lawyers and human rights advocates. If the detainees are to be tried, we urge they be afforded all the fair trial and due process protections set forth under international law, including prompt and unfettered access to legal counsel of their choice and that independent observers are allowed to witness to the trial.

Sincerely,

A handwritten signature in black ink that reads "Stephen N. Zack". The signature is written in a cursive, slightly slanted style.

Stephen N. Zack

cc: Mr. Mohammed Boushara Dossa, Minister of Justice, Sudan
Mr. Ali Ahmed Karti, Minister of Foreign Affairs, Sudan
United States Department of State