



**International Commission of Jurists
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His Excellency Lieutenant General
Omar Hassan al-Bashir
President of the Republic of Sudan
President's Palace
P.O. Box 281, Khartoum, Sudan

Fax: 00 249 117 83223

Your Excellency,

The International Commission of Jurists (ICJ) consists of jurists who represent all the regions and legal systems in the world working to uphold the rule of law and the legal protection of human rights. The ICJ's Centre for the Independence of Judges and Lawyers (CIJL) is dedicated to promoting the independence of judges and lawyers throughout the world.

We are writing to you to express our alarm at the arrest and incommunicado detention of lawyer Ghazi Suliman, Chairperson of the Sudan Human Rights Group and leader of the democratic forces front (GAD"). We have received information that several individuals from the national Security Agency ("NSA") arrested Mr. Suliman at his home at 8:00 am on 2 July. He was then taken to the NSA Political Section office where he was interrogated about his involvement in the Khartoum Declaration ("E'laan El Khartoum"), a declaration signed by civil society, political groups and prominent individuals supporting the peace process and calling for Khartoum to become a secular capital. It is not clear whether Mr. Suliman was arrested under the National Security Act or under the Emergency Law.

It is alleged that at 10 am, after two hours of interrogation, Mr. Suliman was taken to his home so that he could collect his personal belongings and inform his family that he was being moved to Kober Prison by NSA officers. Since then, Mr. Suliman's family has attempted to visit him at Kober Prison and NSA central offices but has been told that he not being held at either of those places.

We have received information that any act relating to the security of the Government and a subsequent arrest and detention by security forces is considered to be an administrative detention, which, in contrast to a judicial arrest, can result in indefinite detention.

Mr. Suliman's detention is thus considered to be an administrative one and, as such, he risks indefinite detention. Furthermore, although the Government reportedly acknowledges that it holds Mr. Suliman, his whereabouts to date remain unknown and consequently, neither his family nor his lawyers have been able to visit him.

Mr. Suliman had been previously arrested on 19 June, harshly interrogated then released.

We are also alarmed that another lawyer, Mohmamed Alhafiz, Vice-Chair of the Sudan Human Rights Group, along with a trade union leader, was also reportedly arrested and taken to the NSC headquarters on 3 July. He is allegedly held under indefinite administrative detention as well.

Arresting and detaining incommunicado lawyers who were exercising their right to express their opinions on the peace process is shocking by any standards. We remind you that pursuant to the *Declaration on the Protection of All Persons from Enforced Disappearances* which was adopted by the UN General Assembly in 1992, Mr. Suliman and Mr. Alhafiz should be brought before a judicial authority promptly after detention and that accurate information on their detention and their place of detention should be made immediately available to their family members and their lawyers

We remind you also that the rights to liberty and security of person, freedom from arbitrary detention, and freedom of expression and association are fundamental rights enshrined in international treaties such as the *International Covenant to Civil and Political Rights* and the *African Charter on Human and Peoples' Rights*. As party to both instruments, your Government must respect its obligations thereto.

Furthermore, you will recall that pursuant to the 1980 *UN Basic Principles on the Independence of the Judiciary*, ("UN Principles") Principle 23,

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. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.

We therefore request that in the absence of any legitimate criminal charges, your Government must immediately release Mr. Suliman and Mr. Alhaz. If any criminal charges are to be brought against these lawyers, they must be in strict conformity with international human rights standards on fair trial standards which include the right to be tried in "a fair and public hearing by a competent, independent and impartial tribunal established by law." (Art. 14 of the *International Covenant on Civil and Political Rights*).

Yours sincerely,

Federico Andreu
Senior Legal Advisor

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